

WAC 434-263-040 Processing of complaint. (1) The secretary may process the complaint in any of the following ways:

(a) The secretary may dismiss the complaint, and issue a final determination, if it:

(i) Does not comply with WAC 434-263-020;

(ii) Does not, on its face, allege a violation of Title III; or

(iii) Alleges a claim for which relief cannot be granted, or for which a remedy is not available;

(b) The secretary may, with the agreement of the parties, resolve the matter informally, and issue a determination without formal proceedings;

(c) The secretary may resolve the matter informally by agreeing to implement a remedy or corrective action; or

(d) The secretary may schedule the matter for a brief adjudicative proceeding. The secretary shall do so if the complaint is not dismissed pursuant to (a) of this subsection and a party so requests.

(2) The secretary must respond within thirty days of the filing of the complaint to acknowledge receipt and explain how the complaint will be processed consistent with subsection (1) of this section.

(3) The secretary may consolidate complaints if they relate to the same actions or events, or if they raise common questions of law or fact.

[Statutory Authority: RCW 29A.04.611. WSR 08-05-120, § 434-263-040, filed 2/19/08, effective 3/21/08. Statutory Authority: RCW 29A.04.610. WSR 04-16-037, § 434-263-040, filed 7/27/04, effective 8/27/04.]