



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(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 14-15-141; 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) or 34.05.330(1).                 | <input type="checkbox"/> Continuance of WSR _____         |

**Title of rule and other identifying information:** (Describe Subject)

Amending the rules (chapter 208-630 WAC) under the Check Cashers and Sellers Act (chapter 31.45 RCW) to clarify the department's interpretation of the law regulating small loan agents.

**Hearing location(s):**

Department of Financial Institutions  
150 Israel Rd SW  
Tumwater, WA 98501

Date: October 21, 2014 Time: 11:00 a.m. to 12:00 noon

**Date of intended adoption:** November 18, 2014  
(Note: This is NOT the effective date)

**Submit written comments to:**

Name: Sara Rietcheck  
Address: Division of Consumer Services, P.O. Box 41200, Olympia, WA 98504-1200  
e-mail [sara.rietcheck@dfi.wa.gov](mailto:sara.rietcheck@dfi.wa.gov)  
fax (360)596-3866 by (date) October 21, 2014

**Assistance for persons with disabilities:** Contact Sara Rietcheck by October 15, 2014

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

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

The proposal for amendment will clarify the department's interpretation of the law as to the small loan agents regulated under the Act.

**Reasons supporting proposal:**

This clarification will help the industry understand their compliance requirements. This will in turn enhance consumer protection.

The rules are being proposed for amendment under the authority of OFM Guideline 3(e) and (f) dated October 12, 2011.

**Statutory authority for adoption:** chapter 43.320 RCW; RCW 31.45.200

**Statute being implemented:** chapter 31.45 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:

**DATE** September 17, 2014

**NAME** (type or print) Deborah Bortner

**SIGNATURE** *Deborah Bortner*

**TITLE** Director, Division of Consumer Services

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** September 17, 2014

**TIME:** 9:07 AM

**WSR 14-19-112**

**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 Rd. SW, Tumwater, WA 98501	(360) 902-8800
Implementation.... Deb Bortner	150 Israel Rd. SW, Tumwater, WA 98501	(360) 902-0511
Enforcement..... Deb Bortner	150 Israel Rd. SW, Tumwater, WA 98501	(360) 902-0511

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal 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.