**Section 760.89 Fees**

a) The fee for the past due property or the failure to remit property, other than the contents of safe deposit boxes, shall be calculated using the formula: rate times delinquency period times value equals the fee.

1) The rate is defined in Section 25.5(c) of the Act.

2) The delinquency period is the period of time elapsed between the reporting due date under Section 11(d) of the Act and the delivery date.

3) The value is cash value. For securities and commodities the value is the cash value on the earlier of the date of delivery of the security or commodity to the State Treasurer or the date of receipt of the actual deposit confirmation by the Treasurer.

b) In charging a fee for a failure to timely perform due diligence in accordance with the provisions of Section 11(e) of the Act, the following conditions must be met:

1) due diligence was required to be conducted.

2) within 24 months after the filing the report, at least 35% of the claims are paid or authorized for payment to owners whose addresses were as reported to the Treasurer by the holder or whose mail forwarding from the reported address had not expired as of the date the report was filed.

c) The Treasurer may, for reasonable cause, waive all or a portion of any administrative charges, fees and interest charges. Reasonable cause shall include, but not be limited to, inadvertent error, pending legal proceedings involving otherwise reportable property, and unresolved bankruptcy.

(Source: Added at 18 Ill. Reg. 18001, effective December 12, 1994)