

WAC 36-12-435 Records. Promoters shall maintain a full, true, and accurate set of books of account and other records of receipts and disbursements in connection with all shows or exhibitions, and the records shall be open for inspection and audit by representatives of the commission for a period of six months after each event or exhibition.

[Statutory Authority: Chapter 67.08 RCW. 91-11-038, § 36-12-435, filed 5/10/91, effective 6/10/91.]

WAC 36-12-440 Repealed. See Disposition Table at beginning of this chapter.

WAC 36-12-445 Buildings. Any building or facility where wrestling events are held must meet state and local fire and safety requirements.

[Statutory Authority: Chapter 67.08 RCW. 91-11-038, § 36-12-445, filed 5/10/91, effective 6/10/91.]

WAC 36-12-450 Miscellaneous provisions. (1) Dangerous conduct; punishment. The referee shall not permit physically dangerous conduct or tactics by any participant. Any participant who fails to discontinue such tactics, after being warned by the referee or a commission official shall be disqualified and subject to disciplinary action.

(2) Duties of licensees.

It shall be the duty of the promoter, his agents, employees, and the participants in any wrestling show or exhibition to maintain peace, order, and decency in the conduct of any show or exhibition. There shall be no abuse of a commission official at any time. Foul and profane language by participants is prohibited.

(3) Responsibility of promoter.

(a) Each promoter shall be directly responsible to the commission for the conduct of its employees and any violation of the laws, rules, or regulations of the commission by any employee of a promoter shall be deemed to be a violation by the promoter.

(b) Promoters are responsible for any violations of the law or commission rules by their participants.

(4) Postponement or cancellation.

A small advance sale of tickets shall not be regarded as a legitimate reason for a postponement or cancellation. Indoor wrestling shows or exhibitions shall not be cancelled for any reason except with the approval of the commission.

(5) Discrimination.

There shall be no discrimination against any participant in regard to sex, race, color, or creed.

(6) Appeals.

(a) Licensees may appeal any suspension, revocation, or fine to the commission in the manner provided in chapter 34.05 RCW.

(b) Such appeals must be received in the commission office within twenty days from the date of the notice sent by the commission.

[Statutory Authority: Chapter 67.08 RCW. 91-11-038, § 36-12-450, filed 5/10/91, effective 6/10/91; Rule .04.450, filed 12/21/62; Rule .04.450, filed 9/22/60, 3/17/60.]

WAC 36-12-460 Repealed. See Disposition Table at beginning of this chapter.

WAC 36-12-470 Repealed. See Disposition Table at beginning of this chapter.

WAC 36-12-480 Repealed. See Disposition Table at beginning of this chapter.

Title 50 WAC BANKING, DIVISION OF

Chapters

50-12	Banks and trust companies.
50-20	Washington Consumer Loan Act.
50-44	Schedule of costs of examinations.

Chapter 50-12 WAC BANKS AND TRUST COMPANIES

WAC	
50-12-045	Schedule of fees for banks, trust companies, stock savings banks, mutual savings banks, and alien banks.

WAC 50-12-045 Schedule of fees for banks, trust companies, stock savings banks, mutual savings banks, and alien banks. (1) The supervisor shall collect the following fees:

(a) Hourly charges for services plus actual expenses for review of application and attendant investigation for:

(i) New bank or trust company;

(ii) Conversion to a state chartered institution;

(iii) Alien bank to establish and operate an office or bureau in the state;

(iv) Certificate conferring trust powers;

(v) Branch;

(vi) A satellite facility or facilities which are to be used by its own customers or customers of another bank;

(vii) A network system of satellite facilities as defined in WAC 50-40-010(4) or modification of a previously approved network system made in accordance with WAC 50-40-060 (1) or (2);

(viii) Merger, consolidation, or reorganizational agreement;

(ix) Relocation of main office or branch;

(x) An out-of-state bank holding company acquisition and control of more than five percent of the shares of voting stock or substantially all of the assets of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state;

(xi) The purchase or sale of a branch;

(xii) Voluntary or involuntary liquidation of a bank or trust company pursuant to chapter 30.44 RCW or for acting as conservator of a bank or trust company pursuant to chapter 30.46 RCW;

(xiii) Conversion from a mutual savings bank to a stock savings bank;

- (xiv) Notice of change of control.
- (b) Hourly charges for opinions rendered regarding interpretations of statutes and rules.
- (c) \$100.00 for issuing the following certificates:
 - (i) Branch certificate;
 - (ii) Increase or decrease of capital stock certificate;
 - (iii) Certificate of authority;
 - (iv) Satellite facility;
 - (v) Certificate of good standing;
 - (vi) Other.
- (d) \$100.00 for filing articles of incorporation, or amendments thereof, or other certificates required to be filed with the supervisor.
- (e) Fifty cents per page for furnishing copies of papers filed with the supervisor.

