

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA HOUSING FINANCE AGENCY

January 5, 1982

Mr. Larry Starns
Special Assistant Attorney General
G-25 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

RE: In the matter of the Proposed Adoption of Temporary Rules Governing the Eligible Applications of the Home Improvement Loan Program

Dear Mr. Starns:

Enclosed please find for your review pursuant to Minnesota Statutes, section 15.0412, subdivision 5, the adopted rules of the Minnesota Housing Finance Agency.

The following materials are submitted to you for your review pursuant to 1 MCAR Section 1.204:

Temporary rule as adopted

Order Adopting Certificate of Agency's Adopting Resolution

Order for publication.

Certificate of Agency's Authorizing Resolution.

Rule as proposed.

Affidavit of mailing.

Certificate of compliance with rulemaking procedures.

The adopted rules are identical to the proposed rules. The Agency did not receive any comments during the 20 day period.

Sincerely,

Monte Aaker

Monte Aaker
Research Coordinator

/cs

Enclosures

Our File No. 878

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 1/13/83
DATE FOR REVIEW
DATE DUE 1/20/83

Adopted w/a hearing
Adopted w/o hearing
Temporary rule ✓

Approved _____ Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State _____ Revisor approved 1/14/83
disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 12.27.82 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking see SR
✓ Sufficiency

? Affidavit of Mailing Notice or rulemaking inadequate notice
10.12.82 At least ~~30~~ 20 days prior to ~~hearing~~/adoption

- earned w/ 1/17/83 Notice
AB
- LDS

✓ Mailing list Certificate for 10.12.82

✓ Publication in State Register
11/1 and 11/29/82 At least ~~30~~/20 days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

Agency's Findings of Fact

LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

Statement of Need and Reasonableness

Petition for Adoption of a Rule

Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

Notice of Submission to the Attorney General

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL **Office Memorandum**

TO : JAMES J. SOLEM, Executive Director DATE: 1/20/83
attn: JAMES E. DINNERSTEIN, Spec. Asst. Atty. Gen.

FROM : LARRY D. STARNS
Special Assistant
Attorney General PHONE: 297-3493

SUBJECT: In the Matter of the Adoption of Temporary Rules Governing Eligible Applications for the Home Improvement Loan Program
(878)

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.
LDS/ls
cc: Ms. Kathy Burek
Mr. Duane Harves

Minnesota Housing Finance Agency

Adopted Temporary Rules Governing Eligible Applications in the Home Improvement Loan Program

Temporary Rule as Adopted

Chapter Six: Home Improvement Loans.

12 MCAR S 3.051 [Temporary] Eligible applications.

A.-C. [Unchanged.]

D. The structure to be improved must be at least 90 days old.

E.-J. [Unchanged.]

OFFICE OF THE REVISOR OF STATUTES

Certificate of Approval of Adopted Rules

Agency: Housing Finance Agency AR0281

Division:

Agency Contact: James Solem

Rule Numbers: 12 MCAR S 3.051 [Temporary]

Title: Adopted Temporary Rule Governing Eligibility for Home Improvement Loans

Type of Rules: Temporary

Incorporations by Reference: None
Rule Number: Material Incorporated:

Duplication of Statutory Language: None
Rule Number: Statutory Section Duplicated:

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Theresa M. Lauterbach
Assistant Deputy Revisor
Phone: 296-0956
Date: January 14, 1983

APPROVED AS TO LEGALITY

January 20, 1983

HUBERT H. HUMPHREY, III ATTORNEY GENERAL

BY _____

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 24 1983
Secretary of State

10:50 A.M.

Temporary Rule as Proposed

Chapter Six: Home Improvement Loans.

12 MCAR S 3.051 [Temporary] Eligible applications.

A.-C. [Unchanged.]

D. The structure to be improved must be at least ~~15 years~~ 90 days old~~, or in need of repair to correct damage resulting from a natural disaster, or in need of repair to correct defects or deficiencies which are hazardous to health or safety, or to directly improve energy efficiency~~.

