



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB1020

Introduced 1/12/2023, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

225 ILCS 454/10-45  
225 ILCS 454/20-20  
225 ILCS 458/10-25 new  
225 ILCS 458/15-10

Amends the Real Estate License Act of 2000 and the Real Estate Appraiser Licensing Act of 2002. Provides that a real estate broker, or managing broker, and appraiser shall not discriminate when preparing a broker price opinion or comparative market analysis for residential real estate. Provides that a real estate broker, or managing broker, and appraiser engages in discrimination when the individual considers the actual or perceived race, color, religion, or national origin of the owner of the real estate or the residents of the geographic area in which the real estate is located when determining the market value of the real estate. Provides for a private right of action in the circuit court and a civil action initiated by the Illinois Attorney General. Makes corresponding changes.

LRB103 04710 AMQ 49719 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Real Estate License Act of 2000 is amended  
5 by changing Sections 10-45 and 20-20 as follows:

6 (225 ILCS 454/10-45)

7 (Section scheduled to be repealed on January 1, 2030)

8 Sec. 10-45. Broker price opinions and comparative market  
9 analyses.

10 (a) A broker price opinion or comparative market analysis  
11 may be prepared or provided by a real estate broker or managing  
12 broker for any of the following:

13 (1) an existing or potential buyer or seller of an  
14 interest in real estate;

15 (2) an existing or potential lessor or lessee of an  
16 interest in real estate;

17 (3) a third party making decisions or performing due  
18 diligence related to the potential listing, offering,  
19 sale, option, lease, or acquisition price of an interest  
20 in real estate; or

21 (4) an existing or potential lienholder or other third  
22 party for any purpose other than as the primary basis to  
23 determine the market value of an interest in real estate

1 for the purpose of a mortgage loan origination by a  
2 financial institution secured by such real estate.

3 (b) A broker price opinion or comparative market analysis  
4 shall be in writing either on paper or electronically and  
5 shall include the following provisions:

6 (1) a statement of the intended purpose of the broker  
7 price opinion or comparative market analysis;

8 (2) a brief description of the interest in real estate  
9 that is the subject of the broker price opinion or  
10 comparative market analysis;

11 (3) a brief description of the methodology used to  
12 develop the broker price opinion or comparative market  
13 analysis;

14 (4) any assumptions or limiting conditions;

15 (5) a disclosure of any existing or contemplated  
16 interest of the broker or managing broker in the interest  
17 in real estate that is the subject of the broker price  
18 opinion or comparative market analysis;

19 (6) the name, license number, and signature of the  
20 broker or managing broker that developed the broker price  
21 opinion or comparative market analysis;

22 (7) a statement in substantially the following form:

23 "This is a broker price opinion/comparative market  
24 analysis, not an appraisal of the market value of the real  
25 estate, and was prepared by a licensed real estate broker  
26 or managing broker who was not acting as a State certified

1 real estate appraiser."; and

2 (8) such other items as the broker or managing broker  
3 may deem appropriate.

4 (c) A real estate broker or managing broker shall not  
5 discriminate when preparing a broker price opinion or  
6 comparative market analysis for residential real estate. For  
7 the purposes of this Section, a real estate broker or managing  
8 broker discriminates when the broker considers the actual or  
9 perceived race, color, religion, or national origin of the  
10 owner of the real estate or the residents of the geographic  
11 area in which the real estate is located when determining the  
12 market value of the real estate. In addition to the  
13 disciplinary procedures set forth in Section 20-20, an  
14 aggrieved party may commence a civil action alleging  
15 discrimination in an appropriate circuit court not later than  
16 2 years after the occurrence that constitutes discrimination  
17 under this subsection. Such a civil action shall be subject to  
18 the same procedures, rights, and remedies as a civil action  
19 alleging a civil rights violation under Section 10-102 of the  
20 Illinois Human Rights Act. A circuit court action may also be  
21 initiated by the Illinois Attorney General whenever the  
22 Illinois Attorney General has reasonable cause to believe that  
23 a real estate broker or managing broker is engaged in a pattern  
24 and practice of discrimination prohibited by this subsection.  
25 Such a civil action shall be subject to the same procedures,  
26 rights, and remedies as a civil action alleging a civil rights

1 violation under Section 10-104 of the Illinois Human Rights  
2 Act.

3 (Source: P.A. 101-71, eff. 7-12-19.)

