**Section 1110.120 Requirement of an Answer; Defaults**

a) In contested cases involving a Complaint and unless otherwise provided by law, the Respondent shall file an Answer within 20 days after the date on which the Complaint was filed. The Answer shall be in writing, signed by the Respondent or his or her representative, and shall contain a specific response to each allegation in the Complaint. The response shall either admit or deny the allegation, or shall state that the Respondent has insufficient information to admit or deny the allegation. Any Answer not conforming to the requirements of this Section may be stricken.

b) Any Answer that states that the Respondent has insufficient information to admit or deny the allegation shall be accompanied by an affidavit attesting to the truth of this assertion.

c) If the Respondent does not file an Answer conforming with the requirements of this Section or otherwise does not file a responsive pleading, on motion by the Division the Administrative Law Judge will cause to be issued a Notice to plead or be held in default. If, within 15 days after issuance of the Notice, the Respondent does not file an answer conforming with the requirements of this Section or otherwise file a responsive pleading, the Respondent will be held in default and the allegations of the Complaint will be deemed to have been admitted. In a like manner, if a Respondent fails to appear for any scheduled hearing or proceeding without cause, he or she may be held in default and the allegations of the Complaint will be deemed to have been admitted.

d) In all contested cases involving a Petition to Restore, the Petitioner's failure to appear, without cause, at a scheduled hearing to prosecute or pursue his or her petition may result in a default and/or the dismissal of the Petition by the ALJ.

e) In contested cases involving a Notice of Intent to Refuse to Renew, the Respondent shall file a request for a hearing to contest the Notice within 30 days after service. If a request is not filed within that time, the Director may issue an order refusing renewal of the license. If a request for hearing is filed but the Respondent fails to appear, without cause, at a scheduled hearing to prosecute or pursue his or her request, the ALJ may dismiss the request for want of prosecution and refer the notice to the Director for action.

f) In contested cases involving a Notice of Intent to Deny Licensure, the Applicant shall file a request for hearing to contest the Notice within 30 days after service. If a request is not filed within that time, the Director may issue an order denying the license. If a request for hearing is filed but the Applicant fails to appear, without cause, at a scheduled hearing to prosecute or pursue his or her request, the ALJ may dismiss the request for want of prosecution and refer the notice to the Director for action.

g) In a case involving a Tax Liability Order, the Respondent shall file a request for a hearing to contest the Order within 60 days after the effective date of the Order. If a request for hearing is filed but the Respondent fails to appear, without cause, at a scheduled hearing to prosecute or pursue his or her request, the ALJ may dismiss the request for want of prosecution and refer the Order to the Director for action.

(Source: Amended at 43 Ill. Reg. 9969, effective September 13, 2019)