

WAC 468-20-900 Dishonored checks. Checks dishonored by nonacceptance or nonpayment; handling fee; liability for interest and collection costs; attorney's fees.

(1) Whenever a check, as defined in RCW 62A.3-104, is dishonored by either nonacceptance or nonpayment for any reason other than by a justifiable stop payment order, the department shall collect from the drawer or maker, in addition to the face amount of the check, a reasonable handling fee, per check, in an amount consistent with current commercial practices but not less than the handling fee authorized in the then current state purchase contract for dishonored check collection services.

(2) When the dishonored check and handling fee have not been paid within fifteen days of the mailing of a notice of dishonor to the drawer or maker at his or her last known address, the drawer or maker shall also be liable for the payment of interest as well as the costs of collection as authorized in statute.

(3) Should the department have to pursue collection of the check through the courts, the drawer or maker may also be liable for reasonable attorneys' fees plus damages as authorized in statute.

[Statutory Authority: RCW 62A3-515 [62A.3-515]. WSR 96-01-090 (Order 159), § 468-20-900, filed 12/19/95, effective 1/19/96. Statutory Authority: RCW 62A.3-104. WSR 91-02-007 (Order 126), § 468-20-900, filed 12/21/90, effective 1/21/91.]