

*(Effective until July 1, 2024)*

**WAC 296-200A-400 What monetary penalties will be assessed for an infraction issued for violations of RCW 18.27.040, 18.27.100, 18.27.110, 18.27.114 or 18.27.200?** (1) Each day that a violation occurs will be a separate offense.

(2) Once a violation of chapter 18.27 RCW or this chapter becomes a final judgment, any additional violation within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in the tables that follow.

(3) Second or additional offenses subject to increased penalties also include individuals or entities.

(4) A person, firm, corporation, or other entity who violates a provision of chapter 18.27 RCW and this chapter is liable for a civil penalty based upon the following schedule.

(a) Monetary penalties that may be assessed for a violation of RCW 18.27.040(10) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$250.00*
Second Final Violation	\$500.00
Third Final Violation	\$750.00
Each Additional Final Violation	\$1,000.00

(b) (i) Monetary penalties that may be assessed for a violation of RCW 18.27.100 (1), (2), (3), and (4) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$250.00*
Second Final Violation	\$750.00
Third Final Violation	\$2,250.00
Fourth Final Violation	\$5,000.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.100 (1), (2), (3), and (4) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(ii) Monetary penalties that may be assessed for a violation of RCW 18.27.100 (5) and (7) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$2,000.00*
Second Final Violation	\$4,000.00
Third Final Violation	\$6,000.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.100 (5) and (7) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(iii) Monetary penalties that may be assessed for a violation of RCW 18.27.100(6) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$1,000.00*
Second Final Violation	\$3,000.00
Third Final Violation	\$6,000.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.100(6) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(c) Monetary penalties that may be assessed for a violation of RCW 18.27.110 are:

Monetary Penalties	Dollar Amount
First Final Violation	\$250.00*
Second Final Violation	\$750.00
Third Final Violation	\$2,250.00
Fourth Final Violation	\$7,500.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.110 becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(d) Monetary penalties that may be assessed for a violation of RCW 18.27.114 are:

Monetary Penalties	Dollar Amount
First Final Violation	\$500.00*
Second Final Violation	\$1,000.00
Third Final Violation	\$2,000.00
Fourth Final Violation	\$4,000.00
Each Additional Final Violation	\$5,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.114 becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(e) Monetary penalties that may be assessed for a violation of RCW 18.27.200 are:

(i)

RCW 18.27.200 (1)(a) Monetary Penalties	Dollar Amount
First Final Violation	\$500.00*
Second Final Violation	\$3,000.00
Each Additional Final Violation	\$5,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.340(1) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(ii)

RCW 18.27.200 (1)(b) through (e) Monetary Penalties	Dollar Amount
First Final Violation	\$1,000.00*
Second Final Violation	\$3,000.00
Each Additional Final Violation	\$5,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.340(3) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the above table. However, if the unregistered contractor becomes registered within ten days of receiving the notice of infraction and the notice is the contractor's first offense, the director may reduce the penalty. In no case can the director reduce the penalty below five hundred dollars.

(5) For violations of RCW 18.27.200, the director may waive a penalty collection from a contractor in exchange for a payment of restitution to a damaged consumer in an amount at least equal to the assessed penalty. Prior to the infraction becoming final, the contractor

must provide to the department a notarized release from the damaged consumer stating that he or she paid the damaged consumer in an amount at least equal to the assessed penalty.

[Statutory Authority: Chapter 18.27 RCW and 2008 c 120. WSR 09-10-079, § 296-200A-400, filed 5/5/09, effective 6/5/09. Statutory Authority: Chapter 18.27 RCW and 2007 c 436. WSR 08-16-091, § 296-200A-400, filed 8/4/08, effective 9/4/08. Statutory Authority: RCW 18.27.040, 18.27.070, 18.27.075, 18.27.125, 2001 c 159, and chapter 18.27 RCW. WSR 03-20-097, § 296-200A-400, filed 9/30/03, effective 11/17/03. Statutory Authority: Chapter 18.27 RCW. WSR 97-24-071, § 296-200A-400, filed 12/2/97, effective 1/5/98.]