(2) The hourly fee for services shall be \$90.00 per employee hour expended. The supervisor may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in subsection (1)(a) and (b) of this section. In no event shall the lump sum payment required under this section exceed actual amounts derived in subsection (1)(a) and (b) of this section.

[Statutory Authority: RCW 30.08.095, 91-18-055, § 50-12-045, filed 8/30/91, effective 9/30/91; 90-12-008, § 50-12-045, filed 5/25/90, effective 6/25/90.]

Chapter 50-20 WAC

WASHINGTON CONSUMER LOAN ACT

WAC

- 50-20-001 Repealed.
- 50-20-010 Repealed.
- 50-20-020 Repealed.
- 50-20-030 Repealed.
- 50-20-040 Repealed.
- 50-20-050 Repealed.
- 50-20-055 Repealed.
- 50-20-060 Repealed.
- 50-20-070 Repealed.
- 50-20-080 Repealed.
- 50-20-090 Repealed.
- 50-20-100 Books and records.
- 50-20-110 The note.
- 50-20-120 Contents of statement to borrower.
- 50-20-130 Restrictions as to charges.
- 50-20-140 Advertising.
- 50-20-150 Other business in same office.
- 50-20-160 Open-end loans—Increase in interest—Notice to borrower.
- 50-20-170 File for official correspondence and reports.
- 50-20-180 Knowledge of the law and regulations.
- 50-20-190 Schedule of fees.
- 50-20-200 Transitional rule.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 50-20-001 Foreword. [Industrial loan rules (part), filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-010 Books and records. [Statutory Authority: RCW 31.04.150, 85-19-053 (Order 63), § 50-20-010, filed 9/13/85. Statutory Authority: RCW 31.04.150(2), 79-04-042 (Order 40), § 50-20-010, filed 3/23/79; Order 5, § 50-20-010, filed 12/4/69; § 1, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91,

effective 1/1/92. Statutory Authority: 1991 c 208 § 17.

- 50-20-020 The note. [Statutory Authority: RCW 31.04.150(2), 80-13-024 (Order 43), § 50-20-020, filed 9/9/80; Order 5, § 50-20-020, filed 12/4/69; § 2, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-030 Investment certificates. [§ 3, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-040 Contents of statement to borrower. [Statutory Authority: Chapter 31.04 RCW, 88-21-031 (Order 75), § 50-20-040, filed 10/11/88; Order 5, § 50-20-040, filed 12/4/69; § 4, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-050 Restrictions as to charges. [Statutory Authority: Chapter 31.04 RCW, 88-21-031 (Order 75), § 50-20-050, filed 10/11/88. Statutory Authority: RCW 31.04.150, 85-19-053 (Order 63), § 50-20-050, filed 9/13/85; 84-06-001 (Order 59), § 50-20-050, filed 2/23/84. Statutory Authority: RCW 31.04.150(2), 82-24-074 (Order 48), § 50-20-050, filed 12/1/82; 80-13-024 (Order 43), § 50-20-050, filed 9/9/80; 79-04-042 (Order 40), § 50-20-050, filed 3/23/79; Order 5, § 50-20-050, filed 12/4/69; § 5, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-055 Simple interest defined. [Statutory Authority: RCW 31.04.150(2), 85-22-014 (Order 65), § 50-20-055, filed 10/29/85; 82-24-074 (Order 48), § 50-20-055, filed 12/1/82.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-060 Advertising. [Order 5, § 50-20-060, filed 12/4/69; § 6, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-070 Other business in same office. [Order 16, § 50-20-070, filed 7/2/73; Order 5, § 50-20-070, filed 12/4/69; § 7, filed 3/23/60.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-080 Branching. [Order 33, § 50-20-080, filed 11/5/75.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.
- 50-20-090 Open-end loans—Increase in interest—Notice to borrower. [Statutory Authority: RCW 31.04.150, 85-19-053 (Order 63), § 50-20-090, filed 9/13/85.] Repealed by 91-22-035, filed 10/30/91, effective 1/1/92. Statutory Authority: 1991 c 208 § 17.

