

6213.0420 FORFEITURE OR SUSPENSION OF CONTRACT.

Subpart 1. **Forfeiture of agent contract.** In addition to forfeiture under Minnesota Statutes, section 97A.311, subdivision 4, an agent contract is forfeited if the commissioner finds that an agent:

A. provided false or misleading information on the agent's application to the commissioner; or

B. while performing their duty as an agent of the Department of Natural Resources, acted in a manner prejudicial to the public confidence in the integrity of the Department of Natural Resources.

Subp. 2. **Suspension or cancellation of agent contract.** The commissioner may cancel or suspend an agent contract if the commissioner finds that the agent:

A. changed business location without notice to the commissioner under part 6213.0410;

B. failed to account for materials and equipment for operation of the electronic license system;

C. failed to comply with a term or condition of the agent contract;

D. committed an act that impairs the agent's reputation for honesty and integrity related to fulfilling the duties as an agent of the department of natural resources;

E. failed to properly display license point-of-sale equipment and materials;

F. failed to have the financial stability or responsibility to act as an agent as evidenced by inadequate accounting records or a failure to maintain sufficient funds from the sale of electronic licenses in the appropriate bank account;

G. had fewer than 300 electronic license system transactions per year; or

H. misused electronic license system data.

Subp. 3. **Notice.** If an agent contract is forfeited, suspended, or canceled under subpart 1 or 2, the commissioner shall notify the agent and give a brief statement of the reason for forfeiture, cancellation, or suspension. The commissioner shall notify the agent that the agent may, within 30 days from the date of the notice, request that the commissioner reconsider the forfeiture, cancellation, or suspension. Notice of forfeitures and cancellations shall be in writing.

Subp. 4. **Request for reconsideration.** A request for reconsideration must include a written statement setting forth the agent's legal, factual, or equitable arguments, along with any supporting documents. The commissioner may request that the agent submit additional facts or documents before making a final decision. The commissioner, after considering

any additional facts or documents submitted by the agent, shall make a decision on whether or not to revoke the forfeiture or suspension of the agent's contract.

Statutory Authority: *MS s 84.027; 84.79; 84.798; 84.8205; 84.86; 84.924; 86B.211; 97A.405; 97A.485*

History: *24 SR 238; 34 SR 1205*

Published Electronically: *March 10, 2010*