

# Title 419 WAC

## FINANCIAL INSTITUTIONS, DEPARTMENT OF (SAVINGS AND LOAN ASSOCIATIONS, DIVISION OF)

### Chapters

- 419-14** Examination and supervision fees for savings and loan associations.
- 419-52** Merger or acquisition of troubled associations.
- 419-56** Savings and loan trust powers.
- 419-60** Foreign association branch application procedures.

### DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

#### Chapter 419-04

#### WORKING UNDERSTANDING FOR PROCESSING OF APPLICATIONS FOR NEW FACILITIES BETWEEN THE FEDERAL HOME LOAN BANK BOARD AND THE WASHINGTON DIVISION OF SAVINGS AND LOAN ASSOCIATIONS

- 419-04-010 Processing of applications for new facilities—Introduction. [Order 74-3, § 419-04-010, filed 5/13/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-04-020 Processing of applications for new facilities—Priority of decision. [Order 74-3, § 419-04-020, filed 5/13/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-04-030 Processing of applications for new facilities—Preemption following approval. [Order 74-3, § 419-04-030, filed 5/13/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].

#### Chapter 419-12

#### EXAMINATION FEES FOR SAVINGS AND LOAN ASSOCIATIONS

- 419-12-010 Examination fees. [Order 2, § 419-12-010, filed 7/7/72.] Repealed by Order 77-3, filed 10/5/77.

#### Chapter 419-16

#### EXAMINATION AND SUPERVISION FEES FOR CREDIT UNIONS

- 419-16-010 Examination and supervision fees. [Order 4, § 419-16-010, filed 10/16/72.] Repealed by Order 77-4, filed 10/5/77.

#### Chapter 419-18

#### EXAMINATION AND SUPERVISION CHARGES FOR CREDIT UNIONS

- 419-18-010 Examination and supervision fees. [Statutory Authority: RCW 31.12.320. 79-01-025 (Order 78-3), § 419-18-010, filed 12/18/78; Order 77-4, § 419-18-010, filed 10/5/77.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-18-020 Collection of examination and supervision costs—Collection method. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-020, filed 2/28/95, effective 3/31/95. Statutory Authority: RCW 31.12.320. 83-20-027 (Order 83-4), § 419-18-020, filed 9/26/83; 82-13-016 (Order 82-5), § 419-18-020, filed 6/7/82.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-030 Hourly charge for examinations. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-030, filed 2/28/95, effective 3/31/95; 91-06-062, § 419-18-030, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 31.12.545(1). 85-07-008 (Order 85-2), § 419-18-030, filed 3/8/85. Statutory Authority: RCW 31.12.320. 82-13-016 (Order 82-5), § 419-18-030, filed

- 6/7/82.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-040 Semiannual asset charge. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-040, filed 2/28/95, effective 3/31/95; 91-06-062, § 419-18-040, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 31.12.545(1). 85-07-008 (Order 85-2), § 419-18-040, filed 3/8/85. Statutory Authority: RCW 31.12.320. 83-20-027 (Order 83-4), § 419-18-040, filed 9/26/83; 82-13-016 (Order 82-5), § 419-18-040, filed 6/7/82.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-045 Credit unions examination fund—Minimum cash balance—Acceleration of semiannual asset charge. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-045, filed 2/28/95, effective 3/31/95.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-050 Hourly charge for legal assistance. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-050, filed 2/28/95, effective 3/31/95; 91-06-062, § 419-18-050, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 31.12.320. 83-20-027 (Order 83-4), § 419-18-050, filed 9/26/83.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-060 Hourly charge for supervisory review of examinations. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-060, filed 2/28/95, effective 3/31/95; 91-06-062, § 419-18-060, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 31.12.545(1). 85-07-008 (Order 85-2), § 419-18-060, filed 3/8/85. Statutory Authority: RCW 31.12.320. 83-20-027 (Order 83-4), § 419-18-060, filed 9/26/83.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-070 Hourly charge for special examinations. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-070, filed 2/28/95, effective 3/31/95; 91-06-062, § 419-18-070, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 31.12.545(1). 85-07-008 (Order 85-2), § 419-18-070, filed 3/8/85. Statutory Authority: RCW 31.12.320. 83-20-027 (Order 83-4), § 419-18-070, filed 9/26/83.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-18-080 Scheduled increases in rate of examination and supervision charges. [Statutory Authority: RCW 31.12.535 and 31.12.545. 95-06-066, § 419-18-080, filed 2/28/95, effective 3/31/95.] Decodified by letter, filed 2/23/96, effective 6/1/96.

**Reviser's note:** Later promulgation, see chapter 208-418 WAC.

#### Chapter 419-20

#### OPERATION AND PROCEDURES OF THE DIVISION OF SAVINGS AND LOAN AND ACCESS TO PUBLIC RECORDS— FORM

- 419-20-010 Purpose. [Order 73-2, § 419-20-010, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-020 Definitions. [Order 73-2, § 419-20-020, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-030 Description of central and field organization of division of savings and loan. [Statutory Authority: Chapter 42.17 RCW. 83-23-067 (Order 83-6), § 419-20-030, filed 11/17/83; Order 73-2, § 419-20-030, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-040 Operations and procedures. [Order 73-2, § 419-20-040, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].

