

November 30, 2022

**VIA EFILING ONLY**

Josh Skaar  
Attorney at Law  
Minnesota Department of Health  
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**Re: In the Matter of Minn. R. 4761, Possible Amendment to Rules  
Governing Residential Lead Abatement, Revisor's ID No. R-4694  
OAH 65-9000-38460; Revisor 4694**

Dear Mr. Skaar:

Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26** in the above-entitled matter. The Administrative Law Judge has determined there are no negative findings in these rules.

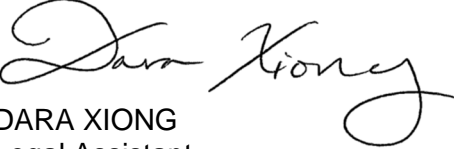
The Office of Administrative Hearings has closed this file and is returning the rule record so that the Minnesota Department of Health can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365 (2022). Please ensure that the agency's signed order adopting the rules is filed with our office. The Office of Administrative Hearings will request the finalized rules from the Revisor's office following receipt of that order. Our office will then file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the agency for its rulemaking record. The Department will then receive from the Revisor's office three copies of the Notice of Adoption of the rules.

The Department's next step is to arrange for publication of the Notice of Adoption in the State Register. Two copies of the Notice of Adoption provided by the Revisor's office should be submitted to the State Register for publication. A permanent rule without a hearing does not become effective until five working days after a Notice of Adoption is published in the State Register in accordance with Minn. Stat. § 14.27 (2022).

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If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, [william.t.moore@state.mn.us](mailto:william.t.moore@state.mn.us) or via facsimile at (651) 539-0310.

Sincerely,



DARA XIONG  
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission  
Revisor of Statutes

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed  
Amendments to Rules Governing  
Residential Lead Abatement, Minn. R.  
Part 4761.2510

**ORDER ON  
REVIEW OF RULES  
UNDER MINN. STAT. § 14.26**

The Minnesota Department of Health (Department) seeks review and approval of the above-entitled rules, which the Department adopted pursuant to Minn. Stat. § 14.26 (2022). On November 22, 2022, the Department filed all documents required by Minn. Stat. § 14.26 and Minn. R. 1400.2310 (2021) with the Office of Administrative Hearings.

Based upon a review of the written submissions and filings, Minnesota Statutes, and Minnesota Rules,

**IT IS HEREBY DETERMINED:**

1. The Board has the statutory authority to adopt the rules.
2. The Board adopted the rules in compliance with the procedural requirements of Minn. Stat. §§ 14.01-.69 (2022) and Minn. R. 1400.2000-.8612 (2021).
3. The record demonstrates the rules are needed and reasonable, and comply with the standards of review set forth in Minn. R. 1400.2100.
4. The modifications made to the rules after publication do not render the rules substantially different from the rules as originally proposed and published, as set forth under Minn. Stat. § 14.05, subd. 2.

**IT IS HEREBY ORDERED THAT:**

The rules, as modified by the Department in response to public comments, are **APPROVED**.

Dated: November 30, 2022



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ANN C. O'REILLY  
Administrative Law Judge