**Section 1019.30 Suspension and Revocation of Remittance Agents' Licenses**

a) Pursuant to IVC Section 3-907, the Department shall suspend a person's remittance agent's license under the following circumstances:

1) he/she fails to keep records as provided in IVC Section 3-910;

2) he/she fails to furnish information requested by the Department or file a bond as required by IVC Section 3-905; or

3) it is discovered that he/she or a member of his/her immediate family is an employee of the Secretary of State.

b) The suspension shall remain in effect for 30 days during which an audit shall be conducted to determine compliance with IVC Section 3-900. If he/she has come into compliance, his/her remittance agent's license shall be restored. If the remittance agent has not come into compliance, he/she shall have his/her remittance agent privileges revoked.

c) A person shall have his/her remittance agent's license revoked under the following circumstances:

1) he/she attempts to do business or does business as a remittance agent while his/her privileges are suspended;

2) he/she fails to remit to the Department or the Illinois Department of Revenue the proper fees required by IVC Section 3-906(4), or the check submitted is returned by the bank because of insufficient funds, or the payment submitted electronically is dishonored for any reason, and if he/she fails to submit the proper fees within 10 days after a written request by the Department;

3) he/she engages in a fraudulent activity or forgery while operating as a remittance agent, as determined by the Department after the investigation;

4) he/she is guilty of violating any provision of IVC Chapter 2, 3 or 4 or the Use Tax Act [35 ILCS 105] or the Service Occupation Tax Act [35 ILCS 115];

5) he/she has been suspended 2 times or more in one year; or

6) he/she has been convicted of any felony.

d) The Department shall consider written complaints (i.e., family, friends, neighbors, business associates, customers, other agencies, and auditors from the Department of Accounting Revenue) in determining whether a remittance agent's license shall be suspended or revoked. Upon receipt of a complaint, the Department of Police within the Office of the Secretary of State shall investigate the matter to determine if a basis exists under this Section for a suspension or revocation.

e) A revocation shall be for at least one year. The remittance agent shall be notified by certified mail that his/her license to operate as a remittance agent is going to be revoked. The notice shall contain the effective date of the revocation, the violation that is the cause of the revocation, and how he/she can contest the revocation. The remittance agent shall be given 10 days from the date of the notice before the revocation will become effective. In order to be reinstated following a revocation, the person shall request an administrative hearing as provided in 92 Ill. Adm. Code Ch. II. The person's remittance agent license shall not be restored until the Secretary is satisfied that he/she will comply with the provisions of the Illinois Vehicle Title & Registration Law [625 ILCS 5/Ch. 3, Art. IX] and is of good business integrity.

f) If a person wishes to contest the suspension or revocation of his/her remittance agent's license, he/she shall request an administrative hearing pursuant to IVC Section 3-907 and 92 Ill. Adm. Code 1001.

(Source: Amended at 43 Ill. Reg. 6231, effective May 9, 2019)