

161—3.43(216) Alternatives to agency process—administrative release/right-to-sue.

3.43(1) *Issuance of right-to-sue letter.* For a right-to-sue letter to be issued, the request must be submitted in writing by the complainant or the complainant's attorney and include the corresponding state and federal case numbers. After a right-to-sue letter has been issued, the case shall be administratively closed.

3.43(2) *Exceptions to issuance of right-to-sue.* A right-to-sue letter will not be issued where the agency has determined the complaint is not jurisdictional.

3.43(3) *Erroneous right-to-sue.* If the right-to-sue letter was issued erroneously, the right-to-sue letter will be deemed void and the case file reopened if the error is discovered within 90 days after issuance.

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