**Section 1.45 Notice of Formal Administrative Proceeding**

a) The Director or the administrative law judge shall set the date, time, and place of all formal administrative proceedings.

b) The formal administrative proceeding shall be held in the offices of the Department in Springfield, Illinois, or in such other place as the Director or administrative law judge shall for stated cause designate (e.g., respondent unable to travel because of age or infirmity).

c) The Department shall give written notice to affected parties not later than 10 days prior to the date on which the formal administrative proceeding is scheduled, unless the specific statute or rules under which the alleged violation occurred state otherwise.

d) Failure to comply with the provisions of this Subpart may not be used as a defense to an enforcement action, but any person adversely affected by such failure of compliance may have the hearing postponed upon motion to the administrative law judge.

(Source: Amended at 16 Ill. Reg. 15850, effective October 5, 1992)