WAC 50-20-001 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-010 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-020 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-030 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-050 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-055 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-080 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-090 Repealed. See Disposition Table at beginning of this chapter.

WAC 50-20-100 Books and records. (1) The books, accounts, records, and files required to be maintained by RCW 31.04.145 may be maintained by means of electronic display equipment if such equipment is made available to the supervisor of banking or his representatives for purposes of examination at the licensee's place of business.

(2) All real estate loans above ten thousand dollars shall be supported by either an appraisal prepared by a qualified independent professional third party appraiser or by the most recent property tax assessment prepared by the county assessor.

(3) No licensee shall take any instruments in which blanks are not filled in completely before the proceeds of the loan are delivered.

(4) Whenever a loan or forbearance is made by mail by a licensee outside Washington state to a person then residing in this state, the licensee shall license such out-of-state office pursuant to RCW 31.04.055 and 31.04.075.

(5) A licensee may service loans made pursuant to chapter 208, Laws of 1991, at locations outside the state of Washington provided that the licensee shall consent to the supervisor's examination of such loans at that out-of-state location. All costs which are reasonable and necessary for the examination of the location shall be paid by the licensee.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-100, filed 10/30/91, effective 1/1/92.]

WAC 50-20-110 The note. (1) Specimen forms of the written instrument or note evidencing any loan under this act shall be filed with the supervisor of banking.

(2) The written instrument or note shall state the following:

(a) The number and date of the loan except for mail loans and live checks, to which a number shall be affixed after the documents have been returned to the licensed location.

(b) Total amount to be repaid or amount of credit line.

(c) The manner in which it is to be repaid.

(d) Adequate description of any security. Under no circumstance shall a licensee intentionally take a security interest in collateral prohibited under federal law,

(e) For closed-end loans, the maturity date.

(f) The rate of interest and the method of calculating interest to be collected after original maturity date.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-110, filed 10/30/91, effective 1/1/92.]

WAC 50-20-120 Contents of statement to borrower.

(1) The licensee shall deliver to the borrower at the time any loan, whether open-end or closed-end, is made, a statement in the format required by Federal Reserve Board Regulation Z which shall disclose in clear and distinct terms the following information:

(a) The name and address of the licensee.

(b) The name and address of the borrower.

(c) The number and date of the loan except for mail loans and live checks.

(d) The total amount of the loan.

(e) List of charges, including:

(i) Interest rate and amount. This shall be disclosed both as (A) the annual percentage rate (APR) as defined in Regulation Z, 12 (C.F.R. 226), and (B) the simple interest rate, which is the single nominal annual interest rate (stated as a percentage), which if applied to the unpaid amounts of principal outstanding from time to time would produce the same total of interest paid at maturity as originally contracted for, based upon the assumption that all payments were made on the loan according to the schedule of payments agreed to by the borrower and calculations were made according to the actuarial method.

(ii) Loan origination fee.

(iii) Filing and releasing fee.

(iv) Title insurance premium.

(v) Appraisal fee.

(f) For closed-end loans, date of maturity of the loan.

(g) Rate of interest after original maturity date.

(h) Description of the security, if any.

(i) Agreement to permit payment in full before maturity.

(j) Penalty and charge, if any, of ten cents or less on each dollar of any installment payment delinquent ten days or more.

(k) Charge for checks returned by bank unpaid.

(l) Service fees, if any.

(m) Any other requirements imposed by Regulation Z (Titles I and V of Consumer Credit Protection Act, P.L. 90-321, 82 Stat. 146 1/5 U.S.C. 1601-1665.)

(2) Sufficient information must be maintained in the licensee's files to show compliance with state and federal law.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-120, filed 10/30/91, effective 1/1/92.]

WAC 50-20-130 Restrictions as to charges. (1) No licensee shall charge or collect from the borrower any funds for the cost of filing, recording, releasing, or conveyance of mortgages, deeds of trust, security agreements, or other documents, or for transferring title certificates to vehicles, or for any other fees paid or to be paid to public officials, unless such charges are paid or are to be paid within one hundred eighty days by the licensee to public officials or other third parties for such

filing, recording, transferring, releasing, or reconveyance thereof. Fees for releasing or reconveying security for the obligation owed to the licensee may be charged and collected at the time of final payment of the loan.

