

WSR 23-10-029

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed April 27, 2023, 10:38 a.m., effective May 30, 2023]

Effective Date of Rule: May 30, 2023.

Purpose: The department of licensing (department) is required to set fees for each professional, occupational, or business licensing program at a sufficient level to defray the costs of administering that program. Current fees are insufficient to sustain this program. The department is considering fee increases that would go into effect in summer 2023. This is part of a larger fee increase and these fees had been proposed to go into effect in the fall of 2022.

Citation of Rules Affected by this Order: Amending WAC 308-127-160 Fees.

Statutory Authority for Adoption: RCW 43.24.086 Fee policy for professions, occupations, and businesses—Determination by rule, and 46.01.110 Rule-making authority.

Adopted under notice filed as WSR 23-07-117 on March 21, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 27, 2023.

Ellis Starrett
Rules and Policy Manager

OTS-3957.1

AMENDATORY SECTION (Amending WSR 20-06-036, filed 2/27/20, effective 3/29/20)

WAC 308-127-160 Fees. The following fees shall be charged under the authority of RCW 64.36.081 and 43.24.086:

(1) Registration application fees:

Start up timeshare program including one project.	((\$1000.00)) <u>\$1,040.00</u>
Each additional project in program.	200.00
Each apartment unit in program.	10.00
The first unit of personal property in the timeshare program.	500.00
Each additional unit of personal property in the timeshare program.	100.00

Businesses of listing or brokering resale intervals.	500.00
(2) Interval Fees:	
For each interval through one thousand.	1.00
Intervals beyond one thousand.	0.00
Each monthly filing of listings of resale intervals (in lieu of interval fees for resale intervals).	10.00
(3) Renewal fees:	
Timeshare program including one project.	(500.00) <u>540.00</u>
Late renewal fee for timeshare program.	2000.00
Each additional project to a maximum of five projects.	200.00
Each apartment unit - to maximum of twenty-five apartment units.	10.00
(4) Consolidation fees:	
Each additional project added.	200.00
Each additional apartment unit.	10.00
The first additional unit of personal property being consolidated.	250.00
Each additional unit of personal property added in one consolidation.	100.00
(5) Exemption fees:	
Programs consisting of a single apartment unit in a single project with fifty-two or fewer intervals.	250.00
All other types of programs.	1000.00
(6) Impound fees:	
Initial establishment of an impound, escrow, trust, or other arrangement requiring a depository.	500.00
Each required periodic report.	50.00
(7) Advertising fees:	
Each initial submission of advertisement whether or not submitted in a timely manner, and whether or not in use at the time of payment.	25.00
Examination of advertisement which are for the purpose of marketing surveys and not involving an examination of project or program instruments.	150.00
(8) Fees for persons in the business of offering commercial promotional programs:	
Registration of individual.	500.00
(9) Salespersons fees:	
Initial application, including first timeshare company association.	(25.00) <u>35.00</u>
Each timeshare company association after the first.	(25.00) <u>35.00</u>

Renewal.	((25.00)) <u>35.00</u> per timeshare company association
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(10) Fees for amendment of registration:

For a timely submission of an amendment filing.	25.00
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Late fee for failure to file an amendment within twenty days of the occurrence of a materially adverse change.	500.00
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(11) Inspection fees:

Applicants and registrants shall pay the cost of inspections conducted pursuant to chapter 64.36 RCW. The inspection fees shall be paid prior to the granting of a registration or consolidation. The inspection fee shall be the actual cost to the department for conducting of the inspection.

[Statutory Authority: RCW 64.36.270 and 43.24.023. WSR 20-06-036, § 308-127-160, filed 2/27/20, effective 3/29/20. Statutory Authority: RCW 64.36.081, 43.24.023, 43.24.086. WSR 04-19-040, § 308-127-160, filed 9/13/04, effective 11/1/04. Statutory Authority: RCW 64.36.270, 43.24.023. WSR 04-12-028, § 308-127-160, filed 5/26/04, effective 7/1/04; WSR 04-08-003, § 308-127-160, filed 3/24/04, effective 4/24/04. Statutory Authority: RCW 64.36.081 and 43.24.086. WSR 02-15-169, § 308-127-160, filed 7/23/02, effective 1/1/03. Statutory Authority: RCW 43.24.086. WSR 90-07-023, § 308-127-160, filed 3/14/90, effective 4/14/90.]