**Section 5300.430 Response by Department**

a) The Department has 30 days from the date of service of the Notice of Filing Request in which to file a Response with the Commission. The Department shall serve a copy on the requesting party and all original parties to the Charge at the same time. If the Department opposes the Request for Review, its response shall consist of the following:

1) a copy of the Charge, including amendments;

2) the Department's investigation report;

3) results of additional DHR investigation, if any; and

4) a statement of DHR's position, including proposed findings to support dismissal.

b) If the Department's response indicates the Department is unopposed to the relief sought by the requesting party in its Request for Review, the Executive Director of the Commission shall enter an order vacating the dismissal or default.

c) If the Department's response indicates the Department is unopposed to the relief sought by the requesting party in its Request for Review, and the respondent on the charge files a response to the Department's response to the Request for Review, the matter shall be assigned to a panel of three Commissioners for consideration.

(Source: Amended at 46 Ill. Reg. 17343, effective October 5, 2022)