

**WAC 192-230-040 When are interest charges added to my overpayment?** (1) Interest will not be charged on an overpayment assessed by another state.

(2) Interest will be charged at the rate of one percent per month for overpayments based on fraud. The interest will be charged on both the overpaid benefits and the fraud penalty, if any. If you appeal the finding of fraud, interest will accrue while the appeal is pending and will be added to your overpayment if the finding of fraud is upheld.

(3) If the overpayment is not based on fraud, interest will be charged at the rate of one percent per month when any portion of two or more minimum monthly payments is delinquent.

(4) In addition to the principal amount, interest will accrue based on the total of the overpayment including, but not limited to, interest, penalties, court costs, charges for dishonored payments, and related charges or fees.

(5) If the overpayment includes both fraud and nonfraud weeks, interest will be charged proportionally as described in subsections (2) and (3).

(6) In unusual circumstances, and at his or her discretion, the commissioner may suspend the assessment or collection of interest charges for overpayments not based on fraud.

(7) Interest is calculated on a monthly cycle as follows:

(a) For fraud overpayments, interest accrues beginning on the date the determination of fraud is effective.

(b) For nonfraud overpayments, interest accrues immediately, beginning after the due date.

[Statutory Authority: RCW 50.12.010 and 50.12.040. WSR 16-21-013, § 192-230-040, filed 10/7/16, effective 11/14/16. Statutory Authority: RCW 50.12.010, 50.12.040, and 50.20.010. WSR 07-23-128, § 192-230-040, filed 11/21/07, effective 1/1/08.]