**Section 100.120 Requirement of an Answer; Default**

a) In contested cases, the Petitioner shall file an Answer to the Notice of Preliminary Hearing at least five days prior to the date of the Preliminary Hearing, unless otherwise provided by law. The Answer shall be in writing, signed by the Petitioner or his or her representative, and shall contain a specific response to each allegation in the Administrative Decision. The response shall either admit or deny the allegation, or shall state that the Petitioner has insufficient information to admit or deny the allegation. Any Answer not conforming to the requirements of this Section may be stricken.

b) Any Answer that states that the Petitioner has insufficient information to admit or deny the allegation shall be accompanied by an affidavit attesting to the truth of this assertion.

c) If the Petitioner does not file an Answer conforming with the requirements of this Section or otherwise does not file a responsive pleading, on motion by the Department, the Administrative Law Judge will cause to be issued a Notice to Plead or Be Held in Default. If, within 15 days after issuance of that notice, the Petitioner does not file an Answer conforming with the requirements of this Section or otherwise file a responsive pleading, the Petitioner will be held in default and the allegations of the Administrative Decision will be deemed to have been admitted. In a like manner, if a Petitioner fails to appear for any scheduled Hearing or proceeding without cause, the Petitioner may be held in default and the allegations of the Administrative Decision will be deemed to have been admitted.