**Section 1110.240 Administrative Law Judge and Board Reports and Orders of the Director**

a) In every contested case, except for defaults, the Administrative Law Judge will file a written Report and Recommendation that contains Findings of Fact and Conclusions of Law with respect to the allegations contained in the Complaint, Notice of Intent to Deny, Notice of Intent to Refuse to Renew or Petition for Hearing, unless the parties reach an agreed disposition.

b) When the recommendation is for discipline, the ALJ will include his or her specific recommendation as to type and duration.

c) If the ALJ's Report is made to a Board, the Board shall review the Report and the record and issue its own Report adopting, rejecting or modifying the Findings of Fact, Conclusions of Law and/or Recommendation and make any other recommendation it deems appropriate to the Director.

d) After the Board or ALJ forwards the report to the Director, all parties will receive "Twenty Day Notice" with a copy of the report. Within 20 days after the Notice is sent, either party may request that a rehearing, or additional hearings, be ordered by the Director. A rehearing shall be ordered by the Director when the Director determines that substantial justice has not been done.

e) When a rehearing or additional hearings are requested, the request shall be in the form of a motion and shall state with specificity the reasons for the request. If it is alleged that new evidence is available that was not available at the time of the hearing, the affidavit shall describe the new evidence and reasons why it was not available for use at the hearing. The Division may file a response, which shall be filed within 20 days, and, if it does so, the licensee may reply, which shall be filed within 10 days.

f) After a motion for rehearing has been filed and a response and reply has been filed or the time therefor has passed, the Director shall enter an Order ruling on any motion for rehearing. If the motion is denied, the Director, in the same Order, shall further adopt, reject or modify the Findings of Fact and Conclusions of Law of the ALJ or the Board or both, adopt or reject the recommendation of the Board or the ALJ, and enter a decision.

g) An Order of the Director granting a rehearing is not a final order as defined by the Administrative Review Law [735 ILCS 5/Art. III]. An Order of the Director denying a motion for rehearing and entering a decision on the merits of the case is a final Order as defined by the Administrative Review Law and is subject to judicial review.

h) The Director will not consider motions to reconsider or modify a decision made or Order entered. The proper avenue of relief is to file a complaint under the Administrative Review Law

i) Whenever the Director enters a final Order under this Section pertaining to a person licensed under the Real Estate License Act of 2000, the Order shall also be served upon the person's managing broker and sponsoring broker.

(Source: Amended at 43 Ill. Reg. 9969, effective September 13, 2019)