

**1653.0081 RFA REVIEW, NOTICE, APPEAL.**

Subpart 1. **RFA review.** Within 30 days after receipt of a lender's offer the RFA shall accept or reject the lender's offer to participate in the loan. If the documentation is not sufficient to make a determination, the RFA may request additional information to establish the creditworthiness and eligibility of an applicant.

Subp. 2. **RFA acceptance.** The RFA shall accept applications if:

A. the applicant meets all eligibility criteria in this chapter and Minnesota Statutes, chapter 41B;

B. the applicant demonstrates an ability to repay the first mortgage loan and other obligations based on financial information submitted with the application;

C. collateral offered as security for the first mortgage real estate loan is sufficient to protect the state's interests; and

D. the RFA has sufficient funds available to purchase a participation in the loan.

Subp. 3. **RFA notice.** The RFA shall notify the lender in writing whether or not an offer is accepted. If the offer is not accepted, the notice must state the reasons.

Subp. 4. **Administrative appeal.** If an offer is rejected, either the lender or the applicant may petition for RFA reconsideration. The petition must be in writing and must be sent within 30 working days of the date of the RFA notice. The petition must state the grounds for the appeal, and may include additional relevant information. Within 15 working days of receiving the petition, the RFA program director shall send a written response to the petitioner upholding or reversing the original decision and giving the reasons for the decision.

Subp. 5. **Formal appeal.** After administrative appeal, a petitioner may appeal the program director's decision directly to the RFA board by written notice to the director within 15 days of receiving the director's reconsideration decision. The decision of the board is final.

**Statutory Authority:** *MS s 41B.07; 41C.13*

**History:** *20 SR 2427; 30 SR 372*

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