

WAC 260-28-030 Financial responsibility. (1) A licensee may not willfully fail or refuse to pay money due for services, supplies, or fees connected with his or her operations as a licensee. A licensee may not falsely deny such an amount due or the validity of a complaint on such an amount due for the purpose of hindering, delaying, or defrauding the person to whom the amount is due.

(2) A financial responsibility complaint against a licensee must be in writing, signed by the complainant, and accompanied by documentation of the services, supplies or fees alleged to have been provided, or by a judgment from a civil court that has been issued within two years of the date of the complaint.

(3) Any licensee failing to make restitution as a result of a complaint where the amount owed is undisputed or judgment may be subject to disciplinary action, including a license suspension.

(4) The stewards will consider for disciplinary action only those financial responsibility complaints that meet the following criteria:

(a) The complaint involves services, supplies or fees that are directly related to the licensee's Washington racetrack and training operations;

(b) Check cashing provided by the racing association and providers of food services to licensees on the race track premises; and

(c) The debt or cause of action originated in Washington, or the civil court judgment was issued in Washington, within two years of the date the complaint is filed.

(5) In determining whether to act on a financial responsibility complaint, the stewards may consider the number of financial responsibility complaints made by the complainant against the same licensee within a two-year period immediately preceding the current complaint.

(6) A licensee may not write, issue, make or present any check in payment for any license fee, fine, nomination or entry fee or other fees, or for any service or supplies when the licensee knows or should reasonably know that the check will be refused for payment by the bank upon which it is written, or that the account upon which the check is written does not contain sufficient funds for payment of the check, or that the check is written on a closed or nonexistent account. The fact that such a check is returned to the payee by the bank as refused is grounds for license suspension pending satisfactory redemption of the returned check.

[Statutory Authority: RCW 67.16.020. WSR 19-03-076, § 260-28-030, filed 1/14/19, effective 2/14/19. Statutory Authority: RCW 67.16.020 and 67.16.040. WSR 07-07-007, § 260-28-030, filed 3/8/07, effective 4/8/07. Statutory Authority: RCW 67.16.040. WSR 03-07-056, § 260-28-030, filed 3/14/03, effective 4/14/03; Rules of racing, § 27, filed 4/21/61.]