

(c) The applicant has received a conditional commitment for financing.

(11) An applicant that has received a carryover allocation of tax credit shall demonstrate to the commission's satisfaction that the applicant has made substantial progress towards completion of the project.

(12) An applicant shall demonstrate to the commission's satisfaction substantial compliance with all contractual obligations to the commission before the commission issues an Internal Revenue Service low-income housing credit certificate.

(13) Unless the commission makes an exception, a transfer of an interest in a project shall require the prior approval of the commission. A transfer or assignment without the commission's prior approval may result in a cancellation of tax credit for a project.

(14) To participate in the tax credit program, an applicant shall pay all required commission fees and comply with all applicable requirements and deadlines. Failure to do so may result in disqualification or cancellation of the project, application or tax credit reservation, allocation or award.

(15) For purposes of awarding tax credit, certain rules in this section do not apply to tax credit projects financed with tax-exempt bonds.

(16)(a) The commission may perform on-site inspections of projects, interview residents, review residents' applications and financial information, and review an applicant's or an owner's books and records. The applicant or owner shall provide the commission with all requested documentation, including periodic reports and certificates; shall provide the commission access to the project; and shall retain records as required by the code and the extended use agreement.

(b) The commission will monitor compliance of the projects receiving credit with the code and with contractual commitments to the commission. The commission will notify the Internal Revenue Service when instances of noncompliance come to its attention.

[Statutory Authority: RCW 43.180.040(3), 01-11-034, § 262-01-130, filed 5/8/01, effective 6/8/01; 97-20-086, § 262-01-130, filed 9/29/97, effective 10/30/97.]

## Title 263 WAC

# INDUSTRIAL INSURANCE APPEALS, BOARD OF

### Chapters

263-12 Practice and procedure.

### Chapter 263-12 WAC

### PRACTICE AND PROCEDURE

### WAC

263-12-050

Contents of notice of appeal.

263-12-059

Appeals arising under the Washington Industrial Safety and Health Act—Notice to interested employees.

**WAC 263-12-050 Contents of notice of appeal.** The board's jurisdiction shall be invoked by filing a written notice of appeal.

(1) **General Rule.** In all appeals, the notice of appeal shall contain where applicable:

(a) The name and address of the appealing party and of the party's representative, if any;

(b) A statement identifying the date and content of the department order, decision or award being appealed. This requirement may be satisfied by attaching a copy of the order, decision or award;

(c) The reason why the appealing party considers such order, decision or award to be unjust or unlawful;

(d) A statement of facts in full detail in support of each stated reason;

(e) The specific nature and extent of the relief sought;

(f) The place, most convenient to the appealing party and that party's witnesses, where board proceedings are requested to be held;

(g) A statement that the person signing the notice of appeal has read it and that to the best of his or her knowledge the contents are true.

(h) The signature of the appealing party or the party's representative.

(2) **Industrial Insurance Appeals.** In appeals arising under the Industrial Insurance Act (Title 51 RCW), the notice of appeal shall also contain:

(a) The name and address of the injured worker;

(b) The name and address of the worker's employer at the time the injury occurred;

(c) In the case of occupational disease, the name and address of all employers in whose employment the worker was allegedly exposed to conditions that gave rise to the occupational disease;

(d) The nature of the injury or occupational disease.

(e) The time when and the place where the injury occurred or the occupational disease arose;

(3) **Crime Victims' Compensation Act.** In appeals arising under the Crime Victims' Compensation Act (chapter 7.68 RCW), the notice of appeal shall also contain:

(a) The time when and the place where the criminal act occurred;

(b) The name and address of the alleged perpetrator of the crime; and

(c) The nature of the injury.

(4) **Assessment Appeals.** In appeals from a notice of assessment arising under chapter 51.48 RCW or in cases arising from an assessment under the Worker and Community Right to Know Act (chapter 49.70 RCW), the notice of appeal shall also contain:

(a) A statement setting forth with particularity the reason for the appeal; and

(b) The amounts, if any, that the party admits are due;

(5) **LEOFF Appeals.** In appeals arising under the special death benefit provision of the Law Enforcement Officers' and Fire Fighters' Retirement System (chapter 41.26 RCW), the notice of appeal shall also contain:

(a) The time when and the place where the death occurred; and

(b) the name and address of the decedent's employer at the time the injury occurred;

(6) **Asbestos Certification Appeals.** In appeals arising under chapter 49.26 RCW concerning the denial, suspension or revocation of certificates involving asbestos projects, the notice of appeal shall also contain:

(a) A statement identifying the certification decision appealed from;

(b) The reason why the appealing party considers such certification decision to be incorrect.

