**Section 320.240 Amendment of Complaint**

a) A complaint may be amended to cure technical defects or to set forth additional facts or allegations related to the subject matter of the original complaint. The amendments, if timely filed pursuant to Section 320.210, shall relate back to the original filing date.

b) A complaint may be amended to substitute or name additional respondents. The amendment shall relate back to the original filing date, if timely filed pursuant to Section 320.210, and if at the time of the amendment a separate complaint could have been timely filed against the additional respondent or the additional respondent had timely notice of the original complaint and the fact that it might be involved in that complaint. Mere misnomer of a party may be cured at any time.

c) If a party dies while the proceedings are pending, the complaint may be amended to substitute the legal representative, or any other person with a legally recognized interest in the decedent's estate, for the deceased.

d) The Department shall provide notice of the substance of any amendment to a complaint to all parties.

(Source: Amended at 34 Ill. Reg. 19552, effective December 3, 2010)