

WAC 371-08-535 Final decisions and orders. (1) When the hearing on the appeal has been concluded, and upon completion of the record and submission of the issues for decision and order, a written final decision and order concurred in by a majority of the board may be adopted which shall contain findings and conclusions as to each contested issue of fact and law material to the disposition of the matter.

(2) The record before the board shall be considered by at least two of the members of the board; provided, that if two members cannot agree on a decision, the third member must consider the record before the board; and provided further, that if two members cannot agree on a decision in any case, the substantive decision of the agency (or authority) will control.

(3) The board's final decision and order shall be served on each party to the appeal or the attorney or representative of record. The board's final decision and order may be served electronically when a party agrees to electronic service. Service upon the representative constitutes service upon the party.

[Statutory Authority: RCW 43.21B.170. WSR 23-11-076, § 371-08-535, filed 5/17/23, effective 6/16/23. Statutory Authority: RCW 43.21B.170, 90.58.175. WSR 15-03-044, § 371-08-535, filed 1/14/15, effective 2/14/15. Statutory Authority: RCW 43.21B.170, 90.58.174, chapters 43.21B, 34.05, and 90.58 RCW. WSR 07-03-074, § 371-08-535, filed 1/17/07, effective 2/17/07. Statutory Authority: RCW 43.21B.170. WSR 96-15-003, § 371-08-535, filed 7/3/96, effective 8/3/96.]