

AMENDATORY SECTION (Amending WSR 22-05-051, filed 2/9/22, effective 3/12/22)

WAC 456-09-230 Ex parte communication. Neither the board nor any person may make or attempt to make any ex parte communications with a member of the board, presiding officer, or tax referee which is prohibited by the Administrative Procedure Act. Attempts by anyone to make such prohibited ex parte communications will be subject to the sanctions in WAC 456-09-220 and 456-09-750. Communication with the board's administrative staff or executive director are not considered ex parte communication.

AMENDATORY SECTION (Amending WSR 22-23-080, filed 11/14/22, effective 12/15/22)

WAC 456-09-745 Failure to attend and hearing on the record. (1) (~~(When a party has failed)~~) If an appellant fails to attend a hearing after receiving timely notice, the board will consider a motion for default or dismissal brought by any party to the proceedings or on its own motion. An order for default or dismissal will include the reason for the order and will be served upon all parties.

Within 14 calendar days of service of the default order or dismissal, the party against whom the order was entered may submit a written objection requesting that the order be vacated. The objection must state the specific reasons why the order should be vacated together with proof of service pursuant to WAC 456-09-345. The board may set aside a dismissal or default for good cause.

(2) If the parties agree in writing and the presiding officer approves, the board may hold an appeal on the record and the attendance of one or more parties will not be required.