**Section 5300.330 Non-Compliance**

a) When the Department believes that a party has violated written terms of a settlement approved by the Commission, it may file a notice with the Commission, with service upon all parties, specifying the nature of the alleged violation and praying for an order remanding the matter for hearing or authorizing the Department to seek judicial enforcement.

b) Whenever the Department files a notice of a violation, the party allegedly violating the Commission's order may file a response with the Commission within 15 days after service of the notice upon it. A 3 member panel of the Commission shall consider the Department's notice and the response, if any, and shall enter an order, with service on the parties and the Department, which shall either direct the Department to seek judicial enforcement pursuant to Section 8-111(C) of the Act, remand the matter to an Administrative Law Judge, or find that no violation exists. If the Commission determines that a violation has occurred, it will instruct the Department to seek judicial enforcement. If the Commission is unable to determine whether a violation has occurred, it will remand the matter to an Administrative Law Judge for a hearing.

(Source: Amended at 34 Ill. Reg. 16373, effective October 5, 2010)