

**WAC 16-228-1125 Revocation or denial of a license.** (1) The department retains the sole discretion to determine when an individual license should be revoked rather than suspended.

(a) The department may revoke a license when:

(i) The penalty schedule allows for revocation; or

(ii) One or more aggravating factors are present; or

(iii) The circumstances surrounding the violation are such that a suspension of the license will not serve as an adequate deterrent for future conduct.

(b) The department may in its discretion, revoke any or all licenses held by the person when this section permits revocation. Where the circumstances warrant revocation of more than one license held by the person, the department shall explain its reasons for revoking each license in its notice of intent.

(c) In circumstances where the department revokes a license, the department may order that person will not be granted new licensure or new license categories for a period of time. This period of ineligibility for the person to be granted a new license or category shall be determined at the discretion of the department, but shall not exceed five years.

(2) The department may deny an applicant a license when the applicant has committed a violation(s) of chapter 15.58 or 17.21 RCW, or the rules adopted thereunder. The duration of denial shall be determined based upon the penalty provisions of this chapter.

(a) Nothing shall prevent the department from denying an applicant a license when the applicant has an outstanding civil penalty owed to the department from a previous violation(s).

(b) The department may deny an application for a license when that person's license was revoked under subsection (1) of this section or when the department has prohibited a person from being issued a license for a period of time, and that time has not expired.

(3) The department may, at its discretion, suspend a license without also seeking a civil penalty. Such circumstances include, but are not limited to, those incidents where a civil penalty is not available as an appropriate penalty pursuant to RCW 43.05.110. The appropriate period of suspension shall be determined in accordance with the appropriate penalty schedule and the penalty provisions of this chapter.

[Statutory Authority: RCW 15.58.040 and 17.21.030. WSR 23-04-041, § 16-228-1125, filed 1/26/23, effective 4/1/23. Statutory Authority: Chapters 17.21, 15.58, and 34.05 RCW. WSR 07-11-041A, § 16-228-1125, filed 5/9/07, effective 6/9/07; WSR 03-22-029, § 16-228-1125, filed 10/28/03, effective 11/28/03. Statutory Authority: Chapters 17.21 and 15.58 RCW. WSR 01-01-058, § 16-228-1125, filed 12/12/00, effective 1/12/01.]