(2) No licensee may charge and collect an annual fee in excess of thirty-five dollars payable each year in advance for the privilege of opening and maintaining an open-end loan account.

(3) No licensee may charge or collect a fee in excess of twenty-five dollars for a check returned unpaid by the bank drawn upon. Only one fee may be collected with respect to a particular check in the event it has been re-deposited and returned a second time.

(4) No licensee may charge or collect an appraisal fee incurred or to be incurred in appraising security offered by the borrower in excess of the actual costs paid or to be paid to an independent third party professional appraiser. Such charge may be made or collected from the borrower for costs of an appraisal at the time of application for the loan or at any time thereafter except as prohibited herein. If the appraisal fee is not collected at the time of the application, the licensee's good faith estimate of that fee shall be given to the borrower at the time of the application.

(5) A licensee may agree with the borrower for the payment by the borrower of the fees charged by a title company in connection with title insurance required by the licensee in connection with a loan. The borrower has the right to select the person or company by or through whom such title insurance will be offered, subject to the licensee's reasonable conditions, such as type of coverage or endorsements, or financial soundness and proper licensing of the company to do business in the state of Washington. The licensee may select the person or company by or through whom such title insurance will be offered if the borrower does not do so within a reasonable time before the loan transaction is consummated.

(6) A licensee may include the premiums for non-credit insurance in the principal amount of the loan, provided that purchase of the insurance is not required to obtain a loan and that this fact is disclosed to the borrower in writing.

(7) In the event a licensee makes a new loan where any part of the proceeds is used to pay the amount due it on an existing loan within four months from date of origination or of the most recent advance upon an existing loan, an origination fee shall be permitted only to the extent that new money is advanced or the existing credit line increased, unless the origination fee on the existing loan is refunded.

(8) A licensee may not collect a prepayment penalty except as preempted by federal law.

(9) A licensee may not collect fees related to foreclosure or repossession except for reasonable costs incurred relating to post-judgment collections or as preempted under federal law.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-130, filed 10/30/91, effective 1/1/92.]

WAC 50-20-140 Advertising. A copy of all direct mail advertising shall be sent by the company to the supervisor of banking.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-140, filed 10/30/91, effective 1/1/92.]

WAC 50-20-150 Other business in same office. (1) No licensee will be permitted to conduct its business within an office, room or place of business in which other business is solicited or engaged in, or in association or in conjunction therewith, if the supervisor of banking shall find, after five days written notice, and after a hearing, that the other business has concealed or facilitated evasion of the Consumer Loan Act. If the supervisor so finds, he shall order such licensee in writing to desist from such conduct.

(2) No licensee shall transact such business or make any loan provided for or by this act under any other name or at any other place of business than that named on the license. This is not intended to prohibit loans by mail or the closing of real estate-secured loans in an escrow company, a title insurance company, or an attorney's office.

(3) A licensee may engage in the sale of incidental products on the premises of the licensed location upon receiving approval from the supervisor of banking. The cost of such products may, at the consumer's option, be payable from the proceeds of the consumer loan and included in the amount financed provided that (a) the sale of the product is not a factor in the approval of credit and this fact is clearly disclosed in writing to the consumer and (b) in order to obtain the product the consumer gives specific affirmative written indication of his or her desire to purchase the product after receiving disclosure of the cost.

(4) No licensee shall change its place of business to another location unless and until authority for such change shall have been granted by the supervisor of banking.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-150, filed 10/30/91, effective 1/1/92.]

WAC 50-20-160 Open-end loans—Increase in interest—Notice to borrower. A licensee is not required to give thirty days written notice of an increase in the interest rate charged on an open-end loan pursuant to RCW 31.04.115(6), if the following conditions are met:

(1) The interest rate charged on the open-end loan is based upon a commonly published index or upon an index approved by the supervisor; and

(2) The borrower has agreed in writing prior to the increase to base the interest rate on the index.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-160, filed 10/30/91, effective 1/1/92.]

WAC 50-20-170 File for official correspondence and reports. Each licensee shall maintain a permanent file for all official communications from the office of the supervisor of banking and for copies of correspondence and reports addressed to the supervisor of banking.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-170, filed 10/30/91, effective 1/1/92.]

