PROPOSED RULE MAKING

CR-102 (December 2017)  
(Implements RCW 34.05.320)  
Do NOT use for expedited rule making

Agency: Washington State Department of Commerce

- Original Notice
- Suppemental Notice to WSR
- Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 18-05-027; or
Expedited Rule Making--Proposed notice was filed as WSR; or
Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
Proposal is exempt under RCW.

Title of rule and other identifying information: The proposal creates a new Chapter 365-175 WAC to implement RCWs 43.330.480 through 43.330.488, which establish the Low-Income Home Rehabilitation Revolving Loan Program at the Washington State Department of Commerce.

Hearing location(s):

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 30, 2018</td>
<td>1:00 P.M.</td>
<td>Washington Department of Commerce 1011 Plum Street SE Olympia, WA 98501</td>
<td>A courtesy call-in line will be available to allow for comments to be provided by phone during the hearing. The call-in number is (360) 407-3780 and PIN Code is 883401#. Participants choosing to provide oral comments via the conference line are advised to also submit written comments, in the event of technical difficulties..</td>
</tr>
</tbody>
</table>

Date of intended adoption: August 1, 2018 (Note: This is NOT the effective date)

Submit written comments to:
Name: Amanda Rains
Address: P.O. Box 42525, Olympia, WA, 98504-2525
Email: amanda.rains@commerce.wa.gov
Fax: Other:
By (date) 5:00 P.M., July 31, 2018

Assistance for persons with disabilities:
Contact Carolee Sharp
Phone: 360-725-3118
Fax: TTY: 360-586-0772
Email: carolee.sharp@commerce.wa.gov
Other:
By (date) July 23, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Enact rules for the operation of the Low-Income Home Rehabilitation Revolving Loan Program
Reasons supporting proposal: Enacting rules is necessary to implement the program and required by statute.

Statutory authority for adoption: RCW 43.330.482

Statute being implemented: RCWs 43.330.480 through 43.330.488

Is rule necessary because of a:
- Federal Law? ☐ Yes ☒ No
- Federal Court Decision? ☐ Yes ☒ No
- State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington State Department of Commerce ☐ Private ☐ Public ☒ Governmental

Name of agency personnel responsible for:

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting: Amanda Rains</td>
<td>1011 Plum St. SE, Olympia WA, 98501</td>
<td>(360) 725-2980</td>
</tr>
<tr>
<td>Implementation: Amanda Rains</td>
<td>1011 Plum St. SE, Olympia WA, 98501</td>
<td>(360) 725-2980</td>
</tr>
<tr>
<td>Enforcement: Amanda Rains</td>
<td>1011 Plum St. SE, Olympia WA, 98501</td>
<td>(360) 725-2980</td>
</tr>
</tbody>
</table>

Is a school district fiscal impact statement required under RCW 28A.305.135? ☐ Yes ☒ No
If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:
- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

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:
  - TTY:
  - Email:
  - Other:
- ☒ No: Please explain: Commerce is not an agency listed in RCW 34.05.328(5)(a)(i) as one to which that statute applies
Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, may be exempt from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b) (Internal government operations)

☐ RCW 34.05.310 (4)(c) (Incorporation by reference)

☐ RCW 34.05.310 (4)(d) (Correct or clarify language)

☐ RCW 34.05.310 (4)(e) (Dictated by statute)

☐ RCW 34.05.310 (4)(f) (Set or adjust fees)

☐ RCW 34.05.310 (4)(g) (i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit

☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is not exempt, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency’s analysis showing how costs were calculated. The rule does not impose any costs on businesses. Rather, the rule establishes procedures by which certain entities, which may include businesses, may choose to apply to Commerce for a grant of funds to operate a revolving loan program. While successful applicants would incur administrative costs to operate the program, such costs would be covered by the grants. In addition, administrative provisions in the rule are based on the requirements in statute.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: June 19, 2018

Name: Jaime Rossman

Title: Rules Coordinator

Signature: