

WAC 162-08-255 Default order. (1) **Entry of default order.** When a respondent who has been served with a notice of hearing and amended complaint fails to answer in accordance with WAC 162-08-251, and that fact is made to appear by motion and affidavit, a motion for default may be made and served upon respondent requiring an answer within five days. If respondent fails to answer as required in the motion for default, the administrative law judge may enter an order of default providing for the relief requested in the amended complaint upon proof of service of the motion for default as provided in WAC 162-08-041.

(2) **Setting aside default order.** Within ten days of being served, the party against whom a default order is entered may move to have it set aside. The administrative law judge may grant or deny such motion as justice requires.

[Statutory Authority: RCW 49.60.120(3). WSR 89-23-020, § 162-08-255, filed 11/7/89, effective 12/8/89.]