§ 358. Failure to obtain or maintain certification. 1. The commissioner shall conduct a hearing upon notice to the chief assessor and the clerk of the city for which the assessor serves, such hearing to be conducted within the city where the assessing unit is located no later than thirty days after delivery of such notice, where it appears that an assessor has failed:

(a) within the applicable period to file, with the clerk of the city for which the assessor serves, a certificate of the commissioner stating that he or she has fulfilled the requirements of section three hundred fifty-four of this title; or

(b) to file, with the clerk of the local government for which the assessor serves, a temporary certificate as provided in subdivision three of this section.

2. If, after such hearing, the commissioner finds that an assessor has failed to comply with any applicable requirements as stated in subdivision one of this section, the appointment of that assessor shall be revoked.

3. In the event that an assessor shall have been unable to enroll in or complete any course of continuing training and education for reasons beyond his or her control and, as a result thereof, is not certified, the commissioner may issue a temporary certificate which will enable the assessor to continue in office pending completion of such course at the earliest date when such course is next available as specified by the commissioner. Such temporary certificate shall be filed with the clerk of the city for which the assessor serves and shall permit the assessor to continue in office for the period set forth therein. Upon the expiration of such temporary certificate and after a hearing as hereinabove provided, the appointment of an assessor shall be revoked in the case of an assessor unless the assessor has filed a certificate as hereinabove provided.

4. In any hearing conducted pursuant to this section, a statement signed by the commissioner stating that he or she has made a diligent search of the records of the department and has found no record, entry, or filing of a specified nature, shall be prima facie evidence that the

records of the department contain no such record, entry, or filing.