- 419-20-050 Public records available. [Order 73-2, § 419-20-050, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-060 Public records officer. [Order 73-2, § 419-20-060, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-070 Office hours. [Statutory Authority: Chapter 42.17 RCW. 83-23-067 (Order 83-6), § 419-20-070, filed 11/17/83; Order 73-2, § 419-20-070, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-080 Requests for public records. [Order 73-2, § 419-20-080, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-090 Copying. [Order 73-2, § 419-20-090, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-100 Exemptions. [Order 73-2, § 419-20-100, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-110 Review of denials of public records requests. [Order 73-2, § 419-20-110, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-120 Protection of public records. [Statutory Authority: Chapter 42.17 RCW. 83-23-067 (Order 83-6), § 419-20-120, filed 11/17/83; Order 73-2, § 419-20-120, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-130 Records index. [Order 73-2, § 419-20-130, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-140 Communications with division. [Statutory Authority: Chapter 42.17 RCW. 83-23-067 (Order 83-6), § 419-20-140, filed 11/17/83; Order 73-2, § 419-20-140, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-150 Adoption of form. [Order 73-2, § 419-20-150, filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-20-900 Appendix 1—Request for public record. [Order 73-2, Appendix 1 (codified as WAC 419-20-900), filed 7/13/73.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- Chapter 419-24**  
**NOTIFICATION BY SUPERVISOR OF APPLICATIONS FOR OFFICES**
- 419-24-010 Purpose. [Order 74-4, § 419-24-010, filed 5/21/74.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-24-020 Definitions. [Order 74-4, § 419-24-020, filed 5/21/74.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-24-030 Operations and procedures. [Order 74-4, § 419-24-030, filed 5/21/74.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- Chapter 419-28**  
**APPLICATIONS FOR SATELLITE FACILITIES—FORMS—FEES**
- 419-28-010 Applications for satellite facilities—Form. [Order 74-5, § 419-28-010, filed 6/3/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-020 Applications for satellite facilities—Fee. [Statutory Authority: RCW 33.04.025. 83-01-065 (Order 82-8), § 419-28-020, filed 12/15/82; Order 74-5, § 419-28-020, filed 6/3/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-030 Applications for satellite facilities—Additional information. [Statutory Authority: RCW 33.04.025. 83-01-065 (Order 82-8), § 419-28-030, filed 12/15/82; Order 74-5, § 419-28-030, filed 6/3/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-040 Public convenience. [Order 74-5, § 419-28-040, filed 6/3/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-050 Definitions. [Statutory Authority: RCW 33.04.025. 83-01-065 (Order 82-8), § 419-28-050, filed 12/15/82; Order 74-5, § 419-28-050, filed 6/3/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-060 Network systems. [Statutory Authority: RCW 30.43.020 and 30.43.045. 83-05-022 (Order 83-1), § 419-28-060, filed 2/9/83.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-070 Modification of approved network systems. [Statutory Authority: RCW 33.04.025. 83-01-065 (Order 82-8), § 419-28-070, filed 12/15/82.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-080 Approval—Disapproval—Request for hearing. [Statutory Authority: RCW 33.04.025. 83-01-065 (Order 82-8), § 419-28-080, filed 12/15/82.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- 419-28-990 Appendix 1—Application to provide satellite facility. [Statutory Authority: RCW 33.04.025. 83-01-065 (Order 82-8), § 419-28-990, filed 12/15/82; Order 74-5, Appendix 1 (codified as WAC 419-28-990), filed 6/3/74.] Repealed by 96-17-072, filed 8/20/96, effective 9/20/96. Statutory Authority: RCW 42.320.040 [43.320.040].
- Chapter 419-32**  
**REGULATIONS ON MOBILE HOME LENDING BY SAVINGS AND LOAN ASSOCIATIONS**
- 419-32-010 Definitions. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-010, filed 11/13/78.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-32-020 Flooring loans. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-020, filed 11/13/78.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-32-030 Flooring loans—Dealer application. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-030, filed 11/13/78.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-32-040 Register of loans originated by dealers required. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-040, filed 11/13/78.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-32-050 Floor plan inventories. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-050, filed 11/13/78.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-32-060 Flooring plans—Geographical limits. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-060, filed 11/13/78.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.
- 419-32-070 Flooring loans—Maximum amount. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-070, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-080 Flooring loans—Maximum term. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-080, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-090 Retail loans. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-090, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-100 Retail loans—Maximum amount. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-100, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-110 Retail loans—Maximum term. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-110, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-120 Retail loans—Appraisal. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-120, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-130 Mobile home loans—Secondary market. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-130, filed 11/13/78.] Repealed by 88-17-032

(Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.

- 419-32-140 Retail loans—Security agreement. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-140, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-150 Retail mobile home loans—Application. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-150, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-160 Mobile home loans—Insurance coverage. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-160, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.
- 419-32-170 Mobile home loans—Accounting principles. [Statutory Authority: RCW 33.04.020. 78-12-016 (Order 78-1), § 419-32-170, filed 11/13/78.] Repealed by 88-17-032 (Order 88-2), filed 8/12/88. Statutory Authority: RCW 33.04.025.

#### Chapter 419-36

#### RULES GOVERNING SUPERVISORY APPROVAL OF CREDIT UNION INVESTMENT PRACTICES

- 419-36-010 Application to make investments not otherwise permitted by law. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-010, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-020 Supplementary application information. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-020, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-030 Investments previously approved for other state chartered credit unions. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-030, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-040 Investment practice permitted to federally chartered credit unions. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-040, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-050 Investment practice not previously permitted to any credit union. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-050, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-060 Supervisor action on application. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-060, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-070 Engagement in unauthorized investment practice prohibited. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-070, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-080 Modification or revocation of investment practices previously authorized. [Statutory Authority: RCW 31.12.260(g). 79-07-002 (Order 79-1), § 419-36-080, filed 6/7/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-36-090 Investment limitations—Other requirements. [Statutory Authority: RCW 31.12.545. 86-04-068 (Order 85-7), § 419-36-090, filed 2/5/86.] Decodified by letter, filed 2/23/96, effective 6/1/96.

