**Section 860.540 Administrative Monetary Penalties**

a) In addition to any other action authorized by the Mobile Home Park Act, the Manufactured Home Quality Assurance Act, the Manufactured Home Installation Code or this Part, if the Department finds violations at manufactured housing communities requiring licensure under the Mobile Home Park Act, the Department shall issue a written report or notice of the violations. In accordance with subsections (b), (c) and (d), each violation shall be categorized as either Type A, Type B, or Type C.

b) Type A Violation. The situation, condition or practice constituting a Type A violation shall be abated immediately, unless a fixed period of time, not exceeding 10 days, as determined by the Department and specified in the notice of violation or inspection report, is required for correction.

c) Type B Violation. A facility served with a notice of a Type B violation shall have 10 days after receipt of the notice to submit a plan of correction to the Department. The Department may extend the submission period when the corrective action involves significant capital expenditures. The plan shall include a fixed time period within which violations shall be corrected. If the Department rejects the plan of correction, it shall send notice of the rejection and the reason for the rejection to the facility. The facility shall have 10 days after receipt of the notice of rejection to submit a modified plan. If the modified plan is not timely submitted or if the modified plan is rejected, the facility shall follow an approved plan of correction imposed by the Department.

d) Type C violations. Type C violations include violations that may result in serious injury or death of patrons, employees, or the general public. Upon finding a Type C violation at a manufactured housing community, the Department will immediately take such actions as necessary to protect public health, which may include ordering the immediate closure of the facility, ordering the abatement of dangerous conditions, or ordering the cessation of any dangerous or improper practice.

e) Annotations and Penalties

1) Sections of this Part are annotated with "(Type A Violation)", "(Type B Violation)", or "(Type C Violation)", denoting the type of violation associated with that Section.

2) Type A violations shall carry no penalty provided they are corrected immediately, unless a fixed period of time, not exceeding 10 days, as determined by the Department and specified in the notice of violation or inspection report, is required for correction. If Type A violations are not corrected, they will be deemed Type B violations. Type B violations shall be assessed a penalty of $25 per violation per day for each day the violation persists. Type C violations shall be assessed a penalty of $100 per violation per day for each day the violation persists, in addition to any other penalties provided for by law.

(Source: Added at 43 Ill. Reg. 2558, effective February 6, 2019)