E.-J. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

Agency: Housing Finance Agency RD281

Division:

Agency Contact: James Solem

Rule Numbers: 12 MCAR S 3.051 [Temporary]

Title: Proposed Temporary Rule Governing Eligibility for Home Improvement Loans

Type of Rules: Temporary

Incorporations by Reference: None
Rule Number: Material Incorporated:

Duplication of Statutory Language: None
Rule Number: Statutory Section Duplicated:

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Theresa M. Lauterbach
Assistant Revisor
Phone: 296-0956
Date: October 6, 1982

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Adoption of Temporary Rules Governing Eligible Applications for the Home Improvement Loan Program

ORDER ADOPTING TEMPORARY RULES

The above entitled matter was published in the State Register on November 29, 1982, as a proposed temporary rule pursuant to Minnesota Statutes section 15.0412, subdivision 5. After affording interested and affected persons an opportunity to submit written data and views within 20 days of the publication date, reviewing and considering the data and views, and determining that the above captioned rules are needed and reasonable.

Now, therefor it is ordered that these rules identified as Temporary rules governing Eligible Applications for the Home Improvement Loan Program are adopted this 27th day of December, 1982, pursuant to authority vested in the Agency by Minnesota Statutes sections 462A.03, subdivision 10 (1981 Supplement), and 462A.06, subdivision 4 and 11.

James J. Solem, Executive Director

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Adoption of Temporary Rules Governing Eligible Applications in the Home Improvement Loan Program

ORDER FOR PUBLICATION OF TEMPORARY RULES

It is ordered this 23rd day of September 1982 that the proposed temporary rules in the above entitled matter be published in the State Register.

James J. Solem, Executive Director

CERTIFICATE OF AGENCY'S

AUTHORIZING RESOLUTION

I, James J. Solem, do hereby certify that I am the Executive Director of the Minnesota Housing Finance Agency, an Agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Agency and properly called and held on the 23rd day of September, 1982, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"Resolved, that James J. Solem, Director of the Minnesota Housing Finance Agency, by and hereby is authorized and directed to give public notice for the purpose of promulgating Temporary Rules of the Minnesota Housing Finance Agency, said rules relating to the Eligible Applications in the Home Improvement Loan Program as well as perform any and all acts incidental thereto."

In witness whereof, I have hereunto subscribed my name this 10th day of January 1983.



James J. Solem, Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Adoption of Rules Relating to the Income Limits for the Medium Density Housing Demonstration Program, Income Limits for the Rollover Housing Demonstration Program and the Eligible Applications for the Home Improvement Loan Program

AFFIDAVIT OF MAILING

Colleen M. Steglich, being first duly sworn, deposes and says:

That on the 10th day of November, 1982, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notices of Intent to Adopt Rules Without Public Hearing by depositing in the United States mail at said City of St. Paul, copies thereof, properly enveloped, with postage prepaid on all persons and associations who have requested that their names be placed on file with the State of Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency.

Colleen M. Steglich

Subscribed and sworn to before me this 17th day of January, 1983.

Doreann M. Koran

DOREANN M. KORAN
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Mar. 31, 1988.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

CERTIFICATE

In the Matter of the Adoption of Rules
Governing Eligible Applications in the
Home Improvement Loan Program.

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 15.0412, subd. 4, that their names be placed on file with and maintained by the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency is accurate and complete as of 3:00 p.m., this 12th day of October, 1982.

Monte Aaker

Monte Aaker

Minnesota Housing Finance Agency, Suite 200, 333 Sibley Street, St. Paul, Minnesota 55101. The temporary rule may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rule. As required by the Administrative Procedures Act, this temporary rule will be effective for not more than 180 days and may be continued in effect for up to an additional 180 days.

James J. Solem
Executive Director

Minnesota Housing Finance Agency

Notice of Correction of Publication of Proposed Temporary Rules Governing Eligible Applications in the Home Improvement Loan Program

The notice of intent of proposed temporary rules governing eligible applications in the Home Improvement Loan Program published November 1, 1982 at 7 S.R. 672 did not include certain information required in the notice by the rules adopted by the Attorney General. Accordingly, the corrected notice is published below. The rules are identical to those printed in the original notice.

Request for Public Comment

Notice is hereby given that the Minnesota Housing Finance Agency has proposed the following temporary rules for the purpose of determining eligible applications in the Home Improvement Loan Program.

All interested persons are hereby afforded the opportunity to submit their comments on the proposed rule for 20 days immediately following publication of this material in the *State Register* by writing to Monte Aaker, Research Coordinator, Minnesota Housing Finance Agency, Suite 200, 333 Sibley Street, St. Paul, Minnesota 55101. The temporary rule may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rule. As required by the Administrative Procedures Act, this temporary rule will be effective for not more than 180 days and may be continued in effect for up to an additional 180 days.

