

**7400.2500 NOTICE OF AND ORDER FOR HEARING; CONTENT.**

The notice of and order for hearing must contain, among other things, the following:

A. a caption that includes the proposed action and the name and dealer license number of the dealer;

B. the time, date, and place for the hearing;

C. the name, address, and telephone number of the hearing examiner;

D. a citation to the registrar's statutory authority to hold the hearing and take the action proposed;

E. a statement of the allegations or issues to be determined together with a citation to the relevant statutes or rules allegedly violated or that control the outcome of the case, and the corrective action considered appropriate;

F. a statement that if corrective action is considered appropriate and corrective action is not taken, the dealer's license may be revoked, suspended, or canceled;

G. a statement that the registrar's proposed action may affect other motor vehicle dealer licenses in which the dealer or an owner, officer, or board member of the dealer is involved;

H. notification of the dealer's right of representation:

(1) personally;

(2) by an attorney; or

(3) by a person of the dealer's choice, if not otherwise prohibited as the unauthorized practice of law;

I. a citation to the procedural rules of the registrar in parts 7400.2200 to 7400.3700 and to the contested case provisions of Minnesota Statutes, chapter 14, and notification of how copies may be obtained;

J. a brief description of the procedure to be followed at the hearing;

K. a statement advising the dealer to bring to the hearing the documents, records, and witnesses needed to support the dealer's position;

L. a statement that subpoenas may be available to compel the attendance of witnesses or the production of documents, referring the dealer to Minnesota Statutes, section 168.27, subdivision 13;

M. a statement advising the dealer of the name of the registrar's staff member or attorney general's staff member to contact to discuss informal disposition;

N. a statement advising the dealer that failure to appear at the hearing may result in the allegations of the notice of and order for hearing being taken as true, or the issues set out being deemed proved, and a statement that explains the possible results of the allegations being taken as true or the issues proved; and

O. a statement advising the dealer that if not public data is admitted into evidence it may become public unless the dealer objects and asks for relief under Minnesota Statutes, section 14.60, subdivision 2.

**Statutory Authority:** *MS s 299A.01*

**History:** *19 SR 157*

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