4 (225 ILCS 454/20-20)

5 (Section scheduled to be repealed on January 1, 2030)

6 Sec. 20-20. Nature of and grounds for discipline.

7 (a) The Department may refuse to issue or renew a license,  
8 may place on probation, suspend, or revoke any license,  
9 reprimand, or take any other disciplinary or non-disciplinary  
10 action as the Department may deem proper and impose a fine not  
11 to exceed \$25,000 upon any licensee or applicant under this  
12 Act or any person who holds oneself out as an applicant or  
13 licensee or against a licensee in handling one's own property,  
14 whether held by deed, option, or otherwise, for any one or any  
15 combination of the following causes:

16 (1) Fraud or misrepresentation in applying for, or  
17 procuring, a license under this Act or in connection with  
18 applying for renewal of a license under this Act.

19 (2) The licensee's conviction of or plea of guilty or  
20 plea of nolo contendere, as set forth in subsection (e) of  
21 Section 5-25, to: (A) a felony or misdemeanor in this  
22 State or any other jurisdiction; (B) the entry of an  
23 administrative sanction by a government agency in this  
24 State or any other jurisdiction; or (C) any crime that  
25 subjects the licensee to compliance with the requirements

1 of the Sex Offender Registration Act.

2 (3) Inability to practice the profession with  
3 reasonable judgment, skill, or safety as a result of a  
4 physical illness, mental illness, or disability.

5 (4) Practice under this Act as a licensee in a retail  
6 sales establishment from an office, desk, or space that is  
7 not separated from the main retail business and located  
8 within a separate and distinct area within the  
9 establishment.

10 (5) Having been disciplined by another state, the  
11 District of Columbia, a territory, a foreign nation, or a  
12 governmental agency authorized to impose discipline if at  
13 least one of the grounds for that discipline is the same as  
14 or the equivalent of one of the grounds for which a  
15 licensee may be disciplined under this Act. A certified  
16 copy of the record of the action by the other state or  
17 jurisdiction shall be prima facie evidence thereof.

18 (6) Engaging in the practice of real estate brokerage  
19 without a license or after the licensee's license or  
20 temporary permit was expired or while the license was  
21 inactive, revoked, or suspended.

22 (7) Cheating on or attempting to subvert the Real  
23 Estate License Exam or a continuing education course or  
24 examination.

25 (8) Aiding or abetting an applicant to subvert or  
26 cheat on the Real Estate License Exam or continuing

1 education exam administered pursuant to this Act.

2 (9) Advertising that is inaccurate, misleading, or  
3 contrary to the provisions of the Act.

4 (10) Making any substantial misrepresentation or  
5 untruthful advertising.

6 (11) Making any false promises of a character likely  
7 to influence, persuade, or induce.

8 (12) Pursuing a continued and flagrant course of  
9 misrepresentation or the making of false promises through  
10 licensees, employees, agents, advertising, or otherwise.

11 (13) Any misleading or untruthful advertising, or  
12 using any trade name or insignia of membership in any real  
13 estate organization of which the licensee is not a member.

14 (14) Acting for more than one party in a transaction  
15 without providing written notice to all parties for whom  
16 the licensee acts.

17 (15) Representing or attempting to represent, or  
18 performing licensed activities for, a broker other than  
19 the sponsoring broker.

20 (16) Failure to account for or to remit any moneys or  
21 documents coming into the licensee's possession that  
22 belong to others.

23 (17) Failure to maintain and deposit in a special  
24 account, separate and apart from personal and other  
25 business accounts, all escrow moneys belonging to others  
26 entrusted to a licensee while acting as a broker, escrow

1 agent, or temporary custodian of the funds of others or  
2 failure to maintain all escrow moneys on deposit in the  
3 account until the transactions are consummated or  
4 terminated, except to the extent that the moneys, or any  
5 part thereof, shall be:

6 (A) disbursed prior to the consummation or  
7 termination (i) in accordance with the written  
8 direction of the principals to the transaction or  
9 their duly authorized agents, (ii) in accordance with  
10 directions providing for the release, payment, or  
11 distribution of escrow moneys contained in any written  
12 contract signed by the principals to the transaction  
13 or their duly authorized agents, or (iii) pursuant to  
14 an order of a court of competent jurisdiction; or

15 (B) deemed abandoned and transferred to the Office  
16 of the State Treasurer to be handled as unclaimed  
17 property pursuant to the Revised Uniform Unclaimed  
18 Property Act. Escrow moneys may be deemed abandoned  
19 under this subparagraph (B) only: (i) in the absence  
20 of disbursement under subparagraph (A); (ii) in the  
21 absence of notice of the filing of any claim in a court  
22 of competent jurisdiction; and (iii) if 6 months have  
23 elapsed after the receipt of a written demand for the  
24 escrow moneys from one of the principals to the  
25 transaction or the principal's duly authorized agent.

