

WAC 246-10-305 Opportunity for prompt adjudicative proceeding.

Except as provided in WAC 246-10-304(2), a respondent affected by a summary action will be provided the opportunity to request a prompt adjudicative proceeding.

(1) Notice of the opportunity will be provided in the notice of opportunity to defend against the allegations that are the basis for the summary action. The form for requesting an adjudicative proceeding must include the option of requesting a prompt adjudicative proceeding.

(2) A respondent affected by a summary action may request a prompt adjudicative proceeding, may elect a regularly scheduled adjudicative proceeding instead of a prompt adjudicative proceeding, or may waive the opportunity for adjudicative proceeding in accordance with WAC 246-10-203.

(3) A request for a prompt adjudicative proceeding must be filed within ten days of the service of the summary action.

(4) If requested by the respondent, a prompt adjudicative proceeding must be conducted within twenty days of service of a summary action.

(5) Regardless of whether a prompt adjudicative proceeding is requested, the matter must be resolved as quickly as feasible in accordance with all other applicable rules.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-049, § 246-10-305, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.130.135 and 43.70.040. WSR 09-03-089, § 246-10-305, filed 1/20/09, effective 2/20/09. Statutory Authority: RCW 43.70.040. WSR 94-04-079, § 246-10-305, filed 1/31/94, effective 3/3/94; WSR 93-13-005 (Order 369), § 246-10-305, filed 6/3/93, effective 7/4/93.]