

RCW 22.09.350 Remedies of department on discovery of shortage.

(1) Whenever it appears that there is evidence after any investigation that a warehouse operator has a shortage, the department may levy a fine of one hundred dollars per day until the warehouse operator covers the shortage.

(2) In any case where the director determines the shortage creates a substantial or continuing threat of loss to the depositors of the warehouse operator, the department may, in lieu of levying a fine or further fines, give notice to the warehouse operator to comply with all or any of the following requirements:

(a) Cover the shortage;

(b) Give additional bond as requested by the department;

(c) Submit to such inspection as the department may deem necessary;

(d) Cease accepting further commodities from depositors or selling, encumbering, transporting, or otherwise changing possession, custody, or control of commodities owned by the warehouse operator until there is no longer a shortage.

(3) If the warehouse operator fails to comply with the terms of the notice provided for in subsection (2) of this section within twenty-four hours from the date of its issuance, or within such further time as the department may allow, the department may petition the superior court of the county where the licensee's principal place of business in Washington is located as shown by the license application, for an order:

(a) Authorizing the department to seize and take possession of all or a portion of special piles and special bins of commodities and all or a portion of commingled commodities in the warehouse or warehouses owned, operated, or controlled by the warehouse operator, and of all books, papers, and property of all kinds used in connection with the conduct or the operation of the warehouse operator's warehouse business, and the books, papers, records, and property that pertain specifically, exclusively, and directly to that business; and

(b) Enjoining the warehouse operator from interfering with the department in the discharge of its duties as required by this section. [2011 c 336 § 624; 1983 c 305 § 48; 1963 c 124 § 35.]

Severability—1983 c 305: See note following RCW 20.01.010.