**Section 280.310 Presentation of Parties' Information**

a) At the time of filing of the complaint, the Department may determine initially whether the allegations in the complaint sufficiently state a claim under the Act so that the Department can proceed with the investigation.

b) If, at the time of filing, or at any subsequent time, it is determined that there is a lack of jurisdiction, the complaint shall be denied. Upon the specific request of either of the parties, or on its own motion, the Department may recommend to the Director the denial of the complaint. All parties shall be notified of the denial of the complaint pursuant to the Administrative Procedures Act.

c) If the Department determines jurisdiction appears to exist, the Department shall promptly serve upon each respondent a copy of the complaint with a written notice setting forth the rights and obligations of the parties. The notice shall be served by U.S. regular mail.

d) Each respondent must remit a written response to the complaint within 21 calendar days after the date the Department forwarded the complaint. The response shall be signed by a duly authorized individual representative and shall include a complete, accurate and responsive explanation to the claim necessary and appropriate to the Department's investigation, specifying any defenses and any disputed and undisputed facts. If a respondent relied on any record for the response, the respondent shall submit a copy of that record. Failure, without good cause, of a respondent to submit an appropriate response to the Department may result in a finding of a failure to cooperate with the Department.

e) Upon receipt of a respondent's response, the Department is to forward the response to the complainant. Complainant shall submit a rebuttal to the Department within 21 calendar days after the date the Department forwarded the response of the respondent. Failure, without good cause, of the complainant to submit timely a rebuttal to the Department may result in a finding of a failure to cooperate or may be deemed to be a waiver of all proceedings before the Director and will permit a final order denying the complaint.

(Source: Amended at 30 Ill. Reg. 6157, effective March 23, 2006)