26 The account shall be noninterest bearing, unless the



1 character of the deposit is such that payment of interest  
2 thereon is otherwise required by law or unless the  
3 principals to the transaction specifically require, in  
4 writing, that the deposit be placed in an interest-bearing  
5 account.

6 (18) Failure to make available to the Department all  
7 escrow records and related documents maintained in  
8 connection with the practice of real estate within 24  
9 hours of a request for those documents by Department  
10 personnel.

11 (19) Failing to furnish copies upon request of  
12 documents relating to a real estate transaction to a party  
13 who has executed that document.

14 (20) Failure of a sponsoring broker or licensee to  
15 timely provide sponsorship or termination of sponsorship  
16 information to the Department.

17 (21) Engaging in dishonorable, unethical, or  
18 unprofessional conduct of a character likely to deceive,  
19 defraud, or harm the public, including, but not limited  
20 to, conduct set forth in rules adopted by the Department.

21 (22) Commingling the money or property of others with  
22 the licensee's own money or property.

23 (23) Employing any person on a purely temporary or  
24 single deal basis as a means of evading the law regarding  
25 payment of commission to nonlicensees on some contemplated  
26 transactions.

1           (24) Permitting the use of one's license as a broker  
2           to enable a residential leasing agent or unlicensed person  
3           to operate a real estate business without actual  
4           participation therein and control thereof by the broker.

5           (25) Any other conduct, whether of the same or a  
6           different character from that specified in this Section,  
7           that constitutes dishonest dealing.

8           (26) Displaying a "for rent" or "for sale" sign on any  
9           property without the written consent of an owner or the  
10          owner's duly authorized agent or advertising by any means  
11          that any property is for sale or for rent without the  
12          written consent of the owner or the owner's authorized  
13          agent.

14          (27) Failing to provide information requested by the  
15          Department, or otherwise respond to that request, within  
16          30 days of the request.

17          (28) Advertising by means of a blind advertisement,  
18          except as otherwise permitted in Section 10-30 of this  
19          Act.

20          (29) A licensee under this Act or an unlicensed  
21          individual offering guaranteed sales plans, as defined in  
22          Section 10-50, except to the extent set forth in Section  
23          10-50.

24          (30) Influencing or attempting to influence, by any  
25          words or acts, a prospective seller, purchaser, occupant,  
26          landlord, or tenant of real estate, in connection with

1 viewing, buying, or leasing real estate, so as to promote  
2 or tend to promote the continuance or maintenance of  
3 racially and religiously segregated housing or so as to  
4 retard, obstruct, or discourage racially integrated  
5 housing on or in any street, block, neighborhood, or  
6 community.

7 (31) Engaging in any act that constitutes a violation  
8 of any provision of Article 3 of the Illinois Human Rights  
9 Act, whether or not a complaint has been filed with or  
10 adjudicated by the Human Rights Commission.

11 (32) Inducing any party to a contract of sale or lease  
12 or brokerage agreement to break the contract of sale or  
13 lease or brokerage agreement for the purpose of  
14 substituting, in lieu thereof, a new contract for sale or  
15 lease or brokerage agreement with a third party.

16 (33) Negotiating a sale, exchange, or lease of real  
17 estate directly with any person if the licensee knows that  
18 the person has an exclusive brokerage agreement with  
19 another broker, unless specifically authorized by that  
20 broker.

21 (34) When a licensee is also an attorney, acting as  
22 the attorney for either the buyer or the seller in the same  
23 transaction in which the licensee is acting or has acted  
24 as a managing broker or broker.

25 (35) Advertising or offering merchandise or services  
26 as free if any conditions or obligations necessary for

1 receiving the merchandise or services are not disclosed in  
2 the same advertisement or offer. These conditions or  
3 obligations include without limitation the requirement  
4 that the recipient attend a promotional activity or visit  
5 a real estate site. As used in this subdivision (35),  
6 "free" includes terms such as "award", "prize", "no  
7 charge", "free of charge", "without charge", and similar  
8 words or phrases that reasonably lead a person to believe  
9 that one may receive or has been selected to receive  
10 something of value, without any conditions or obligations  
11 on the part of the recipient.

12 (36) (Blank).

13 (37) Violating the terms of a disciplinary order  
14 issued by the Department.

