

AMENDATORY SECTION (Amending WSR 05-08-027, filed 3/30/05, effective 4/30/05)

WAC 308-19-400 Brief adjudicative proceeding. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482, for the categories of matters set forth below. Brief adjudicative proceedings will be limited to a determination of one or more of the following issues:

(1) Whether an applicant for a license meets the minimum criteria for a license to practice as a bail bond recovery agent, bail bond agency, qualified agent, branch office or bail bond agent in this state and the department proposes to deny the application;

(2) Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department;

(3) Whether an education course or curriculum meets the criteria for approval when approval by the department is required or authorized by statute or rule; and

(4) Whether a license holder requesting renewal has submitted all required information and whether a license holder meets minimum criteria for renewal(; ~~and~~

~~(5) Whether a license holder has been certified by a lending agency and reported to the department for nonpayment or default on a federally or state guaranteed educational loan or service conditional scholarship)).~~

AMENDATORY SECTION (Amending WSR 05-08-027, filed 3/30/05, effective 4/30/05)

WAC 308-19-410 Records used in a brief adjudicative proceeding.

(1) The preliminary record with respect to an application for an original or renewal license or for approval of an education course or curriculum shall consist of:

(a) The application for the license, renewal, or approval and all associated documents;

(b) All documents relied upon by the department in proposing to deny the license, renewal, or approval; and

(c) All correspondence between the applicant for license, renewal, or approval and the department regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the department regarding compliance with the final order or agreement; and

(d) All documents relied upon by the department showing that the license holder has failed to comply with the previously issued final order or agreement.

~~((3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed educational loan or service conditional scholarship shall consist of:~~

~~(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed educational loan or service conditional scholarship; or~~

~~(b) A written release, if any, issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.)~~