

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**DIRECTOR'S OFFICE**

**REFUND OF FEES**

(By authority conferred on the department of consumer and industry services by section 5 of 1979 PA 152 and Executive Reorganization Order No. 1996-2, MCL 338.2205 and 445.2001)

**R 338.941 Definitions.**

Rule 1. As used in these rules:

- (a) "Department" means the department of consumer and industry services.
- (b) "Fee" means a fee for a permit, license, registration, examination, reexamination, certificate, verification, transfer, publication, or change of address.
- (c) "Incapacitated" means an illness or injury which prevents a person from performing the occupation for which the person is licensed, registered, or certified.
- (d) "Partial refund" means a refund of the fee paid minus a service charge of \$15.00.

History: 1980 AACCS; 1998-2000 AACCS.

**R 338.942 Applicability.**

Rule 2. These rules apply to all fees collected pursuant to Act No. 152 of the Public Acts of 1979, being S338.2201 et seq. of the Michigan Compiled Laws.

History: 1980 AACCS; 1981 AACCS.

**R 338.943 Issuance of full refunds.**

Rule 3. (1) The department shall, upon its own initiative or upon a request made within 1 year of a fee validation date, issue a full refund for all of the following:

- (a) A duplicate payment.
  - (b) Payment of a fee when none is required.
  - (c) Payment of an amount in excess of the required fee.
  - (d) A renewal fee, if a licensee dies or is incapacitated before the first day of a new license period.
  - (e) A license, registration, or certification fee if the fee was collected at the same time as a separate examination fee and the applicant has failed the examination.
- (2) A copy of a death certificate or a doctor's statement is required before the department shall issue a refund pursuant to subdivision (d) of subrule (1) of this rule.

History: 1980 AACCS; 1981 AACCS.

**R 338.944 Issuance of partial refunds.**

Rule 4. (1) Except as provided in subrule (2) of this rule, the department shall issue a partial refund to a person whose application to take an examination or reexamination is withdrawn or denied 7 days before the date the examination is scheduled to be administered by the department.

(2) A partial refund shall not be issued to a person whose application has been denied after a formal hearing and shall not be issued if the examination fee is less than the \$15.00 service charge.

History: 1980 AACCS.