**Section 1130.580 Relinquishment of an Exemption**

The holder of an HFSRB exemption may request to withdraw that exemption. The relinquishment request requires an application to and approval by HFSRB for relinquishment. Upon approval of relinquishment by HFSRB, the exemption is considered null and void. Requests for relinquishment shall be considered only for exemptions that are current and valid. Requests shall be filed with HFSRB prior to the completion date of the exemption.

a) Relinquishment Procedure

The permit holder shall notify HFSRB in writing, prior to the execution of the withdrawal of a project. The notice shall include:

1) A description of the exemption and related costs;

2) A detailed explanation of the reasons for relinquishment; and

3) If the approval of the permit or exemption was based upon need, an explanation of how that need will be met in absence of the project.

b) HFSRB staff shall review the request for relinquishment and prepare a report of its findings. HFSRB staff findings and all related documentation shall be sent to the Chairman. The Chairman, acting on behalf of HFSRB, shall approve the request or refer it to the full Board for action. The approval or denial of a request for relinquishment constitutes HFSRB's final administrative decision.

c) Upon approval of a request for relinquishment, HFSRB staff shall adjust all inventories accordingly.

d) Decisions on requests for relinquishment shall be transmitted in writing to the exemption holder.

e) Any relinquishment undertaken without prior HFSRB approval shall be considered a violation of the Act and shall be subject to the sanctions and penalties in the Act (see 20 ILCS 3960/14.1) and in Section 1130.790.

f) A request for relinquishment shall be assessed an application-processing fee of $1,000 (see Section 1130.230(h)(8)(B)).

(Source: Amended at 40 Ill. Reg. 14647, effective October 14, 2016)