

5510.5295 ARBITRATOR FEES AND COSTS.**Subpart 1. Paying arbitrator fees and costs.**

A. Except as otherwise provided by statute or the express terms of the arbitration agreement, the parties must equally pay the arbitrator's fees and costs.

B. If there is a dispute between one or both parties and the arbitrator over the arbitrator's fees or costs, the party or parties contesting the fee may request arbitration of the fee dispute according to subpart 2.

Subp. 2. Resolving dispute over fees or costs.

A. If a party believes that the arbitrator's fees or expenses are inappropriate or incorrect and cannot resolve the issue with the arbitrator, the party may submit a written statement of protest to the commissioner within 30 calendar days of receiving the arbitrator's invoice of fees and expenses. The statement of protest must provide the basis for the objection, and the party must provide a copy of the statement to the arbitrator and the other party.

B. The commissioner must investigate and respond to the statement of protest. If the commissioner determines that the disputed fee or expense is inappropriate or incorrect, the commissioner must refer the statement of protest to a panel of the advisory committee under chapter 5530. The panel must:

- (1) investigate the statement of protest;
- (2) provide all interested parties an opportunity to be fairly heard; and
- (3) issue a written decision that is final and binding on the parties and the arbitrator.

Statutory Authority: *MS s 179.02; 179.82; 179A.04; 179A.16; 626.892*

History: *46 SR 1387*

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