

WAC 308-08-085 Requests for adjudicative proceedings. (1) All applications requesting that the department of licensing conduct an adjudicative proceeding, including but not limited to requests for a hearing in a proceeding initiated by the department shall be made on the form provided by the department or in a form which is substantially similar.

(2) Applications to the department for an adjudicative proceeding shall be made within the following time limitations:

(a) Within twenty calendar days of service upon the applicant of a written notice of an opportunity to request a hearing on the agency action.

(b) Within twenty calendar days of notice to the applicant from any source of agency action by the department which the applicant believes has or will adversely affect the applicant.

(c) For purposes of this subsection, the time limitations begin upon actual notice, personal service or deposit in the U.S. mail, whichever occurs first.

(3) Failure of an applicant to file an application for an adjudicative proceeding within the time limits set forth in subsection (2) of this section, constitutes a default and results in the loss of the applicant's right to an adjudicative proceeding. The department may proceed to resolve the case pursuant to RCW 34.05.440(1).

(4) The department shall not grant any request for an adjudicative proceeding to an applicant who is not aggrieved or adversely affected by the agency action as defined by RCW 34.05.530.

(5) The department shall process applications for adjudicative proceedings as provided in RCW 34.05.416 and 34.05.419.

[Statutory Authority: RCW 34.05.413(3). WSR 02-19-035, § 308-08-085, filed 9/10/02, effective 10/11/02. Statutory Authority: RCW 34.05.416 and 34.05.419. WSR 01-03-129, § 308-08-085, filed 1/23/01, effective 2/23/01. Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-085, filed 10/17/90, effective 11/17/90.]