

WAC 212-80-215 Citations and penalties. (1) **What citation or penalties may be issued by the director for violations?** The director may at his or her discretion issue either a monetary penalty or take an action against a license or certificate depending on the severity of the violation(s) evidenced in the investigation. Each violation is classified and penalties assessed according to the violation type as provided by the chart below:

Violation Level	Monetary Penalty Issued	Action Taken Against License and/or Certificate
1	Warning to \$200	License: No action
		Certificate: No action
2	\$100 to \$500	License: Suspended immediately for remainder of the license year or thirty calendar days, whichever is longer.
		Certificate: Suspended immediately for remainder of the license year or thirty calendar days, whichever is longer.
		Certificate: If the individual is not part of the violation but will be affected by the loss of the employer's contractor license, the certificate will be changed to INACTIVE status until the contractor obtains a valid license or the certificate holder has a new employer.
3	\$500 to \$5,000	License: Suspended immediately for remainder of the license year or ninety calendar days, whichever is longer.
		Certificate: Suspended immediately for remainder of the license year or ninety calendar days, whichever is longer.
		Certificate: If individual is not part of the violation but will be affected by the loss of the employer's contractor license, the certificate will be changed to INACTIVE status until the contractor obtains a valid license or the certificate holder has a new employer.

(2) **What action can be taken against a licensed contractor or certificate holder for repeat violations?** If a licensed contractor or certificate holder has incurred multiple findings of the same violation over a period of time, the director may classify the licensed contractor or certificate holder as a habitual offender and issue either an increased monetary penalty or the action against the license or certificate depending on the severity of the violation(s) evidenced in multiple investigations as provided by the chart below:

Violation Level	Monetary Penalty Issued	Violation Level and Action Taken Against License and/or Certificate
1	\$100 to \$500	Evidence of three or more level 1 violations without compliance over a period of two calendar years constitutes an increase to a level 2 violation.

Violation Level	Monetary Penalty Issued	Violation Level and Action Taken Against License and/or Certificate
2	\$500 per violation	Evidence of three or more level 2 violations without compliance over a period of two calendar years constitutes an increase to a level 3 violation. License: Suspended immediately for remainder of the license year or sixty calendar days, whichever is longer. Certificate: Suspended immediately for remainder of the license year or sixty calendar days, whichever is longer. Certificate: If individual is not part of the violation but will be affected by the loss of the employer's contractor license, the certificate will be changed to INACTIVE status until the contractor obtains a valid license or the certificate holder has a new employer.
3	\$2,500 per violation	Evidence of two to five violations without compliance over a period of three calendar years constitutes an increase to a level 3 violation. License: Suspended immediately for remainder of the license year or one hundred eighty calendar days, whichever is longer. Certificate: Suspended immediately for remainder of the license year or one hundred eighty calendar days, whichever is longer. Certificate: If individual is not part of the violation but will be affected by the loss of the employer's contractor license, the certificate will be changed to INACTIVE status until the contractor obtains a valid license or the certificate holder has a new employer.
	\$5,000 per violation	Evidence of six violations without compliance over a period of three calendar years constitutes an increase to a level 3 violation. License: Suspended immediately for the remainder of the license year and subsequent license year. Certificate: Suspended immediately for the remainder of the certificate year and subsequent certificate year. Certificate: If individual is not part of the violation but will be affected by the loss of the employer's contractor license, the certificate will be changed to INACTIVE status until the contractor obtains a valid license or the certificate holder has a new employer.

(3) **If I receive a violation notice imposing a civil penalty, how do I resolve the civil penalty?**

(a) Pay the penalty by returning the notice and payment to the director at State Fire Marshal's Office, P.O. Box 42600, Olympia, WA 98504-2600 within thirty days from the date the penalty was issued. Payments must be made by check or money order payable to the Washington state patrol.

(b) **Request an informal conference** as outlined in WAC 212-80-235.

(c) **Request a formal hearing** as outlined in WAC 212-80-205 or 212-80-240.

[Statutory Authority: RCW 18.270.900 and 18.160.030. WSR 14-03-019, § 212-80-215, filed 1/7/14, effective 2/7/14. Statutory Authority: RCW 18.270.900. WSR 09-01-114, § 212-80-215, filed 12/19/08, effective 1/19/09. Statutory Authority: Chapters 43.43 and 18.160 RCW. WSR 05-05-006, § 212-80-215, filed 2/4/05, effective 3/7/05.]