

WAC 371-08-485 Standard and scope of review and burden of proof at hearings. (1) Hearings shall be quasi-judicial in nature. The scope and standard of review shall be de novo unless otherwise provided by law.

(2) The board shall make findings of fact based on the preponderance of the evidence unless otherwise required by law.

(3) The issuing agency shall have the initial burden of proof in cases involving penalties or regulatory orders. In other cases, the appealing party shall have the initial burden of proof.

[Statutory Authority: RCW 43.21B.170, 90.58.175. WSR 15-03-044, § 371-08-485, filed 1/14/15, effective 2/14/15. Statutory Authority: RCW 43.21B.170. WSR 02-06-013, § 371-08-485, filed 2/22/02, effective 3/25/02; WSR 96-15-003, § 371-08-485, filed 7/3/96, effective 8/3/96.]