James J. Solem
Executive Director

Department of Public Safety
Bureau of Criminal Apprehension

Notice of Withdrawal of Proposed Rules Governing the Possession or Ownership of Machine Guns and Short Barrelled Shotguns

The rules proposed and published at *State Register*, Volume 6, Number 47, pp. 1931, May 24, 1982 (6 S.R. 1931) are withdrawn in their entirety by the Department of Public Safety. Because of substantial modifications made to the proposed rules, they are withdrawn. The modified rules will be reproposed for adoption and will be published within the next few weeks.

Minnesota Housing Finance Agency

Proposed Temporary Rules Governing Eligible Applications in the Home Improvement Loan Program

Request for Public Comment

Notice is hereby given that the Minnesota Housing Finance Agency has proposed the following temporary rules for the purpose of determining eligible applications in the Home Improvement Loan Program.

All interested persons are hereby afforded the opportunity to submit their comments on the proposed rule for 20 days immediately following publication of this material in the *State Register* by writing to Monte Aaker, Research Coordinator, Minnesota Housing Finance Agency, Suite 200, 333 Sibley Street, St. Paul, Minnesota 55101. The temporary rule may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rule.

James J. Solem
Executive Director

Temporary Rule as Proposed

Chapter Six: Home Improvement Loans.

12 MCAR § 3.051 [Temporary] Eligible applications.

A.-C. [Unchanged.]

D. The structure to be improved must be at least ~~15 years~~ 90 days old~~, or in need of repair to correct damage resulting from a natural disaster, or in need of repair to correct defects or deficiencies which are hazardous to health or safety, or to directly improve energy efficiency~~.

E.-J. [Unchanged.]

Department of Public Welfare
Bureau of Income Maintenance

Proposed Temporary Rules Governing the General Assistance Program (12 MCAR §§ 2.0551-2.0554)

Request for Public Comment

The State Department of Public Welfare proposes to adopt the above entitled temporary rules as directed by Ramsey County District Court, September 23, 1982, Minnesota AFL/CIO and the Urban Coalition of Minneapolis v. Arthur E. Noot and the Minnesota Department of Public Welfare.

Persons interested in this rule have until November 21, 1982 to submit comments. The proposed temporary rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Comments should be sent to:

Wally Goettl
Income Maintenance Bureau
444 Lafayette Road
St. Paul, MN 55101
612/296-1387

Upon adoption of the temporary rules, the proposed rules, this notice, all written comments received, and the adopted temporary rules will be delivered to the Attorney General and to the Revisor of Statutes for review as to form and legality, including the issue of substantial change. The adopted temporary rules will not become effective without the Attorney General's approval and the Revisor of Statute's certification of the rule's form. Persons who wish to be advised of the submission of this material, or who wish to receive a copy of the adopted temporary rules, should submit a written request to Wally Goettl.

As required by the Administrative Procedures Act, this temporary rule will be effective for not more than 180 days and may

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

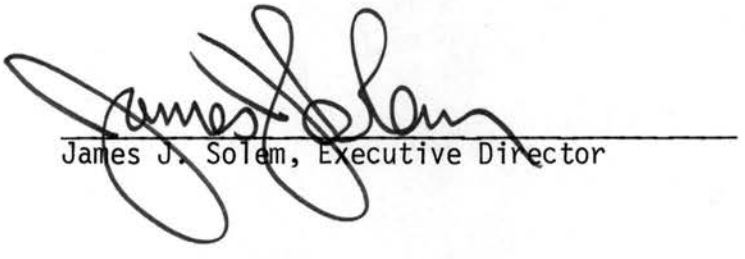
In the Matter of the Proposed Adoption of Temporary Rules Governing Eligible Applications for the Home Improvement Program

CERTIFICATE OF BOARD'S RESOLUTION ADOPTING RULES

I, James J. Solem, do hereby certify that I am the Executive Director of the Minnesota Housing Finance Agency, an Agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Agency, duly and properly called and held on the 27th day of December, 1982, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to Adoption of Temporary Rules Governing Eligible Applications for the Home Improvement Loan Program attached hereto as Exhibit A by and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 462A.06 subdivision 4 and 11 and that James J. Solem, Executive Director of the Agency, be and hereby is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 27th day of December, 1982.



James J. Solem, Executive Director

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Adoption of Temporary Rules Governing Eligible Applications in the Home Improvement Loan Program

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General, James E. Dinnerstein declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

James E. Dinnerstein
Special Assistant Attorney General

1/12/83
Date