

**WAC 357-52-140 What may the board decide based on a motion? (1)**

The board or hearing officer may decide all or any part of an appeal by motion if the documents, depositions and affidavits on file show there is no genuine issue as to any material fact and the appeal should be decided or dismissed as a matter of law. The board or hearing officer must allow oral argument on dispositive or summary judgment motions at the request of either party. Oral argument may be presented by telephone or other electronic media.

(2) An order must be issued when an appeal is dismissed or decided on motion.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-191, § 357-52-140, filed 12/21/04, effective 7/1/05.]