WAC 36-14-400 Application of brief adjudicative proceedings. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482, for the categories of matters set forth below. Brief adjudicative proceedings will be limited to a determination of one or more of the following issues:

1. Whether the department is proposing to deny an application to any applicant as defined in the Professional Athletics Act, chapter 67.08 RCW;
2. Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department;
3. Whether a license holder requesting renewal has not submitted all required information to meet minimum criteria for renewal; and
4. Whether a license holder has been certified by a lending agency and reported to the department for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship.

WAC 36-14-410 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license shall consist of:

(a) The application for the license, renewal, or approval and all associated documents;
(b) All documents relied upon by the department in proposing to deny the application, renewal, or approval; and
(c) All correspondence between the applicant for license, renewal, or approval and the department regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;
(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;
(c) All correspondence between the license holder and the department regarding compliance with the final order or agreement; and
(d) All documents relied upon by the department showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed educational loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed educational loan or service-conditional scholarship; or
(b) A written release, if any, issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

WAC 36-14-420 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall not have personally participated in the decision which resulted in the request for brief adjudicative proceeding.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ department expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

Title 50 WAC
FINANCIAL INSTITUTIONS, DEPARTMENT OF (BANKING, DIVISION OF)

Chapters
50-16 Consumer finance act rules.
50-44 Schedule of costs of examinations.

Chapter 50-16 WAC
CONSUMER FINANCE ACT RULES

WAC
50-16-020 through 50-16-105 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER
50-16-020 Recordkeeping—General. [Statutory Authority: RCW 31.08.230. 82-24-074 (Order 48), § 50-16-020, filed 12/1/82; Rule 50-16-020, filed 12/20/63; § 50-16-020, filed 1/17/61; § 50-16-020, filed 12/16/60; Small Loan Act rules (part), filed 11/29/60; Small Loan Act rules, § 1 (part), filed 3/23/60.] Repealed by 99-08-123, filed
Schedule of Costs of Examinations

WAC 50-16-025
Allocation of expenses to consumer finance business.

WAC 50-16-030
Books, files and accounting records required.

WAC 50-16-035
Forms.

WAC 50-16-040
Litigation record.

WAC 50-16-045
Loans.

WAC 50-16-050
Computation of charges.

WAC 50-16-055
Rebate of precomputed charges.

WAC 50-16-060
Splitting loans prohibited.

WAC 50-16-065
Statement to borrower—Receipt.

WAC 50-16-070
Advertising.

WAC 50-16-075
Restrictions on insurance.

WAC 50-16-080
Delivery of policy or evidence to borrower—Master policy required.

WAC 50-16-085
Rebate of credit life insurance charge.

WAC 50-16-090
File for official correspondence and reports.

WAC 50-16-100
Hours of business.

WAC 50-16-105
Insufficient funds charge.

WAC 50-16-020 through 50-16-105 Repealed. See Disposition Table at beginning of this chapter.

Chapter 50-44 WAC

SCHEDULE OF COSTS OF EXAMINATIONS

WAC

50-44-037 Charges and fees effective June 25, 1999.

50-44-039 Charges and fees effective July 1, 1999.

WAC 50-44-037 Charges and fees effective June 25, 1999. Effective June 25, 1999, the rate of charges and fees under WAC 50-12-045, 50-44-020 and 50-44-030 shall be as follows:

1. WAC 50-12-045 (1)(c) and (d) - The fee shall be $100.00 for the issuance and filing of certificates.

2. WAC 50-12-045 (1)(e) - The fee shall be 50 cents per page.

3. WAC 50-12-045(2) - The fee shall be $937.6 per employee hour expended.

4. WAC 50-44-020(1) - The rates shall be the following:

[2000 WAC Supp—page 143]
If total assets are:

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(5) WAC 50-44-020(2) - The rate shall be $0.000036659.
(6) WAC 50-44-030(1) - The fee shall be $67.71 per hour.
(7) WAC 50-44-030(2) - The fee shall be $93.76 per hour.


WAC 50-44-039 Charges and fees effective July 1, 1999. (1) Effective July 1, 1999, the rate of charges and fees under WAC 50-12-045, 50-44-020 and 50-44-030 shall be as follows:
(a) WAC 50-12-045 (1)(c) and (d) - The fee shall be $100.00 for the issuance and filing of certificates.
(b) WAC 50-12-045 (1)(e) - The fee shall be 50 cents per page.
(c) WAC 50-12-045(2) - The fee shall be $96.87 per employee hour expended.
(d) WAC 50-44-020(1) - The rates shall be the following:

If total assets are:

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(e) WAC 50-44-020(2) - The rate shall be $0.00037876.
(f) WAC 50-44-030(1) - The fee shall be $69.95 per hour.
(g) WAC 50-44-030(2) - The fee shall be $96.87 per hour.

(2) Thereafter, effective July 1, 2000, and again on July 1, 2001, the charges and fees set forth in subsection (1)(c), (d), (e), (f), and (g) of this section shall be increased by the fiscal growth factor as determined by the office of financial management pursuant to RCW 43.135.025.

(3) The director may suspend the collection of any or all of the charges and/or fees imposed under this section when he or she determines the banking examination fund established in RCW 43.320.110 exceeds the projected acceptable minimum fund balance level approved by the office of financial management and that such course of action would be fiscally prudent.


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