Reviser's note: Later promulgation, see chapter 208-436 WAC.

#### Chapter 419-40

#### RULES ON CREDIT UNION PARTICIPATION IN COMMERCIAL BUSINESS ACTIVITIES

- 419-40-010 Credit union financial interest in commercial enterprise. [Statutory Authority: RCW 31.12.360. 79-08-047 (Order 79-2), § 419-40-010, filed 7/19/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-40-020 Endorsements of commercial products or services. [Statutory Authority: RCW 31.12.360. 79-08-047 (Order 79-2), § 419-40-020, filed 7/19/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-40-030 Offering of gifts, prizes and premiums. [Statutory Authority: RCW 31.12.360. 79-08-047 (Order 79-2), § 419-40-030, filed 7/19/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-40-040 Use of credit union space to advertise commercial products and services. [Statutory Authority: RCW 31.12.360. 79-08-047 (Order 79-2), § 419-40-040, filed

7/19/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.

- 419-40-050 Commercial programs offered to credit union members. [Statutory Authority: RCW 31.12.360. 79-08-047 (Order 79-2), § 419-40-050, filed 7/19/79.] Decodified by letter, filed 2/23/96, effective 6/1/96.

Reviser's note: Later promulgation, see chapter 208-440 WAC.

#### Chapter 419-44

#### MISCELLANEOUS CREDIT UNION RULES

- 419-44-010 State chartered credit unions—Acceptance of audit instead of examination. [Statutory Authority: RCW 31.12.320. 83-05-022 (Order 83-1), § 419-44-010, filed 2/9/83.] Decodified by letter, filed 2/23/96, effective 6/1/96.

Reviser's note: Later promulgation, see chapter 208-444 WAC.

#### Chapter 419-48

#### REGULATIONS ON EXERCISE OF FEDERAL CREDIT UNION POWERS

- 419-48-010 Grant of federal credit union powers to state chartered credit unions. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-010, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-020 Application to exercise federal credit union powers. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-020, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-030 Supervisor action on application. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-030, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-040 Applicability of federal statutes, regulations and case law. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-040, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-051 Loans to members. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-051, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-052 Self-replenishing line of credit. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-052, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-053 Loans to other credit unions. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-053, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-054 Loans to credit union organizations. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-054, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-055 Participation loans. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-055, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-060 Receipt of payments on shares from members and non-member governmental units. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-060, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-070 Investments. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-070, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-080 Deposits. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-080, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-090 Borrowing by a credit union. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-090, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-100 Levying of late charges. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-100, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.

- 419-48-110 Lien on shares and dividends. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-110, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-120 Check selling and cashing. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-120, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-130 Purchase of obligations. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-130, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-140 Sale and purchase of assets. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-140, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.
- 419-48-150 Other federal credit union powers. [Statutory Authority: 1979 1st ex.s. c 98. 79-10-043 (Order 79-3), § 419-48-150, filed 9/13/79.] Repealed by 82-13-016 (Order 82-5), filed 6/7/82. Statutory Authority: RCW 31.12.320.

**Chapter 419-64****CREDIT UNION MEMBER BUSINESS LOANS**

- 419-64-010 Purpose. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-010, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-020 Definitions. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-020, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-030 Policy requirements. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-030, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-040 Underwriting review requirements. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-040, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-050 Loans to one borrower. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-050, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-060 Allowance for loan losses. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-060, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-070 Minimum reserves-to-assets ratio. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-070, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-080 Prohibitions, director and employee loans. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-080, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-64-090 Prohibitions, other. [Statutory Authority: RCW 31.12.015 and 31.12.535. 89-04-050 (Order 89-1), § 419-64-090, filed 2/1/89.] Decodified by letter, filed 2/23/96, effective 6/1/96.

Reviser's note: Later promulgation, see chapter 208-464 WAC.

**Chapter 419-70****CREDIT UNION COMMON BOND DEFINITION**

- 419-70-010 Purpose. [Statutory Authority: RCW 31.12.045(1) and 31.12.535. 89-16-083 (Order 89-2), § 419-70-010, filed 8/1/89, effective 9/1/89.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-70-020 General requirement. [Statutory Authority: RCW 31.12.045(1) and 31.12.535. 89-16-083 (Order 89-2), § 419-70-020, filed 8/1/89, effective 9/1/89.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-70-030 Common bond of occupation. [Statutory Authority: RCW 31.12.045(1) and 31.12.535. 89-16-083 (Order 89-2), § 419-70-030, filed 8/1/89, effective 9/1/89.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-70-040 Common bond of association. [Statutory Authority: RCW 31.12.045(1) and 31.12.535. 89-16-083 (Order 89-2), § 419-70-040, filed 8/1/89, effective 9/1/89.]

Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.

- 419-70-050 Common bond of community. [Statutory Authority: RCW 31.12.045(1) and 31.12.535. 89-16-083 (Order 89-2), § 419-70-050, filed 8/1/89, effective 9/1/89.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.

