

CHAPTER 1005
BOARD OF ABSTRACTERS
BOARD, ABSTRACTERS, AND ABSTRACTS

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1005.0200 BOARD MEETINGS.

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

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

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

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

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

Statutory Authority: *MS s 386.63*

History: *16 SR 1086*

1005.0600 EMPLOYING LICENSED ABSTRACTERS.

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

Statutory Authority: *MS s 386.63*

History: *16 SR 1086*

1005.0700 STANDARDS OF CONDUCT.

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

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

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

C. employ competent abstracters and employees;

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

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

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Statutory Authority: *MS s 386.63*

History: *16 SR 1086*

1005.0800 FRAUDULENT, DECEPTIVE, OR DISHONEST PRACTICES.

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

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

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

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

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

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

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

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

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

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

Statutory Authority: *MS s 386.63*

History: *16 SR 1086*