WAC 50-20-180 Knowledge of the law and regulations. Each licensee shall be responsible for assuring that any person making loans on behalf of the licensee under the Consumer Loan Act shall have a sufficient understanding of the statutes and regulations applicable to its business so as to insure compliance with the Consumer Loan Act.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-180, filed 10/30/91, effective 1/1/92.]

WAC 50-20-190 Schedule of fees. The rate of charges for review of applications and attendant investigations other than regular examinations covered in WAC 50-44-030(1) shall be at the rate prescribed in WAC 50-12-045(2).

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-190, filed 10/30/91, effective 1/1/92.]

WAC 50-20-200 Transitional rule. (1) Any industrial loan company holding a certificate of authority under RCW 31.04.070 on December 31, 1991, shall receive, effective January 1, 1992, a license to do business as a consumer loan licensee under the Consumer Loan Act, RCW 31.04.045(3). The supervisor shall issue a license for each location at which the industrial loan company is authorized to conduct its business under the Industrial Loan Company Act, chapter 31.04 RCW. This transitional rule shall apply to all industrial loan companies maintaining their corporate form in lieu of the surety bond requirements described in RCW 31.04.045(3). Industrial loan companies changing their name effective January 1, 1992, are required to give the supervisor notice of such change by December 20, 1991. Nothing in this transitional rule shall prohibit a licensee after January 1, 1992, from applying to the supervisor's office for approval to operate under the surety bond requirements of RCW 31.04.045(3).

(2) An industrial loan company may submit an application, on a form prescribed by the supervisor, to convert to bond form, as authorized under RCW 31.04.045(3), prior to January 1, 1992. If approved, such approval shall become effective on January 1, 1992, and the respective licenses shall be issued under the name of the licensee as described in the application. If an application is approved under this section, no licenses shall be granted under subsection (1) of this section.

(3) By January 10, 1992, all industrial loan companies holding certificates of authority pursuant to RCW 31.04.070 shall surrender such certificates of authority to the supervisor's office.

[Statutory Authority: 1991 c 208 § 17. 91-22-035, § 50-20-200, filed 10/30/91, effective 1/1/92.]

Chapter 50-44 WAC

SCHEDULE OF COSTS OF EXAMINATIONS

WAC
50-44-005 Determination of collection method—Principles.

- 50-44-020 Semiannual asset charge—Assessment.
- 50-44-030 Hourly fees and charges—Regular, including extraordinary examination and special examinations.
- 50-44-050 Limitations on assessments.
- 50-44-060 Banking fund—Minimum cash balance.

WAC 50-44-005 Determination of collection method—Principles. When determining a revision to the collection method, the supervisor shall consider but not be limited to the following principles.

(1) The revenue to be collected shall be sufficient to allow the division of banking to achieve its statutory mission to examine institutions within all required time periods.

(2) Regulatory costs shall be apportioned in a manner consistent with the state of Washington's overall policy commitments to rural and economically distressed areas, promoting the delivery of financial services to those areas.

(3) No industry or institution shall bear a disproportionate share of regulatory costs.

(4) There shall be a significant correlation between assessments and examination costs across institutions.

(5) The division of banking shall have sufficient resources to maintain a competent and motivated staff.

(6) Such other principles as the supervisor may deem relevant.

[Statutory Authority: RCW 30.04.070 and 30.08.095. 91-18-054, § 50-44-005, filed 8/30/91, effective 9/30/91.]

WAC 50-44-020 Semiannual asset charge—Assessment. A semiannual charge for assets will be used to recoup nondirect bank examination related expenses (RCW 30.08.095). The semiannual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks, mutual savings banks, and stock savings banks.

The rate of such charge shall be based on the total asset value as reflected in the report of condition due for that period provided, the supervisor may adjust such rates if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.

If the bank's total assets are: The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	500	0	.00001408	0
500	1000	7040	.0000135	500
1000	—	13,790	.0000133	1000

(2) Alien banks.

The rate of such charge shall be .000035189 of the total asset value as reflected in the report of condition due for that period provided, the supervisor may adjust such rate if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.

(3) Industrial loan companies and, effective January 1, 1992, consumer finance licensees under chapter 208, Laws of 1991.

The rate of such charge shall be .000084896 of the total asset value as reflected in the consolidated annual report of Washington assets or semiannual notice of assessment of Washington assets (whichever is applicable) due for that period provided, the supervisor may adjust such rate if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.

