**Section 2051.370 Examination**

a) The Director or his or her designee may examine any applicant for registration or any registrant when he or she obtains information that gives him or her reason to believe that the applicant or registrant may be in violation of this Part, or any applicable provision of the Code, when he or she receives a complaint or when the applicant has a history of violations of the Code.

b) Any administrator being examined shall provide to the Director or his or her designee convenient and free access, at all reasonable hours at their offices, to all books, records, documents and other papers relating to the administrator's business affairs.

c) The Director or his or her designee may administer oaths and thereafter examine any individual about the business of the administrator.

d) The expenses of examination under this Section shall be assessed against the administrator being examined in accordance with Section 408(3) of the Code.

e) The examiner designated by the Director shall make a written report if he or she alleges a violation of this Part, any applicable provisions of the Code or any other applicable Part of Title 50 of the Illinois Administrative Code. The report shall be verified by the examiner. The report must be made to the Director within 45 days after the conclusion of the examination. If no report is to be made, the administrator shall be so notified.

f) If a report is made, the Director shall either deliver a duplicate of the report to the administrator being examined or send the duplicate by certified or registered mail to the administrator's address specified in the records of the Department. The Director shall afford the administrator an opportunity to request a hearing to object to the report. The administrator may request a hearing within 30 days after receipt of the duplicate examination report by giving the Director written notice of the request, together with written objections to the report. Any hearing shall be conducted in accordance with Sections 402 and 403 of the Code and 50 Ill. Adm. Code 2402. The right to hearing is waived if the delivery of the report is refused, the report is otherwise undeliverable to the address on file with the Department or the administrator does not timely request a hearing. After the hearing, or upon expiration of the time period during which an administrator may request a hearing, if the examination reveals that the administrator is operating in violation of any applicable provisions of the Code, any applicable Part of Title 50 of the Illinois Administrative Code or prior Order, the Director, in the written Order, may require the administrator to take action to correct the violation in accordance with the report or examination hearing. If the Director issues an Order, it shall be issued within 90 days after the report is filed, or, if there is a hearing, within 90 days after the conclusion of the hearing. The Order is subject to review under the Administrative Review Law [735 ILCS 5/Art.III].

(Source: Amended at 37 Ill. Reg. 2895, effective March 4, 2013)