

**WSR 24-10-103**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed May 1, 2024, 8:07 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-06-079.

Title of Rule and Other Identifying Information: WAC 308-409-080 Prohibitions.

Hearing Location(s): On June 7, 2024, at 10:00 a.m. Join Zoom meeting <https://dol-wa.zoom.us/j/88086258469?pwd=1aIy88ppSTFkIMrH29TeNjIKBkrsHa.1>, Meeting ID 880 8625 8469, Passcode 883764; or One-tap mobile +12532158782,,88086258469#,,,,\*883764# US (Tacoma), +12532050468,,88086258469#,,,,\*883764# US, Meeting ID 880 8625 8469, Passcode 883764. Find your local number <https://dol-wa.zoom.us/j/88086258469?pwd=1aIy88ppSTFkIMrH29TeNjIKBkrsHa.1>. If you are having difficulty joining the Zoom meeting at the time of the public hearing, please call 360-902-0131. An in-person option is available at the Highways and Licensing Building, 1125 Washington Street S.E., Olympia, WA 98504.

Date of Intended Adoption: June 8, 2024.

Submit Written Comments to: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, email [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), by June 7, 2024.

Assistance for Persons with Disabilities: Contact Kelsey Stone, phone 360-902-0131, email [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), by May 28, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department of licensing (DOL) is considering updating language in WAC 308-409-080 to include requirements from RCW 18.310.150 Disciplinary actions—Grounds.

Reasons Supporting Proposal: This rule making is based on a petition DOL received from the public requesting inclusion of the actions in RCW 18.310.150 under the type of activity DOL could take action against a licensee for.

Statutory Authority for Adoption: RCW 18.310.020 Powers and duties of director.

Statute Being Implemented: RCW 18.310.020 Powers and duties of director.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Proponent: Public.

Name of Agency Personnel Responsible for Drafting: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-0131; Implementation and Enforcement: Kathe McDaniel, P.O. Box 9020, Olympia, WA 8507 [98507], 360-634-5238.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule-making effort is supported through a public petition and simply includes an additional reference to an RCW that is already current law.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; and rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

May 1, 2024  
Ellis Starrett  
Rules and Policy Manager

#### OTS-5183.1

AMENDATORY SECTION (Amending WSR 11-24-067, filed 12/6/11, effective 1/6/12)

**WAC 308-409-080 Prohibitions.** (1) In addition to the unprofessional conduct described in RCW 18.235.130, and the actions described in RCW 18.310.150, the director may take disciplinary action for the following conduct, actions or conditions:

(a) Prohibiting or refusing to allow, or attempting to prohibit or refuse to allow the professional appraisal assistance of registered real estate appraiser trainees in appraisal services unless such action is required by the appraisal management company's client;

(b) The appraisal management company shall not permit any employee, agent, third party, or controlling principal to engage in any of the following activities:

(i) Require the appraiser to collect the appraisal fee from a borrower, homeowner, or third party or to accept a credit card payment;

(ii) Require the appraiser to provide the appraisal management company with the appraiser's digital signature or seal; or

(iii) Compensate an unlicensed appraisal management company for referrals of appraisal services.

(2) This section does not prohibit an appraisal management company or an individual with an interest in a real estate transaction from requesting an appraiser to:

(a) Consider additional appropriate property information including relevant sales comparables not considered in the initial appraisal report;

(b) Provide further detail, substantiation or explanation of the appraiser's value conclusion; or

(c) Correct errors in the appraisal report.