**Chapter 419-72****CREDIT UNION FIELD OF MEMBERSHIP EXPANSION**

- 419-72-010 Purpose. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-010, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-010, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-012 General requirement. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-012, filed 4/17/95, effective 5/18/95.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-015 Definitions. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-015, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-015, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-020 Inclusion of a group with a common bond of occupation. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-020, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-020, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-025 Application to include a separate occupational group. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-025, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-025, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-030 Consolidation. [Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-030, filed 12/6/89, effective 1/6/90.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-72-035 Other information. [Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-035, filed 12/6/89, effective 1/6/90.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-72-040 Overlap justification. [Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-040, filed 12/6/89, effective 1/6/90.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-72-041 Streamlined procedure for small occupational groups. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-041, filed 4/17/95, effective 5/18/95.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-045 Inclusion of a group with a common bond of association. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-045, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-045, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-050 Application to include a separate associational group. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-050, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-050, filed 12/6/89, effective 1/6/90.]

- 419-72-055 Other information. [Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-055, filed 12/6/89, effective 1/6/90.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-72-060 Inclusion of a community group. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-060, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-060, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-065 Application to include a separate community group. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-065, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-065, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-070 Application deemed complete. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-070, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-070, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-075 Approval of application. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-075, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-075, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-080 Special circumstances. [Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535. 95-09-049, § 419-72-080, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-080, filed 12/6/89, effective 1/6/90.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-72-090 Adoption of form. [Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-090, filed 12/6/89, effective 1/6/90.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.
- 419-72-095 Appendix 1—Request for bylaw amendment. [Statutory Authority: RCW 31.12.045(2), 31.12.115, 31.12.516 and 31.12.535. 89-24-085 (Order 89-3), § 419-72-095, filed 12/6/89, effective 1/6/90.] Repealed by 95-09-049, filed 4/17/95, effective 5/18/95. Statutory Authority: RCW 31.12.045, [31.12].115 and [31.12].535.

Reviser's note: Later promulgation, see chapter 208-472 WAC.

#### Chapter 419-80 REAL ESTATE APPRAISALS

- 419-80-010 Definitions. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-010, filed 11/30/92, effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-80-020 Appraisals required. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-020, filed 11/30/92, effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-80-030 Transactions for which a state-certified appraiser is required. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-030, filed 11/30/92, effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-80-040 Transactions for which either a state-certified or state-licensed appraiser is required. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-040, filed 11/30/92, effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-80-050 Appraisal standards. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-050, filed 11/30/92, effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.
- 419-80-060 Appraiser independence. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-060, filed 11/30/92,

effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.

- 419-80-070 Professional association membership—Competency. [Statutory Authority: RCW 31.12.535. 92-24-053, § 419-80-070, filed 11/30/92, effective 12/31/92.] Decodified by letter, filed 2/23/96, effective 6/1/96.

Reviser's note: Later promulgation, see chapter 208-480 WAC.

### Chapter 419-14 WAC

#### EXAMINATION AND SUPERVISION FEES FOR SAVINGS AND LOAN ASSOCIATIONS

##### WAC

- 419-14-020 Collection of examination and supervision costs—Collection method.
- 419-14-030 Hourly charge for examinations.
- 419-14-040 Semiannual asset charge.
- 419-14-050 Investigation fee for new charter application.
- 419-14-060 Branch application fee—Domestic associations.
- 419-14-070 Loans to directors, officers, or employees—Maximum amount.
- 419-14-075 Branch application fee—Foreign associations.
- 419-14-080 Annual license fees.
- 419-14-085 Loans to one borrower.
- 419-14-090 Hourly charge for legal assistance.
- 419-14-100 Supervisory review of examination.
- 419-14-110 Special examinations.
- 419-14-120 Acquisition application fee.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 419-14-010 Examination and supervision fees. [Statutory Authority: RCW 33.04.025 and 33.08.020. 79-01-024 (Order 78-2), § 419-14-010, filed 12/18/78; Order 77-3, § 419-14-010, filed 10/5/77.] Repealed by 82-13-015 (Order 82-4), filed 6/7/82.

**WAC 419-14-020 Collection of examination and supervision costs—Collection method.** The requirement of RCW 33.28.020 that the supervisor collect from each savings and loan association the actual costs of examinations and supervision shall be met in accordance with the procedures established in this chapter. The fee shall consist of three elements: (1) An hourly charge for the number of hours spent by division personnel in conducting an examination of the association, (2) a semiannual asset charge; and (3) an hourly charge for the number of hours of extraordinary or special services.

[Statutory Authority: RCW 33.28.020. 83-20-028 (Order 83-5), § 419-14-020, filed 9/26/83; 82-13-015 (Order 82-4), § 419-14-020, filed 6/7/82.]

**WAC 419-14-030 Hourly charge for examinations.** The hourly charge for hours spent by personnel of the division of savings and loan in conducting examinations shall be assessed as follows:

- (1) For division personnel classified as savings and loan analyst, \$40.00 per hour;
- (2) For division personnel classified as savings and loan senior analyst, \$45.00 per hour;
- (3) For division personnel classified as review analyst or above, \$50.00 per hour;

In addition to the hourly examination fee, foreign associations doing business in the state of Washington will defray the costs of travel and per diem paid to division personnel in examinations performed outside the state of Washington.

The supervisor may charge the actual cost of examinations performed under personal service contracts by third parties. The supervisor shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid no later than thirty days after submission of such statement.

