**Section 1240.501 Licensee-in-charge**

a) Every private detective agency, private alarm contractor agency, private security contractor agency, fingerprint vendor agency, and locksmith agency shall designate a licensee-in-charge. Maintaining a licensee-in-charge is a continuing requirement for agency licensure.

b) The licensee-in-charge shall be a full-time officer or employee of the agency and shall participate in agency affairs. Participation in agency affairs includes, but is not limited to, responsibility for delivery of professional services and compliance with the Act and this Part, including employee recordkeeping, training, activities and conduct, and the review and approval of contracts and proposals. Participation in agency affairs also includes responsibility of the licensee-in-charge for maintaining at a location within Illinois all files subject to audit or inspection pursuant to Section 35-10 of the Act. If the agency does not maintain an office in Illinois, the licensee-in-charge is responsible for maintaining these records at the agency's out-of-state office named in its application for licensure.

c) The licensee-in-charge is responsible for notifying the Division, on forms provided by the Division, of any change of address of the agency or any other change of information required to be reported in any application for licensure within 14 days after the change. Placing this responsibility on the licensee-in-charge does not relieve the agency of any of its related legal obligations.

d) If the agency is a corporation or a limited liability company, the licensee-in-charge is responsible for maintaining the good standing of the corporation or limited liability company with the Secretary of State. If the agency is a foreign corporation, the licensee-in-charge is responsible for maintaining its authorization to conduct business in Illinois. Placing this responsibility on the licensee-in-charge does not relieve the agency of any of its related legal obligations.

e) In determining whether a licensee-in-charge participates in agency affairs, the Division may consider those responsibilities identified in this Section, the number of employees under the direct supervision of the licensee-in-charge, and the employment relationship between the licensee-in-charge and the agency, including the existence of a contract for employment and any other relevant fact or circumstance.

f) An agency applying for a temporary certificate of authority or an extension of a temporary certificate of authority pursuant to Section 15-15, 20-15, 25-15, 30-15, or 31-15 of the Act shall file an application with the Division on forms provided by the Division. The agency shall report to the Division the name and contact information of an officer or other authorized person who will serve as a contact person in the absence of the licensee-in-charge and who has access to agency records.

(Source: Added at 36 Ill. Reg. 9938, effective July 13, 2012)