

WAC 208-680-245 Closure of office. (1) **If I close my main office, what effect does that have on any other offices?** When the main office of an escrow agent closes, all branch offices must close.

(2) **What are my notification requirements to the department when I plan to close my business?** Thirty days prior to the planned closure, the designated escrow officer or a controlling person must provide the department with notice of the closure. After closure you must provide the department with the following within fifteen days:

(a) An itemized accounting of funds held in trust at the time of closure, including the names of the principal parties to the transaction, the escrow number, the amount of funds held and the purpose of the funds. If the trust account balance is zero, the escrow agent must provide a reconciliation of the trial balance supporting the zero balance;

(b) The most recent completed three-month reconciliation;

(c) The name, residence address and telephone number of the person responsible for the records;

(d) The street address and telephone number where the records are located;

(e) An itemized list of your retained records, specifying their location and quantity, including the number of files and the number of boxes they are stored in; and

(f) A records retention plan that identifies the ways that you will store, retrieve, and destroy your required records in compliance with the act and this section. Your plan must identify how you will continue to pay any costs associated with your storage location.

(3) **For how long must I maintain records after my company closes?**

(a) You must maintain the records for at least six years. The records must be maintained in the state of Washington. They must be available upon demand of the department during business hours and must be maintained in a readily retrievable manner. Closing one or more of your branch offices does not discharge your obligation to retain your records.

(b) Your records must be stored, retrievable, and destroyed in accordance with the records retention plan you have submitted to the department.

(4) **What are my obligations regarding my trust account after I close my main office?** If your trust account contained client funds at the time of closure, the designated escrow officer or a controlling person must provide the department with monthly reports and reconciliations of the trust bank account to the trial balance, in compliance with WAC 208-680-410(9), until the trust bank account balance is zero. These reconciliations are due within thirty days of the end of the preceding month.

(5) **If I close my main office, what obligation do I have regarding winding up my business?** You must wind up your business in a reasonably prompt manner. Until your trust account balance is zero, you must also maintain your fidelity and surety bonds under WAC 208-680-310 and your errors and omissions policy under WAC 208-680-320.

(6) **If I close one of my branch offices, what are my notification requirements?** When a branch office of an escrow agent closes, the branch designated escrow officer, designated escrow officer, or a controlling person are jointly and severally obliged to notify the department within twenty-four hours of closure. In addition to notifying the department, if the closed branch office had an associated trust account that contained client funds at the time of closure, the branch

designated escrow officer responsible for that location must provide the department with monthly reports and reconciliations of the trust account to the trial balance, in compliance with WAC 208-680-410(9), until the trust bank account balance is zero. These reconciliations are due within thirty days of the end of the preceding month. If the branch designated escrow officer is no longer with the escrow agent, either the designated escrow officer or a principal officer must file the monthly reports and reconciliations.

[Statutory Authority: RCW 43.320.040 and 18.44.410. WSR 13-24-022, § 208-680-245, filed 11/22/13, effective 1/1/14. Statutory Authority: RCW 43.320.040 and chapter 18.44 RCW (as amended by 2010 c 34). WSR 10-20-124, § 208-680-245, filed 10/5/10, effective 11/5/10.]