The supervisor's office shall forward by United States mail a notice to each financial institution showing the manner of calculating the asset charge due and a worksheet for such purposes. The notices shall be mailed with the blank June and December report of condition commencing with the June 1990 report of condition applicable to commercial, savings and alien banks and the consolidated annual report and a semiannual notice of assessment applicable to industrial loan companies. The asset charge shall be calculated by the financial institution and forwarded to the office of the supervisor of banking with the applicable report. A completed copy of the worksheet shall be included with the assessment. An additional two hundred dollar penalty shall be assessed if the amount is not paid by the time such report of condition or notice of assessment is due.

[Statutory Authority: RCW 30.04.070 and 30.08.095. 91-18-054, § 50-44-020, filed 8/30/91, effective 9/30/91; 90-12-007, § 50-44-020, filed 5/25/90, effective 6/25/90. Statutory Authority: RCW 30.04.030 and 31.04.150. 89-09-004 (Order 77), § 50-44-020, filed 4/6/89. Statutory Authority: RCW 30.04.030. 83-20-072 (Order 55), § 50-44-020, filed 10/3/83; 82-24-074 (Order 48), § 50-44-020, filed 12/1/82. Statutory Authority: RCW 34.04.070. 82-02-037 (Order 45), § 50-44-020, filed 12/31/81.]

WAC 50-44-030 Hourly fees and charges—Regular, including extraordinary examination and special examinations. Each bank, mutual savings bank, trust company, alien bank, or industrial loan company shall pay to the supervisor the following fees:

(1) For regular examinations, including extraordinary examinations for the express purpose of examining unusual conditions or circumstances, including extensions of regular examinations wherein conditions may warrant extension of time required in the examination beyond normal allotted time and such other reviews as determined by the supervisor; sixty-five dollars per hour. The supervisor may charge the actual cost of examinations performed under personal service contracts by third parties.

(2) For electronic data processing examination, trust examination, or other examination requiring specialized expertise, ninety dollars per hour. Electronic data processing centers and trust companies are exempt from the asset assessment provisions of WAC 50-44-020(1) if such centers or companies are not a part of the assets of the bank as reported in the report of condition.

(3) The supervisor shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not

later than thirty days after submission of such statement.

(4) These charges shall become effective for invoicing that occurs after the effective date of this rule, provided such invoicing relates to examinations occurring on or after July 1, 1991.

[Statutory Authority: RCW 30.04.070 and 30.08.095. 91-18-054, § 50-44-030, filed 8/30/91, effective 9/30/91; 90-12-007, § 50-44-030, filed 5/25/90, effective 6/25/90. Statutory Authority: RCW 30.12.060. 85-19-052 (Order 62), § 50-44-030, filed 9/13/85. Statutory Authority: RCW 34.04.070. 82-02-037 (Order 45), § 50-44-030, filed 12/31/81.]

WAC 50-44-050 Limitations on assessments. (1) Definitions. For purposes of this provision, the following terms, or the plural thereof, shall have the meaning ascribed.

(a) "Rural community" is a community of population less than ten thousand inhabitants located in a county without a metropolitan sampling area ("MSA"), as established by the United States Office of Management and Budget.

(b) "Economically distressed area" is a county with an unemployment rate that is twenty percent above the state-wide average for the previous three years; or a community that has experienced sudden and severe or long-term and severe loss of employment, or erosion of its economic base due to decline of its dominant industries; or an area within a county which area:

(i) Is composed of contiguous census tracts;

(ii) Has a minimum population of five thousand persons;

(iii) Has at least seventy percent of its families and unrelated individuals with incomes below eighty percent of the county's median income for families and unrelated individuals; and

(iv) Has an unemployment rate which is at least forty percent higher than the county's unemployment rate.

(c) "Located" means the institution's primary market area where at least sixty percent of the institution's deposits are booked.

(2) Limit on assessment. If an institution is located in a rural community or economically distressed area, and if the charges assessed under WAC 50-44-020(1) relating to a semiannual asset charge and WAC 50-44-030(1) relating to the hourly examination fee, exceed ninety-five percent of the assessment charge applicable for a two-year period of the Office of the Comptroller of the Currency ("OCC") or its successor then the assessments paid in excess of such amount shall be rebated to the institution pursuant to subsection (5) of this section unless abated by the supervisor as provided in subsection (6) of this section.

