**Section 172.120 Contractor Notice of Violation Citations and Penalty Process**

Pursuant to Section 172.110, violations may be categorized as administrative, quality control, or safety. Penalties will be applied to CNOVs based on the following criteria:

a) All CNOVs will remain in the licensed contractor’s file. The penalty process will be based on active CNOVs. Active CNOVs for purposes of the penalty process will be those that occurred in the 12 months prior to the date of CNOV issuance. Only those CNOVs issued after May 2, 2023 can be considered active for purposes of this Section.

b) Penalty assessment for CNOVs will be calculated utilizing the following method:

1) Licensed contractors may receive CNOVs for three administrative or quality control violations that occurred in the 12 months prior to the date of CNOV issuance without incurring a fine. Upon receipt of a CNOV for a fourth or subsequent administrative or quality control violation within the 12 months prior to the date of CNOV issuance, DPCS shall issue an administrative citation imposing a civil fine under the following penalty structure:

|  |  |
| --- | --- |
| Fourth violation: | $250 |
| Fifth violation:  | $500 |
| Sixth violation: | $750 |
| Seventh violation: | $1,000  |
| Eighth and each subsequent administrative or quality control violation:  | $1,250 |

2) Upon receipt of a CNOV for a safety violation, DPCS may issue an administrative citation imposing a civil fine under the following penalty structure:

|  |  |
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| First violation with no property damage or no personal injury:  | $1,000 |
| First violation with property damage but no personal injury:  | $2,500 |
| First violation with personal injury:  | $5,000 and a review for a possible license suspension or revocation in any or all modules held by the licensee. |
| Second and each subsequent safety violation: | all penalties double and a review for a possible license suspension or revocation in any or all modules held by the licensee. |

(Source: Amended at 47 Ill. Reg. 6755, effective May 2, 2023)