[Statutory Authority: RCW 33.28.020. 91-06-063, § 419-14-030, filed 3/1/91, effective 4/1/91; 85-07-009 (Order 85-3), § 419-14-030, filed 3/8/85. Statutory Authority: RCW 33.08.110. 84-12-043 (Order 84-4), § 419-14-030, filed 5/31/84. Statutory Authority: RCW 30.28.020. 82-13-015 (Order 82-4), § 419-14-030, filed 6/7/82.]

**WAC 419-14-040 Semiannual asset charge.** The semiannual asset charge will be assessed at a rate of three cents per thousand dollars of assets. Asset fees will be computed on assets as of June 30 and December 31 of each calendar year, and payable no later than July 15 and January 15 next following the respective assessment dates.

[Statutory Authority: RCW 33.28.020. 91-06-063, § 419-14-040, filed 3/1/91, effective 4/1/91; 85-07-009 (Order 85-3), § 419-14-040, filed 3/8/85. Statutory Authority: RCW 30.28.020. 82-13-015 (Order 82-4), § 419-14-040, filed 6/7/82.]

**WAC 419-14-050 Investigation fee for new charter application.** The investigation fee required by RCW 33.08.060 for submission in connection with applications to charter a new savings and loan association shall be two thousand five hundred dollars. In the event the actual costs of the investigation conducted with respect to a particular application are less than the amount of the fee, such difference between the fee and the actual costs submitted shall be refunded, provided that in no event shall more than one thousand five hundred dollars be refunded. For the purposes of this section, actual costs shall include travel and per diem expenses paid to division personnel in connection with the investigation.

[Statutory Authority: RCW 33.08.110. 82-13-015 (Order 82-4), § 419-14-050, filed 6/7/82.]

**WAC 419-14-060 Branch application fee—Domestic associations.** The fee required by RCW 33.08.110 to be submitted in connection with an application to establish a branch office of an association shall be five hundred dollars. In the event the actual costs of the investigation with respect to a particular application are less than the amount of the fee, such difference between the fee and the actual cost submitted shall be refunded, provided that in no event shall more than three hundred fifty dollars be refunded. For the purposes of this section, actual costs shall include travel and per diem expenses paid to division personnel in connection with the investigation.

[Statutory Authority: RCW 33.08.110. 84-12-043 (Order 84-4), § 419-14-060, filed 5/31/84; 82-13-015 (Order 82-4), § 419-14-060, filed 6/7/82.]

**WAC 419-14-070 Loans to directors, officers, or employees—Maximum amount.** The total value of loans made or obligations acquired under the authority of RCW 33.12.060 (2)(f) for any director, officer, or employee of an association shall not exceed twenty-five thousand dollars, unless all applicable regulations of the Federal Savings and Loan Insurance Corporation have been complied with, in

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which case loans not in excess of one hundred thousand dollars total may be made. Loans in amounts larger than one hundred thousand dollars may be made only with the prior written approval of the supervisor has been obtained in accordance with the provisions of this section.

Requests to the supervisor for permission to exceed the maximum loan limit shall be made at least ten days in advance of the date upon which it is anticipated that funds will be disbursed, if the loan is approved. Such requests must be accompanied by a certified copy of the authorizing resolution, which shall set forth with specificity the reasons that the board of directors believes that exceeding the loan limitation established in this section is in the best interest of the association in each instance. The authorizing resolution shall also set forth the directors' evaluation of the quality of the security for the loan, and the ability of the debtor to repay the loan in accordance with its terms.

[Statutory Authority: RCW 33.12.060 (2)(f). 84-09-058 (Order 84-1), § 419-14-070, filed 4/18/84; 82-13-015 (Order 82-4), § 419-14-070, filed 6/7/82.]

**WAC 419-14-075 Branch application fee—Foreign associations.** The fee required by RCW 33.08.110 to be submitted in connection with an application to establish a branch office of a foreign association in this state shall be two thousand five hundred dollars, nonrefundable for the first branch and five hundred dollars for each additional branch. In the event the actual costs of the investigation with respect to a particular application exceed the amount of the fee, such difference between the fee and the actual costs shall be paid by the applicant. For the purposes of this section, actual costs shall include travel and per diem expenses paid to division personnel in connection with the investigation.

[Statutory Authority: RCW 33.08.110. 85-07-010 (Order 85-4), § 419-14-075, filed 3/8/85; 84-12-043 (Order 84-4), § 419-14-075, filed 5/31/84.]

**WAC 419-14-080 Annual license fees.** Every savings and loan association organized under the laws of this state shall pay a license fee before the 31st of July each year. The license fee for each domestic association shall be fifty dollars for the office designated as the home office or executive office and an additional fifty dollar fee for each branch.

Every foreign association doing business in the state of Washington shall pay a license fee before the 31st of July each year. The license fee shall be in the amount of fifty dollars for each branch in business within the state of Washington as of the close of business June 30th immediately preceding.

[Statutory Authority: RCW 33.04.020(2). 82-19-020 (Order 82-6), § 419-14-080, filed 9/8/82.]

**WAC 419-14-085 Loans to one borrower.** RCW 33.24.010 provides that an association may not invest more than two and one-half percent of its assets in any loan or obligation to any one person, except with the written approval of the supervisor. The supervisor hereby gives written approval for any state chartered association to make a loan to any one borrower in an amount which, taken together with all other outstanding loans and obligation to the same borrower, does

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not exceed either ten percent of the institution's withdrawable accounts, or the association's net worth, whichever is less.

