**Section 280.400 Investigation**

a) The Department may conduct an investigation to ascertain the facts relating to the violation alleged in the complaint, to determine whether reasonable cause exists to believe a violation of the Act has occurred and to determine whether the issues may be resolved between the parties. The investigation may be in person or by telephone and may include written or oral inquiry, field visit or any method or combination of methods deemed suitable in the discretion of the Department. The Department will limit its investigation to reviewing up to three years prior to the date the complaint was filed, but in no case shall review occur prior to the effective date of the Act, August 25, 2003.

b) The parties must cooperate fully with the Department at all times as provided for in this Part. Such cooperation shall include without limitation:

1) promptly providing the Department with a notice of address or telephone change or any prolonged absence from the current address so that the parties can be located;

2) providing necessary information and being available for interviews, conferences and hearings upon reasonable notice or request by the Department. If the parties cannot be located or do not respond to reasonable requests by the Department, without good cause, such action may result in a finding of a failure to cooperate with the Department.

c) If, at any time, a party fails to cooperate with the Department under this Part, the Department, upon seven calendar days notice to all parties, may make a part of the official record a finding of failure to cooperate. If a finding of a failure to cooperate is made, the Department may make such recommendations as are appropriate to the Director, including denial of the complaint, or other order, including provision of discovery, including subpoenas or depositions, or affirmative action under the Act.

d) The Department, on its own or at the request of a party or a witness, may issue an appropriate protective order. The order may be issued at any time and shall be for the purpose of preventing a clearly unwarranted invasion of personal privacy or other disclosure of confidential information, including, without limitation, documents, home addresses or names of individuals. The order may apply, where relevant, to nonparties and other parties. Further, the order may be subject to being modified or vacated by a court of competent jurisdiction.

(Source: Amended at 30 Ill. Reg. 6157, effective March 23, 2006)