

WAC 292-100-045 Dismissal of complaints. (1) The executive director may dismiss the complaint if the board or the board staff determines that:

(a) Any alleged violation that may have occurred is not within the jurisdiction of the board;

(b) The complaint is obviously unfounded or frivolous; or

(c) The complaint presents a violation of chapter 42.52 RCW, but any violation that may have occurred does not constitute a material violation because it was inadvertent and minor, or has been cured, and, after consideration of all of the circumstances, further proceedings would not serve the purposes of this chapter.

(2) If the executive director dismisses the complaint, the investigation report and a written notice of the executive director's order of dismissal will be provided to the complainant, respondent, and the board and will include a statement of the complainant's right to request review of the dismissal by the board.

(3) If the board dismisses the complaint, written notice will be provided to the complainant and the respondent.

[Statutory Authority: RCW 42.52.360. WSR 17-01-138, § 292-100-045, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 42.52.360 (2)(b). WSR 07-02-001, § 292-100-045, filed 12/20/06, effective 1/20/07. Statutory Authority: RCW 42.52.360 (2)(b) and 42.52.425. WSR 01-13-033, § 292-100-045, filed 6/13/01, effective 7/14/01.]