



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Financial Institutions, Division of Consumer Services

- | | |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 09-03-002; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject) Mortgage Broker Practices Act, chapter 208-660 WAC. Expanding the categories of agency actions that may be appealed using the brief adjudicative proceedings (BAP) process available in the Washington Administrative Procedure Act (APA), chapter 34.05 RCW.

Hearing location(s): Department of Financial Institutions
150 Israel Road SW, Tumwater, Washington, 98501.

Submit written comments to:

Name: Elizabeth Stancil, Division of Consumer Services
Address: P.O. Box 41200, Olympia, WA 98504-1200
e-mail: estancil@dfi.wa.gov

by (date) 5:00 p.m. May 6, 2009

Date: May 7, 2009 Time: 1:30 -3:30 p.m.

Assistance for persons with disabilities: Contact

Elizabeth Stancil by 5:00 p.m. May 4, 2009

TTY (360) 664-8126 or (360) 902-8786

Date of intended adoption: June 2, 2009
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The BAP is a process in the APA for appealing agency actions. The BAP process is currently available to loan originators on licensing decisions. This rulemaking would make the BAP appeal process available for more categories of agency actions.

Reasons supporting proposal: The BAP provides a quicker and less formal appeal process for certain less complex agency actions.

Statutory authority for adoption: RCW 43.320.040

Statute being implemented: chapter 19.146 RCW

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|----------------------------------------|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 01, 2009

TIME: 10:42 AM

WSR 09-08-126

DATE
April 1, 2009

NAME (type or print) Deborah Bortner

SIGNATURE *Deborah Bortner*

TITLE Director, Division of Consumer Services

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) Department of Financial Institutions, Division of Consumer Services

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Cindy Fazio	150 Israel Road SW, Olympia, Washington, 98501	(360) 902-8800
Implementation.... Deb Bortner	150 Israel Road SW, Olympia, Washington, 98501	(360) 902-0511
Enforcement..... Deb Bortner	150 Israel Road SW, Olympia, Washington, 98501	(360) 902-0511

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The rule amendments will not impose more than minor costs on the businesses impacted by the proposed rules.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: Not applicable to the proposed rules.