**Section 2720.207 Untimely Appeals**

a) Whenever it shall appear to the Referee that the appeal was not filed in a timely manner as provided in the Act and no issue relating to timeliness is raised in the letter of appeal, the Referee shall issue his or her decision dismissing the appeal without holding a hearing on the matter. The Referee shall expedite the processing of cases to which this subsection applies.

b) If a timely appeal is filed with the Board of Review of a decision issued pursuant to subsection (a), the Board of Review shall immediately remand the matter to the Referee for a hearing on the question of the timeliness of the appeal.

(Source: Added at 33 Ill. Reg. 9623, effective August 1, 2009)