15 (38) Paying or failing to disclose compensation in  
16 violation of Article 10 of this Act.

17 (39) Requiring a party to a transaction who is not a  
18 client of the licensee to allow the licensee to retain a  
19 portion of the escrow moneys for payment of the licensee's  
20 commission or expenses as a condition for release of the  
21 escrow moneys to that party.

22 (40) Disregarding or violating any provision of this  
23 Act or the published rules adopted by the Department to  
24 enforce this Act or aiding or abetting any individual,  
25 foreign or domestic partnership, registered limited  
26 liability partnership, limited liability company,

1 corporation, or other business entity in disregarding any  
2 provision of this Act or the published rules adopted by  
3 the Department to enforce this Act.

4 (41) Failing to provide the minimum services required  
5 by Section 15-75 of this Act when acting under an  
6 exclusive brokerage agreement.

7 (42) Habitual or excessive use of or addiction to  
8 alcohol, narcotics, stimulants, or any other chemical  
9 agent or drug that results in a managing broker, broker,  
10 or residential leasing agent's inability to practice with  
11 reasonable skill or safety.

12 (43) Enabling, aiding, or abetting an auctioneer, as  
13 defined in the Auction License Act, to conduct a real  
14 estate auction in a manner that is in violation of this  
15 Act.

16 (44) Permitting any residential leasing agent or  
17 temporary residential leasing agent permit holder to  
18 engage in activities that require a broker's or managing  
19 broker's license.

20 (45) Failing to notify the Department, within 30 days  
21 after the occurrence, of the information required in  
22 subsection (e) of Section 5-25.

23 (46) A designated managing broker's failure to provide  
24 an appropriate written company policy or failure to  
25 perform any of the duties set forth in Section 10-55.

26 (47) Engaging in discrimination as provided in

1           subsection (b) of Section 10-45.

2           (b) The Department may refuse to issue or renew or may  
3 suspend the license of any person who fails to file a return,  
4 pay the tax, penalty or interest shown in a filed return, or  
5 pay any final assessment of tax, penalty, or interest, as  
6 required by any tax Act administered by the Department of  
7 Revenue, until such time as the requirements of that tax Act  
8 are satisfied in accordance with subsection (g) of Section  
9 2105-15 of the Department of Professional Regulation Law of  
10 the Civil Administrative Code of Illinois.

11           (c) (Blank).

12           (d) In cases where the Department of Healthcare and Family  
13 Services (formerly Department of Public Aid) has previously  
14 determined that a licensee or a potential licensee is more  
15 than 30 days delinquent in the payment of child support and has  
16 subsequently certified the delinquency to the Department may  
17 refuse to issue or renew or may revoke or suspend that person's  
18 license or may take other disciplinary action against that  
19 person based solely upon the certification of delinquency made  
20 by the Department of Healthcare and Family Services in  
21 accordance with item (5) of subsection (a) of Section 2105-15  
22 of the Department of Professional Regulation Law of the Civil  
23 Administrative Code of Illinois.

24           (e) (Blank).

25           (Source: P.A. 101-81, eff. 7-12-19; 101-357, eff. 8-9-19;  
26 102-970, eff. 5-27-22.)

1 Section 10. The Real Estate Appraiser Licensing Act of  
2 2002 is amended by changing Section 15-10 and by adding  
3 Section 10-25 as follows:

4 (225 ILCS 458/10-25 new)

5 Sec. 10-25. Discrimination prohibited. An appraiser shall  
6 not discriminate when preparing a comparative market analysis  
7 for residential real estate. For the purposes of this Section,  
8 an appraiser discriminates when the appraiser considers the  
9 actual or perceived race, color, religion, or national origin  
10 of the owner of the real estate or the residents of the  
11 geographic area in which the real estate is located when  
12 determining the market value of the real estate. In addition  
13 to the disciplinary procedures set forth in Section 15-10, an  
14 aggrieved party may commence a civil action alleging  
15 discrimination in an appropriate circuit court not later than  
16 2 years after the occurrence that constitutes discrimination  
17 under this Section. Such a civil action shall be subject to the  
18 same procedures, rights, and remedies as a civil action  
19 alleging a civil rights violation under Section 10-102 of the  
20 Illinois Human Rights Act. A circuit court action may also be  
21 initiated by the Illinois Attorney General whenever the  
22 Illinois Attorney General has reasonable cause to believe that  
23 an appraiser is engaged in a pattern and practice of  
24 discrimination prohibited by this Section. Such a civil action

1 shall be subject to the same procedures, rights, and remedies  
2 as a civil action alleging a civil rights violation under  
3 Section 10-104 of the Illinois Human Rights Act.

