

**WAC 326-08-011 Brief adjudicative proceedings.** (1) The Administrative Procedure Act provides for brief adjudicative proceedings in RCW 34.05.482 through 34.05.494. The office will conduct brief adjudicative proceedings where it does not violate any provision of law and where protection of the public interest does not require the office to give notice and an opportunity to participate to persons other than the parties. If an adjudicative proceeding is requested, a brief adjudicative proceeding will be conducted where the matter involves one or more of the following:

- (a) A denial of certification under WAC 326-20-171; or
- (b) A decertification of a firm under WAC 326-20-172; or
- (c) An assessment of a penalty under WAC 326-02-050.

(2) If an adjudicative proceeding is requested in a matter not listed in subsection (1) of this section, a brief adjudicative proceeding may be conducted at the discretion of the presiding officer when it appears that:

- (a) Only legal issues exist; or
- (b) Both parties have agreed to a brief adjudicative proceeding;

and

(c) The protection of the public interest does not require that the office provide notice and opportunity to participate to persons other than the parties.

[Statutory Authority: RCW 39.19.030. WSR 11-11-030, § 326-08-011, filed 5/11/11, effective 6/11/11.]