

1655.0071 RFA REVIEW, NOTICE, APPEAL.

Subpart 1. **RFA review.** The RFA shall accept or reject all applications within 60 days after their receipt. 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 based upon whether:

- A. the applicant meets all eligibility criteria in this chapter and Minnesota Statutes, section 41B.045, subdivision 2;
- B. the applicant demonstrates an ability to repay the the mortgage loan and other obligations;
- C. the proposed livestock expansion meets specifications set by statute and rule;
- D. none of the loan proceeds are being used to refinance existing debt; and
- E. 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 application is accepted. If the application is not accepted, the notice must state the reasons.

Subp. 4. **Administrative appeal.** If an application is rejected, either the lender or the applicant may petition for administration reconsideration by the RFA. The petition must be in writing and must be sent within 30 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 executive 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 executive 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*

Published Electronically: *September 10, 2007*