4 (225 ILCS 458/15-10)

5 (Section scheduled to be repealed on January 1, 2027)

6 Sec. 15-10. Grounds for disciplinary action.

7 (a) The Department may suspend, revoke, refuse to issue,  
8 renew, or restore a license and may reprimand place on  
9 probation or administrative supervision, or take any  
10 disciplinary or non-disciplinary action, including imposing  
11 conditions limiting the scope, nature, or extent of the real  
12 estate appraisal practice of a licensee or reducing the  
13 appraisal rank of a licensee, and may impose an administrative  
14 fine not to exceed \$25,000 for each violation upon a licensee  
15 for any one or combination of the following:

16 (1) Procuring or attempting to procure a license by  
17 knowingly making a false statement, submitting false  
18 information, engaging in any form of fraud or  
19 misrepresentation, or refusing to provide complete  
20 information in response to a question in an application  
21 for licensure.

22 (2) Failing to meet the minimum qualifications for  
23 licensure as an appraiser established by this Act.

24 (3) Paying money, other than for the fees provided for  
25 by this Act, or anything of value to a member or employee



1 of the Board or the Department to procure licensure under  
2 this Act.

3 (4) Conviction of, or plea of guilty or nolo  
4 contendere, as enumerated in subsection (e) of Section  
5 5-22, under the laws of any jurisdiction of the United  
6 States: (i) that is a felony, misdemeanor, or  
7 administrative sanction or (ii) that is a crime that  
8 subjects the licensee to compliance with the requirements  
9 of the Sex Offender Registration Act.

10 (5) Committing an act or omission involving  
11 dishonesty, fraud, or misrepresentation with the intent to  
12 substantially benefit the licensee or another person or  
13 with intent to substantially injure another person as  
14 defined by rule.

15 (6) Violating a provision or standard for the  
16 development or communication of real estate appraisals as  
17 provided in Section 10-10 of this Act or as defined by  
18 rule.

19 (7) Failing or refusing without good cause to exercise  
20 reasonable diligence in developing, reporting, or  
21 communicating an appraisal, as defined by this Act or by  
22 rule.

23 (8) Violating a provision of this Act or the rules  
24 adopted pursuant to this Act.

25 (9) Having been disciplined by another state, the  
26 District of Columbia, a territory, a foreign nation, a

1 governmental agency, or any other entity authorized to  
2 impose discipline if at least one of the grounds for that  
3 discipline is the same as or the equivalent of one of the  
4 grounds for which a licensee may be disciplined under this  
5 Act.

6 (10) Engaging in dishonorable, unethical, or  
7 unprofessional conduct of a character likely to deceive,  
8 defraud, or harm the public.

9 (11) Accepting an appraisal assignment when the  
10 employment itself is contingent upon the appraiser  
11 reporting a predetermined estimate, analysis, or opinion  
12 or when the fee to be paid is contingent upon the opinion,  
13 conclusion, or valuation reached or upon the consequences  
14 resulting from the appraisal assignment.

15 (12) Developing valuation conclusions based on the  
16 race, color, religion, sex, national origin, ancestry,  
17 age, marital status, family status, physical or mental  
18 disability, sexual orientation, pregnancy, order of  
19 protection status, military status, or unfavorable  
20 military discharge, as defined under the Illinois Human  
21 Rights Act, of the prospective or present owners or  
22 occupants of the area or property under appraisal.

23 (13) Violating the confidential nature of government  
24 records to which the licensee gained access through  
25 employment or engagement as an appraiser by a government  
26 agency.

1           (14) Being adjudicated liable in a civil proceeding on  
2 grounds of fraud, misrepresentation, or deceit. In a  
3 disciplinary proceeding based upon a finding of civil  
4 liability, the appraiser shall be afforded an opportunity  
5 to present mitigating and extenuating circumstances, but  
6 may not collaterally attack the civil adjudication.

7           (15) Being adjudicated liable in a civil proceeding  
8 for violation of a state or federal fair housing law.

9           (16) Engaging in misleading or untruthful advertising  
10 or using a trade name or insignia of membership in a real  
11 estate appraisal or real estate organization of which the  
12 licensee is not a member.

13           (17) Failing to fully cooperate with a Department  
14 investigation by knowingly making a false statement,  
15 submitting false or misleading information, or refusing to  
16 provide complete information in response to written  
17 interrogatories or a written request for documentation  
18 within 30 days of the request.