"One borrower" is defined as (a) any person or entity that is, or that upon the making of a loan will become, obligor on a loan; (b) nominees of such obligor; (c) all persons trusts, partnerships, syndicates, and corporations of which such obligor is a nominee or a beneficiary, partner, member, or record or beneficial stockholder owning ten percent or more of the capital stock, and (d) if such obligor is a trust partnership, syndicate, or corporation, all trusts, partnerships, syndicates, and corporations of which any beneficiary, partner, member, or record or beneficial stockholder owning ten percent of the capital stock, is also a beneficiary, partner, member, or record or beneficial stockholder owning ten percent or more of the capital stock of such obligor; and the term "total balances of all outstanding loans" means the original amounts loaned by an insured institution plus any additional advances and interest due unpaid, less repayments and participating interests sold and exclusive of any loan on the security of such institution's savings accounts or real estate, the title to which has been conveyed to a bona fide purchaser of such real estate.

[Statutory Authority: RCW 33.24.010. 84-09-058 (Order 84-1), § 419-14-085, filed 4/18/84.]

#### **WAC 419-14-090 Hourly charge for legal assistance.**

The hourly charge for consultation involving an assistant attorney general shall be assessed at a rate of \$60.00 per hour. Legal assistance shall include, but not be limited to, legal research and advice pertaining to granting new charters, acquisition of savings and loan associations, conversions, stock offerings, board meetings requiring legal assistance, preparation and enforcement of removal actions, involuntary liquidations, declarations of insolvency, cease and desist orders, and other agreements or actions requiring legal advice; and to administrative hearings and preparation of memorandum opinions which relate to a specific savings and loan association.

[Statutory Authority: RCW 33.28.020. 91-06-063, § 419-14-090, filed 3/1/91, effective 4/1/91; 83-20-028 (Order 83-5), § 419-14-090, filed 9/26/83.]

**WAC 419-14-100 Supervisory review of examination.** Upon completion of each examination the analyst's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of \$50.00 per hour.

[Statutory Authority: RCW 33.28.020. 91-06-063, § 419-14-100, filed 3/1/91, effective 4/1/91; 85-07-009 (Order 85-3), § 419-14-100, filed 3/8/85; 83-20-028 (Order 83-5), § 419-14-100, filed 9/26/83.]

**WAC 419-14-110 Special examinations.** Special examinations shall be assessed at the rate of \$50.00 per hour. Special examinations shall include, but not be limited to electronic data processing examinations, special investigations, special examinations involving the division's staff supervisory personnel, and other special examinations and reviews the supervisor deems necessary.

(1999 Ed.)

[Statutory Authority: RCW 33.28.020. 91-06-063, § 419-14-110, filed 3/1/91, effective 4/1/91; 85-07-009 (Order 85-3), § 419-14-110, filed 3/8/85; 83-20-028 (Order 83-5), § 419-14-110, filed 9/26/83.]

**WAC 419-14-120 Acquisition application fee.** RCW 33.28.020 requires the supervisor to collect from each association a fee to cover the actual cost of supervision.

To maintain fairness to all associations the acquiring party(ies) will defray the costs involving the supervisor and his staff as follows:

A minimum nonrefundable fee of \$5,000 payable with the acquisition application described in RCW 33.24.360. In addition direct costs involving travel and lodging of the supervisor or his staff and legal expense billed directly to the division will be paid by the acquirers.

Savings and loan associations merging under authority of RCW 33.04.010 are not considered within the scope of RCW 33.24.360 and are therefore not included with respect to this WAC.

[Statutory Authority: RCW 33.24.360. 84-12-042 (Order 84-5), § 419-14-120, filed 5/31/84.]

### **Chapter 419-52 WAC**

#### **MERGER OR ACQUISITION OF TROUBLED ASSOCIATIONS**

##### **WAC**

419-52-010	Purpose.
419-52-020	Merger or acquisition of a troubled foreign association by a domestic association.
419-52-030	Acquisition of a troubled domestic association by a foreign association.

**WAC 419-52-010 Purpose.** The purpose of this chapter is to set forth the guidelines which allow for the interstate merger or acquisition of troubled savings and loan associations. The guidelines follow the federal home loan bank board's statement of policy regarding interstate branching.

[Statutory Authority: RCW 33.12.014. 82-08-023 (Order 82-1), § 419-52-010, filed 3/30/82.]

**WAC 419-52-020 Merger or acquisition of a troubled foreign association by a domestic association.** Pursuant to RCW 33.12.012 and 33.12.014, a domestic savings and loan association may acquire or merge with a foreign association under the following circumstances:

(1) The regulator of the foreign association believes that a merger is necessary to prevent the failure of the foreign association;

(2) The regulator of the foreign association believes that no adequate merger candidates exist within the regulator's jurisdiction;

(3) The regulator of the foreign association believes that it is appropriate for the foreign association to be acquired by a domestic association; and

(4) The supervisor believes that it is appropriate for the domestic association to acquire the foreign association.

Any acquisition made under this authority shall be conducted in the same manner so outlined in RCW 33.24.350 - 33.24.380.

[Statutory Authority: RCW 33.12.014. 82-08-023 (Order 82-1), § 419-52-020, filed 3/30/82.]

**WAC 419-52-030 Acquisition of a troubled domestic association by a foreign association.** Pursuant to RCW 33.12.012 and 33.12.014, and notwithstanding any other law to the contrary, a foreign savings and loan association may acquire a domestic association under the following circumstances:

- (1) The supervisor believes that a merger is necessary to prevent the failure of the domestic association;
- (2) The supervisor believes that no adequate merger candidates exist in Washington;
- (3) The supervisor believes that it is appropriate for the domestic association to be acquired by a foreign association; and
- (4) The regulator of the foreign association believes that it is appropriate for the foreign association to acquire the domestic association.

