

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA HOUSING FINANCE AGENCY

March 1, 1985

RECEIVED
MAR 01 1985
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Mr. Larry Starns
Special Assistant Attorney General
Room 204
Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants for Rehabilitation Loans Without a Public Hearing

Dear Mr. Starns:

Enclosed please find for your review pursuant to Minnesota Statutes Sections 14.21 through 14.28, the adopted rules of the Minnesota Housing Finance Agency.

The following materials are submitted to you for your review purusant to Minnesota Rules, Part 2000.0400:

Rule as Adopted;

Order Adopting;

Certificate of Board's Resolution Adopting the Rule;

Order of Notice to Adopt Rule Without a Public Hearing;

Certificate of Agency's Authorizing Resolution;

Notice of Intent to Adopt Rule Without a Public Hearing;

Affidavit of Mailing Notice of Intent to Adopt a Rule Without a Public Hearing;

Mailing List Certificate;

Rule as Proposed;

Statement of Need and Reasonableness; and

Certificate of Compliance with Rulemaking Procedures.

The Agency did not publish a Notice of Intent to Solicit Outside Opinion in connection with this rule. No requests for a hearing were received during the 30 day comment period. The Agency did not receive any comments during the 30 day comment

period, nor did it receive any requests from persons desiring notice of the date of submission of the proposed rule to the Attorney General. The Adopted rules are the same as the Proposed rules.

Sincerely,

James J. Solem
Executive Director

JJS/kjj

Encs.

Our File No. 1134

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 3-1-85
DATE FOR REVIEW 3-10-85
DATE DUE 3-15-85

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

Approved 3-11-85 mjc Disapproved _____ Returned to Agency _____

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

Date filed w/Secretary of State 3-11-85 Revisor approved 3/6/85 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 2.28.85 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
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
1.4.85 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
1.7.85 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 contains sm. biz statement.

N/A 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

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO James J. Solem, Executive Director
Minnesota Housing Finance Agency

DATE: March 11, 1985

ATTN: Karl Herman
Special Assistant Attorney General

FROM : Martha J. Casserly MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans Without a Public Hearing

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.

MJC:sz

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

Housing Finance Agency

Adopted Rules Governing the Amount and Eligibility for Home Improvement Grants or Rental Rehabilitation Loans

Rule as Adopted

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. **Amount of grant.** The amount of the rehabilitation grant shall not exceed the lesser of $6,000, the actual cost of the work performed, or that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 2. **Amount of loan.** The amount of the rehabilitation loan shall not exceed the lesser of $7,500, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. **Type of loan.** The agency shall review the credit worthiness of each recipient of a rehabilitation loan pursuant to part 4900.0080. If the recipient has an adjusted income of $6,000 or less, or if the recipient is not financially capable of making a monthly loan payment of at least $10, the recipient shall be eligible for a deferred loan. A recipient whose adjusted income exceeds $6,000 and who is financially capable of making a monthly loan payment of $10 or more shall be eligible for a flexible or deferred loan, or a combination of such loans, as determined by the agency.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 1 1 1985
Joan Anderson Growe
Secretary of State
10:05 AM

APPROVED AS TO FORM AND LEGALITY
March 11 19 85
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY M J Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

8300.4110 [Emergency] SUBMISSION AND EVALUATION CRITERIA.

Subpart 1. Evaluation criteria. The authority shall evaluate an application according to the standards and requirements in parts 8300.4101 to 8300.4112 [Emergency], the laws governing the program, and the following criteria:

A. the number of jobs created and maintained;

B. the ability of the product to attract private investment capital;

C. the projected financial success of the product;

D. the probability that royalty projections will be realized;

E. the projected return on investment to the state;

F. the degree to which the product serves the public good and reduces other state expenses; and

G. the degree to which the product can be expected to meet the needs of the marketplace.

Subp. 2. Use of consultants. The authority shall evaluate applications using the evaluation criteria. The commissioner may employ consultants as needed to extend the expertise of staff. The commissioner shall take steps that are reasonable to ensure that consultants are free from any conflicts of interests and that they use reasonable means to protect confidentiality of data.

Subp. 3. Priority funding. The commissioner may make priority funding recommendations to the authority based on the evaluation of the applications.

8300.4111 [Emergency] COPYRIGHT OR PATENT.

