

Hello,

Regarding your FOIA request received on September 22, 2023, for fines rendered confidential through the Consent Order process is denied. 8 IAC 1300.600(f) renders records of consent orders confidential and therefore exempt from disclosure under Sections 7(1)(a) of the Illinois Freedom of Information Act, ("FOIA")

#### Section 1300.600 Investigations

(f) In appropriate cases, the Department may resolve a complaint against a licensee, or agent through the issuance of a Consent to Administrative Supervision order. A licensee or agent subject to a Consent to Administrative Supervision order shall be considered by the Department as an active licensee or agent in good standing. This order shall not be reported or considered by the Department to be a discipline of the licensee or agent. The records regarding an investigation and a Consent to Administrative Supervision order shall be considered confidential and shall not be released by the Department except as mandated by law. A complainant shall be notified if his or her complaint has been resolved by a Consent to Administrative Supervision order.

Section 7(1)(a) of FOIA states in pertinent part as follows:

1. When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

You have the right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You may file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Pam Harmon  
FOIA Officer

