**Section 1480.40 Recovery Manager Licensure**

a) Applications for recovery manager licensure shall be made on forms and contain the information prescribed by the Commission. Incomplete or incorrect applications for recovery manager licensure shall be refused or rejected by the Commission.

b) Applicants for recovery manager licensure shall disclose on their applications:

1) All civil judgments entered against them in the 5 years preceding the date of application by any legal forum other than the Commission arising from their conduct while performing repossessions; and

2) All *convictions for any crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession.* [225 ILCS 422/80] The applicant shall provide all information required by the Commission's application regarding the applicant's convictions, in addition to submitting to a criminal background check as required by the Act.

c) Applicants for recovery manager licensure shall submit the following as part of the application:

1) A sworn statement from the applicant attesting he or she has completed no less than 2,500 hours of actual compensated collateral recovery work as an employee of a repossession agency, a financial institution or a vehicle dealer within the 5 years immediately preceding the filing of his or her application;

2) Copies of paycheck stubs, W2s, 1099s or payroll printouts from the manager's employment. If the applicant is unable to provide copies of paycheck stubs, W2s, 1099s or payroll printouts supporting the actual compensated collateral recovery experience in the 5 years immediately preceding the filing of the application, the applicant shall provide a separate written statement explaining the unavailability of paycheck stubs, W2s, 1099s or payroll printouts, as well as a sworn statement from each repossession agency, financial institution or vehicle dealer for which the applicant performed actual collateral recovery work for compensation during the 5 years immediately preceding the application;

3) Proof of completion of a recovery manager certification program approved by the Commission under Section 1480.160; and

4) A copy of a government-issued photo identification issued to the applicant, such as a driver's license, state identification card, or passport.

d) The Commission shall review applications for recovery manager licensure to determine whether the applicant has satisfied the fitness criteria contained in the Act and this Part. If, upon review of an application for a recovery manager license, the Commission discovers that the applicant has been *convicted of any crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession* [225 ILCS 422/80], the matter shall be set for an administrative hearing before an Administrative Law Judge to assist the Commission in determining whether the applicant is unfit by reason of conviction.

e) A recovery manager license shall not be issued to an applicant who has pending criminal proceedings involving *any crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession.* The application for recovery manager licensure shall remain on pending status until the resolution of the pending criminal charges. If the criminal proceedings culminate in the applicant being *convicted of any crime under the laws of the United States or any state or territory of the United States that is a felony, a misdemeanor an essential element of which is dishonesty, or a crime related to the practice of the profession*, the matter shall be set for an administrative hearing before an Administrative Law Judge to assist the Commission in determining whether the applicant is unfit by reason of conviction. [225 ILCS 422/80]

f) Only individuals who have active Class "MR" Licenses with the Commission are authorized to operate as recovery managers for a repossession agency main office or branch office. Individuals whose recovery manager licenses have been placed on a status other than active are not authorized to operate as recovery managers.

(Source: Amended at 38 Ill. Reg. 5821, effective March 14, 2014)