(3) Determination. For purposes of determining rebate entitlement, the total of semiannual assessments and examination fees are determined by adding the monthly average semiannual assessment and the monthly average of the examination fees for any twenty-four month period after June 1, 1990. The monthly average is determined by dividing the semiannual assessment fee by six and applying the monthly average to the previous six months. The monthly average examination

fee is determined by dividing the examination fee for each examination during the averaging period by the number of months between each such examination and the previous examination as determined by the date of the examinations and applying the monthly average to those months. The OCC charge is determined in the same manner.

(4) Rebate. The rebate is determined by the difference between the sum of the applicable monthly average state charges for the twenty-four month period minus ninety-five percent of the sum of the applicable monthly average OCC charge for the same period, as each are determined in subsection (3) of this section. The total amounts of all rebates shall not exceed three-quarters of one percent of the current biennium budget.

(5) Petition. Entitlement of the rebate shall occur only upon petition and proof to the supervisor during the first month of the last quarter of the current biennium.

(6) Rebate abatement. At the discretion of the supervisor, all or part of the rebate determined under subsection (4) of this section may be denied if the supervisor determines that:

(a) The institution required a substantially greater than average amount of supervisory time for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(b) The institution required a substantially greater than average amount of examination time for an institution of its size for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(c) Examinations or investigations were performed by third parties under personal services contracts; or

(d) Such other factors as the supervisor may deem equitable or relevant.

(7) Institutions may become eligible to receive a rebate on or after April 1, 1993, for amounts paid on or after the 1991-1993 biennium and such eligibility shall continue for two years thereafter.

[Statutory Authority: RCW 30.04.070 and 30.08.095. 91-18-054, § 50-44-050, filed 8/30/91, effective 9/30/91; 90-12-007, § 50-44-050, filed 5/25/90, effective 6/25/90.]

WAC 50-44-060 Banking fund--Minimum cash balance. The supervisor shall maintain a minimum cash balance in the banking fund (RCW 43.19.095) of at least one month's allotment. One month's allotment is based upon the current biennium budget divided by twenty-four months. In the event the banking fund balance drops below this figure the supervisor shall declare the next semiannual asset assessment due; payment within thirty days of such declaration. The supervisor shall bill each institution based on the most current report of condition and payment shall be in lieu of the next regularly scheduled asset assessment.

[Statutory Authority: RCW 30.04.070 and 30.08.095. 91-18-054, § 50-44-060, filed 8/30/91, effective 9/30/91.]

Title 51 WAC BUILDING CODE COUNCIL

Chapters

51-10	Barrier-free facilities.
51-11	Washington State Energy Code.
51-13	Ventilation and indoor air quality.
51-16	State Building Code guidelines.
51-18	Washington state water conservation performance standards.
51-20	State Building Code adoption and amendment of the 1991 edition of the Uniform Building Code.
51-21	State Building Code adoption and amendment of the 1991 edition of the Uniform Building Code standards.
51-22	State Building Code adoption and amendment of the 1991 edition of the Uniform Mechanical Code.
51-24	State Building Code adoption and amendment of the 1991 edition of the Uniform Fire Code.
51-25	State Building Code adoption of the 1991 edition of the Uniform Fire Code standards.
51-26	State Building Code adoption and amendment of the 1991 edition of the Uniform Plumbing Code.
51-27	State Building Code adoption of the 1991 edition of the Uniform Plumbing Code standards.

Chapter 51-10 WAC BARRIER-FREE FACILITIES

WAC	
51-10	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

51-10	Barrier-free facilities [Statutory Authority: Chapters 19.27, 19.27A and 70.92 RCW and 1989 c 266. 90-02-110, filed 1/3/90, effective 7/1/90. Statutory Authority: Chapters 19.27 and 70.92 RCW. 88-24-021 (Order 88-09), filed 12/2/88, effective 7/1/89; 86-24-040 (Order 86-18), filed 11/26/86, effective 4/27/87; 85-07-036 (Order 85-02), filed 3/18/85; 85-03-095 (Order 85-01), filed 1/22/85; 83-15-033 (Order 83-4), filed 7/18/83; Order 77-02, filed 8/3/77; Order 76-02, filed 9/1/76; Order 76-01, filed 6/28/76.] Repealed by 92-01-130, filed 12/19/91, effective 7/1/92. Statutory Authority: Chapters 70.92 and 19.27 RCW.
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WAC 51-10 Repealed. See Disposition Table at beginning of this chapter.