The copyright or patent for the product shall remain with the business unless specifically acquired by the authority.

8300.4112 [Emergency] DERIVATIVE PRODUCTS AND SUCCESSOR BUSINESS.

All agreements made as part of the technology product loan program, including product loan and security agreements, must contain an appropriate clause to maintain and secure the authority's financial interests in derivative products and successor businesses.

Housing Finance Agency

Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rental Rehabilitation Loans

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received 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. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public heairing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. § 14.14 *et. seq.* Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 200
333 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9793

Authority for the adoption of these rules is contained in Minn. Stat. § 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, (612) 296-5615.

January 4, 1985

James J. Solem
Executive Director

Rule as Proposed

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. Amount of grant. The amount of the rehabilitation grant ~~or loan~~ shall not exceed the lesser of $6,000, the actual cost of the work performed, or that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by ~~such~~ the person or family without spending an unreasonable portion of the income of ~~such~~ the person or family thereon.

Subp. 2. Amount of loan. The amount of the rehabilitation loan shall not exceed the lesser of $7,500, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. Type of loan. The agency shall review the credit worthiness of each recipient of a rehabilitation loan pursuant to part 4900.0080. If the recipient has an adjusted income of $6,000 or less, or if the recipient is not financially capable of making a monthly loan payment of at least $10, the recipient shall be eligible for a deferred loan. A recipient whose adjusted income exceeds $6,000 and who is financially capable of making a monthly loan payment of $10 or more shall be eligible for a flexible or deferred loan, or a combination of such loans, as determined by the agency.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

IN THE MATTER OF THE PROPOSED RULES GOVERNING THE AMOUNT AND ELIGIBILITY FOR HOME IMPROVEMENT GRANTS OR REHABILITATION LOANS WITHOUT A PUBLIC HEARING

ORDER ADOPTING RULES

Notice of the Agency's intent to adopt the above-entitled rules without a public hearing was published in the State Register on January 7, 1985 and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minnesota Statutes Section 14.14 Subdivision 1 on January 4, 1985. After affording interested and affected persons an opportunity to submit comments for 30 days, receiving fewer than twenty-five written requests for a public hearing within the 30 day comment period, reviewing and considering the comments, supplying notice to all persons requesting notice of the date of submission of the proposed rules to the Attorney General for review, and determining the need for and reasonableness of the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Rules of the Minnesota Housing Finance Agency Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans are adopted this 28th day of February, 1985, pursuant to authority vested in the Agency by Minnesota Statutes Section 462A.06, Subdivisions 4 and 11.

James J. Solem, Executive Director

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

It is ordered this 20th day of December, 1984 that a Notice of Intent to Adopt Rules without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Housing Finance Agency for that purpose and be published in the State Register.

MINNESOTA HOUSING FINANCE AGENCY

James J. Solem, Executive Director

CERTIFICATE OF AGENCY'S

AUTHORIZING RESOLUTION

I, Robert A. Worthington, do hereby certify that I am Chairman 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 20th day of December, 1984, 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, Executive Director of the Minnesota Housing Finance Agency, be and he hereby is authorized and directed to give public notice for the purpose of promulgating rules of the Minnesota Housing Finance Agency without a public hearing, said rules relating to Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans, as well as to perform any and all acts incidental thereto, including the signing of a notice of intent to adopt rules without a public hearing."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20th day of December, 1984.

Robert A. Worthington
Chairman

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received 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. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. § 14.14 et. seq. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 200
333 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9793

Authority for the adoption of these rules is contained in Minn. Stat. § 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences

lobbying. A lobbyist to defined in Minn. Stat. § 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, (612) 296-5615.

Dated: January 4, 1985

James J. Solem
Executive Director

Rule as Proposed

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. **Amount of grant.** The amount of the rehabilitation grant ~~or loan~~ shall not exceed the lesser of $6,000, the actual cost of the work performed, or that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by ~~such~~ the person or family without spending an unreasonable portion of the income of ~~such~~ the person or family thereon.

