

WAC 491-04-060 What methods of filing are acceptable? Unless otherwise provided by statute or these rules, any written communication may be filed with the board personally, by mail, by facsimile, or by email before or on the date such filing is due. Any notices of appeal that fail to comply with the board's filing requirements may be rejected by the board. The board must notify the filing party of the rejection.

(1) **Filing personally.** To file written communication personally, the documents must be delivered to an employee of the board at the board's office in Olympia, Washington during regular office hours.

(2) **Filing by mail.** To file written communication by mail, the documentation must be deposited in the United States Mail, properly addressed to the board's offices in Olympia, Washington, and with all postage prepaid. Where a statute or rule imposes a time limitation for filing the written communication, the party filing the same should include a certification demonstrating the date filing was perfected as provided under this subsection. Unless evidence is presented to the contrary, the date of the United States postal service postmark shall be presumed to be the date the written communication was mailed to the board.

(3) **Filing by telephone facsimile.**

(a) Filing written communication by facsimile is acceptable when a legible copy of the written communication is reproduced on the board's telephone facsimile equipment. All facsimile communications must be filed with the board at its offices in Olympia, Washington.

(b) The hours of operation of the board's telephone facsimile equipment are the same as the regular office hours. If a transmission of a written communication commences after these hours of operation, the written communication shall be deemed filed on the next business day.

(c) Any written communication filed with the board by telephone facsimile should be preceded by a cover page identifying the party making the transmission, listing the address, telephone and telephone facsimile number of such party, referencing the appeal to which the written communication relates, and indicating the date of, and the total number of pages included in such transmission.

(d) No written communication sent to the board via facsimile shall exceed fifteen pages in length, exclusive of the cover page required by this rule.

(e) The party attempting to file written communication by telephone facsimile bears the risk that the written communication will not be legibly printed on the board's telephone facsimile equipment due to error in the operation or failure of the equipment being utilized by either the party or the board.

(f) The original of any papers filed by facsimile must also be mailed to the board within twenty-four (24) hours of the time the fax was sent.

(4) **Electronic filing.** A request for an appeal may be filed electronically. An electronic request is filed when it is received by the executive secretary during the board's regular office hours. Otherwise, the request is considered filed at the beginning of the next business day. The board shall issue confirmation to the filing party that an electronic notice of appeal has been received.

[Statutory Authority: RCW 41.24.290(2). WSR 13-21-050, § 491-04-060, filed 10/11/13, effective 11/11/13.]