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(2) Once a violation of chapter 18.27 RCW or this chapter becomes a final judgment, any additional violation within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in the tables that follow.

(3) Second or additional offenses subject to increased penalties also include individuals or entities.

(4) A person, firm, corporation, or other entity who violates a provision of chapter 18.27 RCW and this chapter is liable for a civil penalty based upon the following schedule.

(a) Monetary penalties that may be assessed for a violation of RCW 18.27.040(10) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$250.00*
Second Final Violation	\$500.00
Third Final Violation	\$750.00
Each Additional Final Violation	\$1,000.00

(b) (i) Monetary penalties that may be assessed for a violation of RCW 18.27.100 (1), (2), (3), and (4) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$250.00*
Second Final Violation	\$750.00
Third Final Violation	\$2,250.00
Fourth Final Violation	\$5,000.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.100 (1), (2), (3), and (4) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(ii) Monetary penalties that may be assessed for a violation of RCW 18.27.100 (5) and (7) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$2,000.00*
Second Final Violation	\$4,000.00

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
Third Final Violation	\$6,000.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.100 (5) and (7) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(iii) Monetary penalties that may be assessed for a violation of RCW 18.27.100 (6) are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$1,000.00*
Second Final Violation	\$3,000.00
Third Final Violation	\$6,000.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.100(6) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(c) Monetary penalties that may be assessed for a violation of RCW 18.27.110 are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$250.00*
Second Final Violation	\$750.00
Third Final Violation	\$2,250.00
Fourth Final Violation	\$7,500.00
Each Additional Final Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.110 becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(d) Monetary penalties that may be assessed for a violation of RCW 18.27.114 are:

<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$500.00*
Second Final Violation	\$1,000.00
Third Final Violation	\$2,000.00
Fourth Final Violation	\$4,000.00
Each Additional Final Violation	\$5,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.114 becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(e) Monetary penalties that may be assessed for a violation of RCW 18.27.200 are:

(i)

<b>RCW 18.27.200 (1)(a)</b>	
<b>Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$1,200.00*
Second Final Violation	\$3,000.00
Third Final Violation	\$5,000.00
Each Additional Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.340(1) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the table above.

(ii)

<b>RCW 18.27.200 (1)(b), (c) and (e) Monetary Penalties</b>	<b>Dollar Amount</b>
First Final Violation	\$1,200.00*
Second Final Violation	\$3,000.00
Third Final Violation	\$5,000.00
Each Additional Violation	\$10,000.00

\* Minimum penalty per violation. Once a violation of RCW 18.27.340(3) becomes a final judgment, any additional violation is subject to an increased penalty as set forth in the above table. However, if the unregistered contractor becomes registered within 10 days of receiving the notice of infraction and the notice is the contractor's first offense, the director may reduce the penalty. In no case can the director reduce the penalty below \$600.

(5) For violations of RCW 18.27.200, the director may waive a penalty collection from a contractor in exchange for a payment of restitution to a damaged consumer. If the assessed penalty amount or amounts are more than the restitution amount, the remaining balance is owed to the department.

[Statutory Authority: 2023 c 213, 2019 c 155, and chapter 18.27 RCW. WSR 24-10-086, § 296-200A-400, filed 4/30/24, effective 7/1/24. Statutory Authority: Chapter 18.27 RCW and 2008 c 120. WSR 09-10-079, § 296-200A-400, filed 5/5/09, effective 6/5/09. Statutory Authority: Chapter 18.27 RCW and 2007 c 436. WSR 08-16-091, § 296-200A-400, filed 8/4/08, effective 9/4/08. Statutory Authority: RCW 18.27.040, 18.27.070, 18.27.075, 18.27.125, 2001 c 159, and chapter 18.27 RCW. WSR 03-20-097, § 296-200A-400, filed 9/30/03, effective 11/17/03. Statutory Authority: Chapter 18.27 RCW. WSR 97-24-071, § 296-200A-400, filed 12/2/97, effective 1/5/98.]