

1 Abstracters' Board of Examiners

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3 Adopted Permanent Rules Relating to Abstractor Licensing

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5 Rules as Adopted

6 1005.0200 BOARD MEETINGS.

7 Subpart 1. Annual meeting. The board shall hold its
8 annual meeting in May of each year.

9 Subp. 1a. Examination. Examinations shall be conducted by
10 the board or its authorized representatives prior to each annual
11 meeting in April of each year and shall be graded at the annual
12 meeting provided for in subpart 1.

13 Subp. 2. Emergency meetings. The board may schedule an
14 emergency meeting and conduct an examination for good cause
15 shown for any applicant upon 30 days written notice to the
16 applicant and board members.

17 Subp. 3. Special meetings. The board may hold special
18 meetings at such other times as may be necessary and as it may
19 determine.

20 Subp. 4. Call of meetings. All meetings shall be called
21 by the executive secretary.

22 1005.0600 EMPLOYING LICENSED ABSTRACTERS.

23 Every person, firm, or private corporation engaged in the
24 business of abstracting in one county only shall have in its
25 employ persons who are licensed abstracters. Every person,
26 firm, or private corporation engaged in the business of
27 abstracting in more than one county in this state shall have at
28 least one person who is a licensed abstracter for each county in
29 which it maintains an abstract office, provided that no person
30 may satisfy this requirement for more than one abstract office.
31 No licensed abstracter may fulfill the requirements of this part
32 for more than one company at any one time. Every person, firm,
33 or private corporation engaged in the business of abstracting
34 shall comply with the requirements of this part.

1 1005.0700 STANDARDS OF CONDUCT.

2 The methods, acts, or practices in this part are standards
3 of conduct governing the activities of abstracters. The failure
4 to comply with the standards shall constitute grounds for
5 denial, refusal to renew, suspension, or revocation of the
6 license of such person, or censure of the abstracter. An
7 abstracter shall:

8 A. refrain from using the abstracter's name or
9 certification on an abstract, the preparation of which or part
10 of which the abstracter was not directly responsible for;

11 B. refrain from engaging in any discriminatory
12 practices prohibited by law in the conduct of business;

13 C. employ competent abstracters and employees;

14 D. provide proper training and instruction for all
15 employees; and

16 E. refrain from splitting fees, or accepting or
17 paying referral fees for abstracting services.

18 1005.0800 FRAUDULENT, DECEPTIVE, OR DISHONEST PRACTICES.

19 The methods, acts, and practices contained in this part or
20 similar thereto shall be presumed fraudulent, deceptive, or
21 dishonest if engaged in by the abstracter or the abstracter's
22 agent and shall constitute grounds for denial, refusal to renew,
23 suspension, or revocation of the license of the abstracter:

24 A. making any material misstatement in the
25 application for a license or in any information furnished to the
26 board or to the attorney general pursuant to Minnesota Statutes,
27 chapter 214;

28 B. causing to be published advertising, whether
29 written or printed communication or any communication by
30 recorded telephone message, radio, television, picture, or
31 similar means, which is misleading or inaccurate in any material
32 manner;

33 C. procuring, or attempting to procure, an
34 abstracter's license for the abstracter or any other person by
35 fraud, misrepresentation, or deceit;

1 D. violating any law, rule, regulation, or ordinance
2 of this state or any of its political subdivisions, including
3 the board, or the United States government, or a United States
4 agency relating to the practice of abstracters;

5 E. making a false statement as to the existence or
6 amount of the bond or abstractor's liability insurance policy
7 filed with the board;

8 F. representing that the abstractor has a license or
9 bond or abstractor's liability insurance policy when the
10 abstractor, in fact, does not;

11 G. falsifying an abstract of title, or any entry, or
12 the certification of an abstract; and

13 H. engaging in any other conduct which constitutes
14 dishonest actions in the abstractor's practice as a licensed
15 abstractor which endangers the interest of the public or any
16 person, firm, or private corporation in connection with the
17 performance of an abstract.

18 Nothing in this part shall limit the authority of the board
19 to take formal action against an abstractor for the use of
20 fraudulent, deceptive, or dishonest activities of a type not
21 specifically described.