

**1900.1110 APPEAL PROCESS.**

Subpart 1. **Basis for an appeal.** There is no right of appeal for disputes of decisions with respect to interpretation of review criteria. An appeal may be made only if it is asserted that the board did not follow its policies and procedures as provided by this chapter.

Subp. 2. **Appeal procedure.** Any applicant who disputes a decision of the board regarding the applicant's grant application on any issue other than review criteria may appeal the decision of the board. The appeal shall be conducted according to items A to D.

A. The applicant must submit an appeal in writing within 45 days of the date of the letter notifying the applicant of the board's decision.

B. The appeal must state reasons for the appeal.

C. The board shall review the appeal at its first meeting following the receipt of the appeal.

D. The board may take one of the actions provided in subitems (1) to (5) in response to the appeal:

(1) determine that the applicant does not show sufficient cause for an appeal;

(2) direct the staff to investigate the applicant's appeal and bring a recommended resolution of the appeal to a subsequent meeting of the board;

(3) request that the applicant appear before the board at a subsequent meeting and address the appeal at that time;

(4) determine that the applicant does show sufficient cause for appeal and offer a settlement to the applicant at the meeting; or

(5) refer the appeal to an administrative law judge for a contested case proceeding.

Subp. 3. **Disputed decision.** Following the appeal to the board, if the applicant continues to dispute the board's decision the board shall refer the matter to an administrative law judge for a contested case proceeding.

**Statutory Authority:** *MS s 129D.04*

**History:** *21 SR 5*

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