Any acquisition made under this authority shall be subject to RCW 33.24.350 - 33.24.380.

[Statutory Authority: RCW 33.12.014, 82-08-023 (Order 82-1), § 419-52-030, filed 3/30/82.]

### Chapter 419-56 WAC

#### SAVINGS AND LOAN TRUST POWERS

##### WAC

419-56-010	Definitions.
419-56-020	Administration of fiduciary powers.
419-56-030	Application process.
419-56-040	Supervisor action on application.
419-56-050	Engagement in unauthorized trust business prohibited.
419-56-060	Modification or revocation of investment practices previously authorized.
419-56-070	Investigation fee for new trust applications.
419-56-080	Audit of the trust department.
419-56-090	Examinations and fees.

**WAC 419-56-010 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means the fiduciary relationship in which title to the property constituting the agency does not pass to the trust department but remains in the owner of the property, who is known as the principal, and in which the agent is charged with certain specific duties with respect to the property.

(2) "Agency coupled with an interest" means an agency in which the agent has a legal interest in the subject matter. Such an agency is not terminated automatically, as are other agencies, by the death of the principal but continue in effect until the agent can realize upon its legal interest.

(3) "Fiduciary powers" means the power to act in any fiduciary capacity authorized by the state of Washington including, but not limited to; trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, agent, custodian, escrow agent, corporate bond paying and transfer agent, escrow holder, managing agent, depository, committee of estates of incompetents.

(4) "Managing agent" means the fiduciary relationship assumed by a trust department upon the creation of an account which names the association as agent and confers investment discretion upon the association.

(5) "Supervisor" means the supervisor of savings and loan associations, department of general administration.

(6) "Trust business" means the business of doing any or all of the activities specified in RCW 30.08.150 (2) through (11).

(7) "Trust department" means that group or groups of officers and employees of a savings and loan association to whom are designated by the board of directors the performance of the fiduciary responsibilities of the association, whether or not the groups or groups are so named.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-010, filed 1/6/88.]

**WAC 419-56-020 Administration of fiduciary powers.** (1)(a) The board of directors of the savings and loan association is responsible for the proper exercise of fiduciary powers by the trust department. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all officers, employees, and committees utilized by the savings and loan association in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the association's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s), or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s), or committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment responsibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, and within fifteen months of the last review, all the assets held in or for each fiduciary account where the association has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this chapter and exercising fiduciary powers in this state shall designate, employ, or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the savings and loan association and its trust department.

(4) The trust department may utilize personnel and facilities of other departments of the savings and loan association, and other departments of the savings and loan association may utilize the personnel and facilities of the trust department only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(5) Fiduciary records shall be kept separate and distinct from other records of the savings and loan association and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the supervisor of savings and loan associations.



(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-020, filed 1/6/88.]

**WAC 419-56-030 Application process.** Associations desiring to establish trust departments shall complete an application establishing the scope of the intended operation. Upon receiving an application from an association to engage in trust business pursuant to this chapter, the supervisor may request such additional information as he deems necessary for the informed disposition of the application. If supplementary information is requested by the supervisor, the application will not be complete until the supplementary information is supplied.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-030, filed 1/6/88.]

**WAC 419-56-040 Supervisor action on application.** After receiving an application from a savings and loan association to engage in trust business and after having considered it, the supervisor shall grant, grant conditionally, grant in modified form, or deny the application and shall inform the applicant in writing of his action and of the reasons therefor. Any application not acted upon within six months after its receipt by the supervisor shall be deemed denied unless the supervisor, in writing, informs the applicant that he is holding the application for further review.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-040, filed 1/6/88.]

**WAC 419-56-050 Engagement in unauthorized trust business prohibited.** No savings and loan association shall engage in any trust business not authorized in advance by the supervisor in accordance with this rule, unless the supervisor informs an applicant in writing that it may engage in a trust business provisionally while he reviews the application. Failure of a savings and loan association to comply with the terms of this chapter may be grounds for supervisory action against the savings and loan, its directors, or officers.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-050, filed 1/6/88.]

**WAC 419-56-060 Modification or revocation of investment practices previously authorized.** The supervisor may find that a trust business previously authorized by him is no longer a safe and prudent practice for savings and loan associations generally to engage in, or has become inconsistent with applicable state or federal law, or has ceased to be a safe and prudent practice in one or more particular savings and loan associations in light of their financial condition or management. Upon such a finding, the supervisor may in writing inform the board of directors of any or all of the associations engaging in such a trust business that the authority to engage in the activity has been revoked or modified. When the supervisor so notifies any savings and loan association, its directors and officers shall forthwith take steps to cease the trust business (if authority to engage in the activity has been revoked) or to make such modifications as

the supervisor requires. The supervisor may for cause shown grant a savings and loan association some definite period of time within which to arrange its affairs to comply with the supervisor's orders. Savings and loan associations which continue to engage in a trust business where their authority to do so has been revoked or modified will be treated as if the authority to engage in the practice had never been granted, and their actions may be grounds for supervisory action against the association, its directors, or officers.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-060, filed 1/6/88.]

