**Section 240.220 Review of Complaints and Dismissals**

a) Complaints shall be reviewed by the Department to determine whether there is cause for investigation.

b) If the complaint fails to conform to the requirements set forth in Section 240.210, the complaint may be dismissed.

c) A complaint may also be dismissed for lack of jurisdiction (examples include, but are not limited to: the construction project is located outside the State of Illinois; the complaint does not involve construction services, such as an individual performing services in a nail salon); failure to cooperate with the investigation (examples include, but are not limited to: failure to respond to reasonable requests from the Department, such as not returning phone calls, not answering questions posed during the investigation); inability to locate a party; failure to complete a complaint; lack of evidence that a violation under the Act occurred; or repeat complaints filed by the same interested party against the same contractor for the same investigation.

d) The Department shall serve a written notice of dismissal of all or part of a complaint. The dismissal notice shall state the grounds for dismissal. The dismissal notice shall also advise the parties of the right to bring a private action pursuant to Section 60 of the Act.

e) If at any time the Department becomes aware that there is a complaint pending in federal or State court containing some or all of the issues before the Department, it may suspend or close its investigation of those issues of the complaint that are being litigated and continue to process the remaining issues. The Department shall notify all parties in writing if its investigation of a complaint has been suspended or closed.