(7) **WISHA Appeals.** In appeals arising under the Washington Industrial Safety and Health Act (chapter 49.17 RCW), the appeal shall also contain:

(a) A statement identifying the citation, penalty assessment, or notice of abatement date appealed from;

(b) The name and address of the representative of any labor union representing any employee who was or who may be affected by the alleged safety violation(s);

(c) A statement certifying compliance with WAC 263-12-059;

(8) **Other Safety Appeals.** In appeals arising under chapter 49.22 RCW concerning alleged violations of safety procedures in late night retail establishments, chapter 70.74 RCW concerning alleged violations of the Washington State Explosives Act, or chapter 88.04 RCW concerning alleged violations of the Charter Boat Safety Act, the notice of appeal shall also contain:

(a) A statement identifying the citation, penalty assessment, or notice of abatement date appealed from;

(b) The name and address of the representative of any labor union representing any employee who was or who may be affected by the alleged safety violation or violations;

(c) A statement certifying compliance with WAC 263-12-059.

[Statutory Authority: RCW 51.52.020. 01-09-031, § 263-12-050, filed 4/11/01, effective 5/12/01; 00-23-021, § 263-12-050, filed 11/7/00, effective 12/8/00; 91-13-038, § 263-12-050, filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 51.52.104, 51.52.020 and chapters 51.48 and 42.17 RCW. 86-03-021 (Order 20), § 263-12-050, filed 1/10/86. Statutory Authority: RCW 51.52.020. 82-03-031 (Order 11), § 263-12-050, filed 1/18/82; Order 7, § 263-12-050, filed 4/4/75; Order 4, § 263-12-050, filed 6/9/72; Rule 5.1, filed 6/12/63; Rules 3.1 - 3.2, filed 3/23/60, amended by General Order 3, Rule 5.1, filed 10/29/65. Formerly WAC 296-12-050.]

**WAC 263-12-059 Appeals arising under the Washington Industrial Safety and Health Act—Notice to interested employees.** In the case of any appeal by an employer concerning an alleged violation of the Washington Industrial Safety and Health Act, the employer shall give notice of such appeal to its employees by either: (1) providing copies of the appeal to each employee member of the employer's safety committee; or (2) by posting a copy of the appeal in a conspicuous place at the work site at which the alleged violation occurred. Any posting shall remain during the pendency of the appeal.

The employer shall also provide notice advising interested employees that an appeal has been filed with the board and that any employee or group of employees who wish to participate in the appeal may do so by contacting the board. Such notice shall include the address of the board.

[2002 WAC Supp—page 912]

The employer shall file with the board a certificate of proof of compliance with this section within fourteen days of receipt of the board's notice acknowledging receipt of the appeal. If notice as required by this section is not possible the employer shall advise the board or its designee of the reasons why notice cannot be accomplished. If the board accepts the impossibility of the required notice it will prescribe the terms and conditions of a substitute notice procedure reasonably calculated to give notice to affected employees.

[Statutory Authority: RCW 51.52.020. 01-09-032, § 263-12-059, filed 4/11/01, effective 5/12/01.]

## Title 275 WAC

# SOCIAL AND HEALTH SERVICES, DEPARTMENT OF (INSTITUTIONS)

### Chapters

**275-25** County plan for mental health, developmental disabilities.

### Chapter 275-25 WAC

### COUNTY PLAN FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES

#### WAC

275-25-500 Repealed.

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

275-25-500 Developmental disabilities program—WAC section numbers. [Order 1142, § 275-25-500, filed 8/12/76. Formerly chapter 275-29 WAC.] Repealed by 01-15-077, filed 7/17/01, effective 8/17/01. Statutory Authority: RCW 34.05.354.

**WAC 275-25-500 Repealed.** See Disposition Table at beginning of this chapter.

## Title 284 WAC

# INSURANCE COMMISSIONER, OFFICE OF THE OF THE

### Chapters

**284-04** Privacy of consumer financial and health information.

**284-07** Requirements as to company reports and annual statements.

**284-24** Rates.

**284-43** Health carriers and health plans.