



ADMINISTRATIVE RULES OF MONTANA



36.25.1004 LEASE FEE PAYMENT

- (1) All cabin sites are assessed an annual lease fee. Payment is due in one annual installment unless the lessee elects to pay the annual fee on a semi-annual schedule in two equal installments.
 - (a) Annual lease fees are due on March 1 of each year.
 - (b) Semi-annual lease fees are due on March 1 and on September 1 of each year.
- (2) Lease fee payment must be postmarked by the due date. Lease fee payment that is not postmarked by the due date will be considered late and a \$25 late fee will be assessed.
 - (a) Late payment of annual lease fees will be accepted if postmarked on or before April 1.
 - (b) Lease cancellation for leases on an annual fee schedule occurs if payment is not received, or is received postmarked after April 1.
 - (c) Late payment of the first installment of semi-annual lease fees postmarked on or before April 1 will be accepted; late payment of the second installment postmarked on or before October 1 will be accepted.
 - (d) Lease cancellation for leases on a semi-annual fee schedule occurs if payment is not received, or is received postmarked after either date in (c).
- (3) The department will send written notice of payments due to the address of record for lessees in accordance with the following schedule:
 - (a) invoice in January for all annual lease fees;
 - (b) invoice in January and July for all semi-annual lease fees;
 - (c) late notice in March for any unpaid annual lease fees;
 - (d) late notice in March and September for any unpaid semi-annual lease fees;
 - (e) cancellation notice in April for any unpaid annual lease fees; and
 - (f) cancellation notice in April and October for any unpaid semi-annual lease fees.
- (4) Late notices and cancellation notices will be mailed to the address of record by certified mail; and, will be copied to any known security interest holder for improvements upon the leased land.
 - (a) As determined by the department or at the direction of the board, the department may send notices regarding payments due to lessees at times other than those described in this rule.

- (5) A cancelled lease may be reinstated at the discretion of the department. The minimum fee for reinstatement is \$500, or as much as three times the annual lease fee. The decision to reinstate the lease, as well as the reinstatement fee amount, are at the discretion of the department.

Authorizing statute(s): 77-1-202, 77-1-209, MCA

Implementing statute(s): 77-1-208, MCA

History: NEW, 2010 MAR p. 1293, Eff. 5/28/10; AMD, 2016 MAR p. 1020, Eff. 6/4/16.