

WAC 208-08-053 Submission of answer to department. (1) **Answer to statement of charges.** Each respondent must file an answer to the department's statement of charges. The answer must be filed with the department no later than thirty days after the respondent's request for an adjudicative hearing unless the parties agree in writing to a longer time period.

(2) **Contents of answer.** The answer must state whether each of the factual allegations in the statement of charges is admitted, denied, or not contested, and must include a summary of the party's position on each factual allegation denied.

(3) **Effect of admission or no contest.** When a factual allegation is admitted or not contested, it is deemed to be conclusive for all further proceedings between the department and the respondent in regard to the statement of charges.

(4) **Failure to file answer.** Failure by the respondent to file an answer within the time limit constitutes a default and, upon motion by the department, results in the loss of the respondent's right to an adjudicative hearing on the statement of charges.

(5) **Curing the default.** A respondent may cure the default by filing and serving an answer prior to the hearing on the motion for default. Notice of the motion for default must be served on respondent at least seven days prior to the hearing on the motion. When a respondent defaults, the department may proceed to resolve the case as to that respondent pursuant to RCW 34.05.440(2).

[Statutory Authority: RCW 34.05.250. WSR 17-16-056, § 208-08-053, filed 7/25/17, effective 10/1/17.]