



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Financial Institutions, Division of Consumer Services

- | | |
|---|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 15-16-027; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) Amending the Department's adjudicative proceedings rules, chapter 208-08 WAC.

Hearing location(s):

Department of Financial Institutions
150 Israel Rd. SW
Tumwater, WA 98501

Date: July 13, 2017 Time: 1:30 – 2:30

Submit written comments to:

Name: Sara Rietcheck
Address: P.O. Box 41200
Olympia, WA 98504-1200
e-mail sara.rietcheck@dfi.wa.gov
fax (360) 586-5068 by (date) July 13, 2017, 5:00 p.m.

Assistance for persons with disabilities: Contact

Sara Rietcheck by July 6, 2017

TTY (360) 664-8126 or (360) 902-8786

Date of intended adoption: July 25, 2017

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The rules are proposed for amendment to streamline the adjudicative process by providing clearer guidance for all participants while preserving due process.

Reasons supporting proposal: The rules have not been amended since adopted in 1996 and may not address amendments to the Washington Administrative Procedures Act and the Model Administrative Rules occurring after 1996. Additionally, DFI has observed over the year several areas of concern with the adjudicative process that can be addressed by amending the rules.

Proposed in compliance with OFM Guidance 3.e. dated October 12, 2011.

Statutory authority for adoption: RCW 34.05.250

Statute being implemented: chapter 34.05 RCW

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 23, 2017

TIME: 9:31 AM

WSR 17-11-112

DATE
May 23, 2017

NAME (type or print)
Charles Clark

SIGNATURE

TITLE Agency Deputy Director and Director of Consumer Services

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) Department of Financial Institutions

- Private
 Public
 Governmental

Name of agency personnel responsible for:

| Name | Office Location | Phone |
|--------------------------------------|---------------------------------|----------------|
| Drafting..... Cindy Fazio | 150 Israel Rd. SW, Tumwater, WA | (360) 902-8800 |
| Implementation.... Joseph M. Vincent | 150 Israel Rd. SW, Tumwater, WA | (360) 902-0516 |
| Enforcement..... Steve Sherman | 150 Israel Rd. SW, Tumwater, WA | (360) 664-7829 |

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared. The proposed rules, if adopted, will not impose more than minor costs on the businesses impacted by the rules.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: No applicable to the proposed rules.