**Section 205.850 Fines and Penalties**

a) When the Department determines to impose a penalty or fine under Section 10d of the Act and Section 205.840 of this Part, the *Department shall issue a notice of fine assessment*. The notice shall be served in the manner provided in Section 10g(a) of the Act. (Section 10d of the Act)

b) Each notice of fine assessment shall include:

1) A description of the violation or *violations for which the fine is assessed*. (Section 10d of the Act)

2) The amount of the fine as determined under Section 205.840 of this Part, which *may be up to $500 per violation per day commencing on the date the violation was identified and ending on the date the violation is corrected, or action is taken to suspend, revoke or deny renewal of the license, whichever comes first*. (Section 10d of the Act)

3) A description of the manner in which the facility may contest the fine assessment and the right to a hearing under Section 10g of the Act and Section 205.860 of this Part.

c) *All fines shall be paid to the Department* by the licensee within the following time periods:

1) If the assessment is not contested by the licensee, no later than *ten days after the notice of assessment.*

2) *If the assessment is contested under Section 10g of the Act*, no later than *ten days after the receipt of the Director's final decision, unless the decision is appealed and the order is stayed by court order under Section 11 of the Act*. (Section 10e of the Act)

d) If payment has not been made by the licensee within the time periods specified in subsection (c) of this Section, the Department shall issue a *written demand for payment*. (Section 10e of the Act)

e) If the licensee does not comply with a *written demand for payment within 30 days, the Director shall issue an order to do any of the following:*

1) *Certify to the Comptroller that the delinquent fines are due and owing from the licensee.* The certification shall include *any amounts due and owing as a result of a civil action pursuant to Section 10e(c) of the Act*. The Department shall send notice of the certification to the licensee and to any other person known to the Department who may be affected by the certification.

2) *Add the amount of the penalty to the facility's license renewal fee.*

3) *Bring an action in circuit court to recover the amount of the penalty* or fine. (Section 10e of the Act)

(Source: Section repealed, new Section adopted at 15 Ill. Reg. 17770, effective December 1, 1991)