Subp. 2. **Amount of loan.** The amount of the rehabilitation loan shall not exceed the lesser of $7,500, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. **Type of loan.** The agency shall review the credit worthiness of each recipient of a rehabilitation loan pursuant to part 4900.0080. If the recipient has an adjusted income of $6,000 or less, or if the recipient is not financially capable of making a monthly loan payment of at least $10, the recipient shall be eligible for a deferred loan. A recipient whose adjusted income exceeds $6,000 and who is financially capable of making a monthly loan payment of $10 or more shall be eligible for a flexible or deferred loan, or a combination of such loans, as determined by the agency.

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD684

Agency: Minnesota Housing Finance Agency

Division: Legal

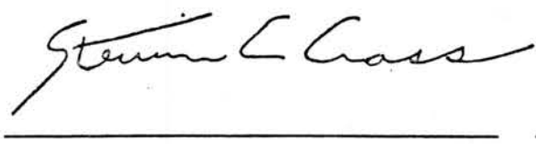
Agency Contact: Kathy Johnson, 296-9793

Minnesota Rules: Part 4900.0640

Title: Proposed Rule Governing the Amount and Eligibility for Home Improvement Grants or Rental Rehabilitation Loans

Type of Rules: Permanent

Incorporations by Reference: None





Steven C. Cross
Revisor of Statutes

David S. Niss
Assistant Revisor
Phone: 297-2948
Date: December 18, 1984

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans Without a Public Hearing

AFFIDAVIT OF MAILING

Kathleen J. Johnson, being first duly sworn, deposes and says:

Than on the 4th day of January, 1985, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid to all persons and associations who have requested that their names be placed on file with the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency.

Kathleen J. Johnson

Kathleen J. Johnson

Subscribed and sworn to before me this 4th day of January, 1985.

Roseann M. Koran

Notary Public

ROSEANN M. KORAN
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
My Commission Expires Mar. 31, 1986.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

MAILING LIST CERTIFICATE

In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans Without a Public Hearing

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minnesota Statutes Section 14.14 Subdivision 1, 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 this 4th day of January, 1985.

Kathleen J. Johnson

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans Without a Public Hearing

CERTIFICATE OF BOARD'S RESOLUTION ADOPTING RULES

I, Robert A. Worthington, do hereby certify that I am Chairman 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 28th day of February, 1985, 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 the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans attached hereto as Exhibit A be and they hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes Section 462A.06, Subdivisions 4 and 11 and that James J. Solem, Executive Director of the Agency, be and hereby is authorized to sign an order adopting these rules and further 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 28th day of February, 1985.

Robert A. Worthington
Chairman

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules
Governing the Amount and Eligibility
for Home Improvement Grants or Rehabilitation
Loans

STATEMENT OF NEED AND REASONABLENESS

4900.0649

This part presently limits the amount of a rehabilitation grant or loan to the lesser of $6,000.00, the actual cost of the work performed, or that portion of the cost of the rehabilitation which the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of their income thereon. The proposed change increases the maximum amount of rehabilitation loans to $7,500.00, because the 1983 session of the Legislature increased the maximum loan amount for the Rehabilitation Loan Program from $6,000.00 to $7,500.00. The change is necessary and reasonable to conform with current legislative intent and direction.

The current rule states that "a recipient whose adjusted income exceeds $6,000.00 and who is financially capable of making a monthly loan payment of $10.00 or more shall be eligible for a flexible loan." The change states that such applicants shall be "eligible for a flexible or deferred loan, or a combination of such loans, as determined by the agency." The change is necessary and reasonable to clarify that the applicants in question may be eligible for either type of loan or a combination of the two.

The Agency is cognizant of the provisions of Section 14.115 of Minnesota Statutes, entitled "Small Business Considerations in Rulemaking." To the extent that the rehabilitation funds directly benefit the low income residents of structures to be improved under the Agency's Program, the statute is inapplicable. To the extent that the funds may inure to the benefit of small businesses, the proposed rules do not establish any compliance or reporting requirements, design or operational standards, and the effect of the Agency's Program in making the funds available is to make decent, safe, and sanitary housing more affordable for low and moderate income persons, and, as a consequence, the proposed regulations have no negative effect on small businesses.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Governing the Amount and Eligibility for Home Improvement Grants or Rehabilitation Loans Without a Public Hearing

STATEMENT OF COMPLIANCE WITH THE RULEMAKING PROCEDURES

I, Special Assistant Attorney General, Karl J. Herman, do hereby 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.

Dated: 3/1/85

Karl J. Herman
Special Assistant Attorney General