

801—15.4(37A) Transaction approval. Upon receipt of transaction notification and supporting documentation, the department shall take action on the request within a reasonable time frame not to exceed 60 days. The following criteria will be considered in evaluating a request:

15.4(1) *Risk of deterioration.* The department may authorize the sale, trade, or transfer of veterans commemorative property, if the veterans commemorative property is determined to be at risk of deterioration to a point where the veteran, group of veterans, or veterans organization that the property commemorates will be unrecognizable.

15.4(2) *Relocation of veterans commemorative property to a suitable location.* The department may authorize the sale, trade, or transfer of veterans commemorative property if the transaction will be made with an individual or organization that will preserve the current condition of the property and will display the property in a manner that will commemorate the veteran, group of veterans, or veterans organization for which the property was intended.

15.4(3) *To provide for the maintenance of cemetery property.* The department may authorize the sale, trade, or transfer of veterans commemorative property if the transaction is necessary to ensure that sufficient funds are available to maintain the cemetery where the veterans commemorative property is placed and the specific lot, plot, grave, burial place, niche, crypt, or other place of interment of a veteran or group of veterans.

15.4(4) *Veterans commemorative property will be suitably replaced.* The department may authorize the sale, trade, or transfer of veterans commemorative property if the property will be replaced at the same site, with a memorial that will continue to commemorate the veteran, group of veterans, or veterans organization that the original memorial was intended to honor.

15.4(5) *Donating veterans organization approval.* The department may authorize the sale, trade, or transfer of veterans commemorative property if the veterans organization that is believed to have donated the property consents to the transaction.

15.4(6) *Lending owner approval.* The department may authorize the sale, trade, or transfer of veterans commemorative property if the owner of the property authorizes the transaction and is aware the cemetery will retain the proceeds of the transaction.