19           (18) Failing to include within the certificate of  
20 appraisal for all written appraisal reports the  
21 appraiser's license number and licensure title. All  
22 appraisers providing significant contribution to the  
23 development and reporting of an appraisal must be  
24 disclosed in the appraisal report. It is a violation of  
25 this Act for an appraiser to sign a report, transmittal  
26 letter, or appraisal certification knowing that a person

1 providing a significant contribution to the report has not  
2 been disclosed in the appraisal report.

3 (19) Violating the terms of a disciplinary order or  
4 consent to administrative supervision order.

5 (20) Habitual or excessive use or addiction to  
6 alcohol, narcotics, stimulants, or any other chemical  
7 agent or drug that results in a licensee's inability to  
8 practice with reasonable judgment, skill, or safety.

9 (21) A physical or mental illness or disability which  
10 results in the inability to practice under this Act with  
11 reasonable judgment, skill, or safety.

12 (22) Gross negligence in developing an appraisal or in  
13 communicating an appraisal or failing to observe one or  
14 more of the Uniform Standards of Professional Appraisal  
15 Practice.

16 (23) A pattern of practice or other behavior that  
17 demonstrates incapacity or incompetence to practice under  
18 this Act.

19 (24) Using or attempting to use the seal, certificate,  
20 or license of another as one's own; falsely impersonating  
21 any duly licensed appraiser; using or attempting to use an  
22 inactive, expired, suspended, or revoked license; or  
23 aiding or abetting any of the foregoing.

24 (25) Solicitation of professional services by using  
25 false, misleading, or deceptive advertising.

26 (26) Making a material misstatement in furnishing

1 information to the Department.

2 (27) Failure to furnish information to the Department  
3 upon written request.

4 (28) Engaging in discrimination as provided in Section  
5 10-25.

6 (b) The Department may reprimand suspend, revoke, or  
7 refuse to issue or renew an education provider's license, may  
8 reprimand, place on probation, or otherwise discipline an  
9 education provider and may suspend or revoke the course  
10 approval of any course offered by an education provider and  
11 may impose an administrative fine not to exceed \$25,000 upon  
12 an education provider, for any of the following:

13 (1) Procuring or attempting to procure licensure by  
14 knowingly making a false statement, submitting false  
15 information, engaging in any form of fraud or  
16 misrepresentation, or refusing to provide complete  
17 information in response to a question in an application  
18 for licensure.

19 (2) Failing to comply with the covenants certified to  
20 on the application for licensure as an education provider.

21 (3) Committing an act or omission involving  
22 dishonesty, fraud, or misrepresentation or allowing any  
23 such act or omission by any employee or contractor under  
24 the control of the provider.

25 (4) Engaging in misleading or untruthful advertising.

26 (5) Failing to retain competent instructors in

1           accordance with rules adopted under this Act.

2           (6) Failing to meet the topic or time requirements for  
3           course approval as the provider of a qualifying curriculum  
4           course or a continuing education course.

5           (7) Failing to administer an approved course using the  
6           course materials, syllabus, and examinations submitted as  
7           the basis of the course approval.

8           (8) Failing to provide an appropriate classroom  
9           environment for presentation of courses, with  
10          consideration for student comfort, acoustics, lighting,  
11          seating, workspace, and visual aid material.

12          (9) Failing to maintain student records in compliance  
13          with the rules adopted under this Act.

14          (10) Failing to provide a certificate, transcript, or  
15          other student record to the Department or to a student as  
16          may be required by rule.

17          (11) Failing to fully cooperate with an investigation  
18          by the Department by knowingly making a false statement,  
19          submitting false or misleading information, or refusing to  
20          provide complete information in response to written  
21          interrogatories or a written request for documentation  
22          within 30 days of the request.

23          (c) In appropriate cases, the Department may resolve a  
24          complaint against a licensee through the issuance of a Consent  
25          to Administrative Supervision order. A licensee subject to a  
26          Consent to Administrative Supervision order shall be

1 considered by the Department as an active licensee in good  
2 standing. This order shall not be reported or considered by  
3 the Department to be a discipline of the licensee. The records  
4 regarding an investigation and a Consent to Administrative  
5 Supervision order shall be considered confidential and shall  
6 not be released by the Department except as mandated by law. A  
7 complainant shall be notified if the complaint has been  
8 resolved by a Consent to Administrative Supervision order.  
9 (Source: P.A. 102-20, eff. 1-1-22.)