**Section 1445.320 Citations for Non-Compliance with Continuing Education Requirements**

The Division shall conduct audits to verify compliance with the CE requirements of the Act and this Part. If, during an audit or compliance review, the Division determines that a licensee may be deficient in complying with CE requirements, the Division will issue a citation to the licensee, with copies to the licensee’s designated Community Association Manager and Community Association Management Firm, of the deficiency. Service of the citation shall be made in person, electronically or by mail to the licensee at the licensee’s address or email address of record. The licensee shall have 60 days after the date of service of the citation to submit evidence of compliance with CE requirements to the Division and to pay the fine imposed.

a) The citation shall inform the licensee that the licensee may provide the Division with proof that the licensee has completed the required CE prior to the renewal deadline or deadlines associated with the audit. If satisfactory proof is provided within 60 days after the citation is served, the citation shall become null and void.

b) The citation shall set forth the fine imposed and inform the licensee that the licensee may request a hearing contesting the deficiency within 30 days after the citation is served.

c) The citation shall become a final non-disciplinary order if the cited licensee does not request a hearing within 30 days after the citation is served or if the cited licensee does not provide the Division with proof of completing the required CE, prior to the renewal deadline or deadlines associated with the audit, within 60 days after the citation is served. The fine shall be payable within 30 days after the date of the final order.

d) A non-disciplinary fine in the amount of $500 shall be assessed for a first citation for noncompliance with CE requirements. A non-disciplinary fine in the amount of $1,000 shall be assessed for a second citation for noncompliance with CE requirements. Pursuant to Section 85.1(c) of the Act, a third and each subsequent citation for noncompliance with CE requirements shall result in publicly disclosed discipline and a fine in an amount not to exceed $2,000.

e) Payment of the non-disciplinary fine does not absolve the person from the responsibility to complete the CE requirements and correct the violation. Failure to satisfy the CE requirement or failure to pay the non-disciplinary fine may result in disciplinary action for the violations set forth in the citation.

f) If the licensee fails to submit, within the 60 day period after the citation is served, satisfactory evidence of compliance with CE requirements and to pay the fine imposed, the licensee shall not engage in real estate activities for which a license is required under the Act until all required CE has been completed and payment is made for the fine imposed by the citation and for any fees required to reinstate or restore the license.

(Source: Added at 47 Ill. Reg. 8409, effective June 2, 2023)