

WAC 44-14-07006 Requiring partial payment. (1) Copying deposit.

An agency may charge a deposit of up to ten percent of the estimated copying costs of an entire request, including a customized service charge, before beginning to copy the records. RCW 42.56.120(4). The estimate must be reasonable. An agency can require the payment of the deposit before copying an installment of the records or the entire request. The deposit applies to the records selected for copying by the requestor, not all the records made available for inspection. An agency is not required to charge a deposit. An agency might find a deposit burdensome for small requests where the deposit might be only a few dollars. Any unused deposit must be refunded to the requestor.

When copying is completed, the agency can require the payment of the remainder of the copying charges before providing the records. For example, a requestor makes a request for records that comprise one box of paper documents. The requestor selects the entire box for copying. The agency estimates that the box contains three thousand pages of records. The agency charges fifteen cents per page so the cost would be three hundred fifty dollars. The agency obtains a ten percent deposit of thirty-five dollars and then begins to copy the records. The total number of pages turns out to be two thousand nine hundred so the total cost is two hundred ninety dollars. The thirty-five dollar deposit is credited to the two hundred ninety dollars. The agency requires payment of the remaining amount before providing the records to the requestor.

(2) **Copying charges for each installment.** If an agency provides records in installments, the agency may charge and collect all applicable copying fees (not just the ten percent deposit) for each installment, unless the agency is assessing a two-dollar flat fee. RCW 42.56.120. The agency may agree to provide an installment without first receiving payment for that installment.

[Statutory Authority: RCW 42.56.570. WSR 18-06-051, § 44-14-07006, filed 3/2/18, effective 4/2/18. Statutory Authority: 2005 c 483 § 4, RCW 42.17.348. WSR 06-04-079, § 44-14-07006, filed 1/31/06, effective 3/3/06.]