

7406.1400 NOTICE OF AND ORDER FOR HEARING; CONTENT.

The notice of and order for hearing must contain at least the following:

- A. a caption that includes the proposed action and the name of the deputy registrar;
- 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 commissioner's rule and 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;
- F. a statement that the commissioner's proposed action may affect other deputy registrar appointments in which the deputy registrar or an owner, officer, director, or five percent shareholder of the deputy registrar is involved;
- G. notification of the right of the parties to be represented by an attorney, by themselves, or by a person of their choice if not otherwise prohibited as the unauthorized practice of law;
- H. a citation to the procedural rules of the commissioner in parts 7406.1100 to 7406.2600 and notification of how copies may be obtained;
- I. a brief description of the procedure to be followed at the hearing;
- J. a statement advising the parties to bring to the hearing all documents, records, and witnesses needed to support their position;
- K. a statement advising the parties of the name of the commissioner's staff member or attorney general's staff member to contact to discuss informal disposition;
- L. a statement advising the parties that a notice of appearance must be filed with the hearing examiner within 20 days of the date of service of the notice of and order for hearing if a party intends to appear at the hearing, unless the hearing date is less than 20 days from the issuance of the notice of and order for hearing;
- M. a statement advising existing parties 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 explaining the possible results of the allegations being taken as true or the issues proved;

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

O. in the case of immediate suspension, a statement that the parties must cease operation of the deputy registrar office immediately and surrender all inventory, fees and taxes, and other state-issued property.

Statutory Authority: *MS s 14.06; 299A.01*

History: *20 SR 2784; 29 SR 97*

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