**WAC 419-56-070 Investigation fee for new trust applications.** The investigation fee charged under RCW 33.28.020 in connection with applications to establish a new savings and loan trust department shall be one thousand dollars. In the event the actual costs of the investigation conducted with respect to a particular application are less than the amount of the fee, such difference between the fee and the actual costs submitted shall be refunded, provided that in no event shall more than five hundred dollars be refunded. Expansion of the originally approved scope of trust business must also be approved by the supervisor by additional application and fee. In the event that actual costs of processing additional applications are less than the amount of the fee, such difference between the fee and the actual cost shall be refunded, provided that in no event shall more than seven hundred dollars be refunded. For the purposes of this section, actual costs include travel and per diem expenses paid to division personnel in connection with the investigation.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-070, filed 1/6/88.]

**WAC 419-56-080 Audit of the trust department.** A committee of directors, exclusive of any active officers of the savings and loan association shall at least once during each calendar year and within fifteen months of the last such audit, make suitable audits of the trust department or cause suitable audits to be made by auditors responsible only to the board of directors, and at such time shall ascertain whether the department has been administered in accordance with law, this rule, and sound fiduciary principles. The board of directors may elect, in lieu of such periodic audits, to adopt an adequate continuous audit system. A report of the audits and examination required under this section, together with the action taken thereon, shall be noted in the minutes of the board of directors.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-080, filed 1/6/88.]

**WAC 419-56-090 Examinations and fees.** The supervisor shall have the power to examine the affairs of a trust department of a state-chartered savings and loan association under the same general powers as outlined in RCW 33.04.020. The report of examination of any trust department will be subject to the same restrictions as those of the parent association as outlined in RCW 33.04.110. Fees for such examinations will be charged on the same hourly basis as those for the parent association as established by administrative rule.

[Statutory Authority: RCW 33.12.010(24), 88-02-068 (Order 87-2), § 419-56-090, filed 1/6/88.]

### Chapter 419-60 WAC

#### FOREIGN ASSOCIATION BRANCH APPLICATION PROCEDURES

##### WAC

419-60-010	Application procedures.
419-60-020	Information to be included in the application.
419-60-030	Approval to conduct the business of an association in Washington.

**WAC 419-60-010 Application procedures.** RCW 33.32.030 provides for regulatory authority by the supervisor over the activities of foreign associations within the state of Washington, and requires that such associations conduct their business in accordance with the appropriate statutes and under the requirements set forth by the supervisor in various rules. In order to conduct the business of a savings and loan in Washington, a foreign association must formally apply for the approval of the supervisor. Procedures for application are as follows:

(1) The application must be filed with the supervisor at the offices of the Division of Savings and Loan, Room 217C, General Administration Building, Olympia, Washington 98504.

(2) The application shall be filed in duplicate and shall be accompanied by a filing fee of five thousand dollars. In the event the actual costs of investigating the application exceed this amount, such difference between the fee and the actual costs shall be paid by the applicant. For the purposes of this section, actual costs shall include but not be limited to travel and per diem expense paid to division personnel in connection with the investigation.

[Statutory Authority: RCW 33.32.030, 88-02-067 (Order 87-1), § 419-60-010, filed 1/6/88.]

**WAC 419-60-020 Information to be included in the application.** An application shall include at least the following information:

(1) Name, address, and telephone number of the applicant.

(2) Name, address, and telephone number of the person to be contacted concerning the application.

(3) A summary of the applicant's history, which should include as a minimum the date and place of incorporation, the date and nature of any mergers or acquisitions, and certified current copies of the applicant's articles of incorporation and bylaws.

(4) A description of the applicant's business and corporate structure, including a listing of all branches or similar offices, and each majority owned subsidiary, and the nature and extent of the business activities of each.

(5) A business plan describing the applicant's proposed business activities in this state.

(6) A copy of the independent auditor's report for the applicant's most recent fiscal year and comparative financial statements for the prior fiscal year.

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(7) The name, address, professional experience, and financial statement of the chief executive officer and principal operating officers.

(8) The name, address, and principal occupation of each director of applicant, and completed biographical and financial statements on each.

(9) A copy of the last two examination reports prepared by the applicable Federal Home Loan Bank, the last two state examination reports, any correspondence from the relevant regulator to the board of directors discussing each report, and the board's responses thereto.

(10) A statement as to the presence or absence of any supervisory agreement or regulatory order that may be in effect or may have been in effect in the last five years, and, if so, a copy of each such order or agreement.

(11) An opinion from the applicant's state regulatory agency which describes the conditions under which Washington associations may conduct business in such state.

(12) A statement of total shares outstanding and total number of stockholders if the applicant is a stock association. Additionally, provide a breakdown of stock ownership by officers and directors and any other entities owning five percent or more of the association's stock.

(13) A copy of the association's bond and its riders/attachments.

(14) Any additional information that may be required by the supervisor or deemed appropriate by the applicant.

[Statutory Authority: RCW 33.32.030, 88-02-067 (Order 87-1), § 419-60-020, filed 1/6/88.]

**WAC 419-60-030 Approval to conduct the business of an association in Washington.** The information required by WAC 419-06-020 must demonstrate to the satisfaction of the supervisor:

(1) That the applicant, the directors of the applicant, and the chief officers of the applicant are each of good character and sound financial standing.

(2) That the financial history and condition of the applicant are satisfactory.

(3) That the applicant's plan to conduct the business of an association in Washington affords a reasonable promise of success.

(4) That the state in which the home office of the applicant is located permits Washington associations to conduct the business of an association in such state in substantially the same manner as the applicant proposes in this state.

[Statutory Authority: RCW 33.32.030, 88-02-067 (Order 87-1), § 419-60-030, filed 1/6/88.]