

This schedule applies to: Department of Commerce

Scope of records retention schedule

This records retention schedule authorizes the destruction/transfer of the public records of the Department of Commerce relating to the unique functions of strengthening communities and growing Washington’s economy. The schedule is to be used in conjunction with the *State Government General Records Retention Schedule (SGRRS)*, which authorizes the destruction/transfer of public records common to all state agencies.

Disposition of public records

Public records covered by records series within this records retention schedule (regardless of format) must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of state resources.

Public records designated as “Archival (Permanent Retention)” must not be destroyed. Records designated as “Archival (Appraisal Required)” must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency’s policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with chapter 42.56 RCW. Such public records must be managed in accordance with the agency’s policies and procedures for public records requests.

Revocation of previously issued records retention schedules

All previously issued records retention schedules to the Department of Commerce (and its predecessor agencies) are revoked. The Department of Commerce must ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

Authority

This records retention schedule was approved by the State Records Committee in accordance with RCW 40.14.050 on August 1, 2018.

Signature on File

**For the State Auditor:
Al Rose**

Signature on File

**For the Attorney General:
Sharon James**

Signature on File

**For the Office of Financial Management:
Gwen Stamey**

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**The State Archivist:
Steve Excell**

REVISION HISTORY

Version	Date of Approval	Extent of Revision
1.0	December 6, 2017	Consolidation of all existing disposition authorities (with some minor revisions).
1.1	April 4, 2018	Minor revisions to the Financial Administration section.
1.2	August 1, 2018	Minor revisions to the Community Services and Financial Administration sections.

For assistance and advice in applying this records retention schedule,
please contact the Department of Commerce's Records Officer
or Washington State Archives at:
recordsmanagement@sos.wa.gov

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1. AFFORDABLE HOUSING AND HOMELESSNESS

This section covers records relating to the agency's affordable housing and homelessness prevention programs.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
17-12-69124 Rev. 0	<p>Foreclosure Fairness Program Individual Homeowner Files</p> <p>Records relating to individual files for homeowners (borrowers) who are referred to the Foreclosure Fairness Program for participation in foreclosure mediation with lenders.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Referral letters and forms; • Notices to mediation parties; • Waivers; • Contact information; • Mediation certifications; • Scheduling notices; • Lender notices to homeowners; • Mortgage information; • Complaints; • Related correspondence/communications. 	<p>Retain for 6 years after final mediation certification is received, date of cancellation, or resolution of complaint, <i>whichever is later then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
17-12-69125 Rev. 0	<p>Foreclosure Fairness Program Individual Mediator Files</p> <p>Records documenting the application, education, training, and certification of Foreclosure Fairness Program mediators.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Applications; • Education and background information; • Complaints; • Letters of recommendation; • Withdrawals; • Training information; • Related correspondence/communications. 	<p>Retain for 6 years after mediator is deemed inactive <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
17-12-69126 Rev. 0	<p>Foreclosure Fairness Program Payment and Report Files</p> <p>Quarterly beneficiary reports and payment files for financial institutions paying the statutorily required fee into the Foreclosure Fairness Account. Includes records relating to annual exempt-from-fees and/or exempt-from-mediation beneficiaries.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Copies of payment checks and electronic fund transfers; • Beneficiary reports, letters, spreadsheets; • Lists of quarterly beneficiary payments; • Annual declarations/letters requesting exemption from fees and/or mediation; • Lists of exempt-from-fees and/or exempt-from-mediation beneficiaries; • Related correspondence/communications. <p><i>Note: Beneficiary is defined in RCW 61.24.005(2).</i></p>	<p>Retain for 6 years after end of calendar year <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
17-12-69128 Rev. 0	<p>Landlord and Tennant Notices Notices received from low-income housing owners in accordance with Title 59 RCW. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Notice of sale of a manufactured/mobile home community received in accordance with RCW 59.20.300; • Notice of expiration or repayment of federally assisted housing in accordance with RCW 59.28.040; • Tenant lists; • Related correspondence/communications. <p>Excludes records covered by <i>Mobile Home Park Closure Notice (DAN 17-12-69129)</i>.</p>	<p>Retain for 6 years after date of receipt <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>
17-12-69129 Rev. 0	<p>Mobile Home Park Closure Notice Notices received from mobile home park owners before park closure or conversion in accordance with RCW 59.20.080. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Closure notice; • Tenant lists; • Related correspondence/communications. 	<p>Retain for 6 years after park closure date <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
17-12-69130 Rev. 0	<p><i>Mobile Home Relocation Applications (Denied or Incomplete)</i></p> <p>Applications for financial assistance provided to low-income homeowners who live in a mobile or manufactured home park at the time that a closure notice is issued where the applicant is deemed ineligible or the application is incomplete.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Application form; • Eligibility documentation; • Notice of denial; • Related correspondence/communications. 	<p>Retain for 1 year after park closure date <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
17-12-69131 Rev. 0	<p><i>Mobile Home Relocation Applications (Successful)</i></p> <p>Applications for financial assistance provided to low-income homeowners who live in a mobile or manufactured home park at the time that a closure notice is issued where the applicant is deemed eligible for assistance.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Application form; • Eligibility documentation; • Related correspondence/communications. 	<p>Retain for 6 years after date of reimbursement <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

2. COMMUNITY SERVICES

This section covers records relating to the agency's victim advocacy and social services programs.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
99-04-59057 Rev. 1	<p>Crime Victim Advocacy Case Files</p> <p>Records regarding efforts to assist crime victims in resolving specific needs or problems.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Victim information; • Notes regarding direct services provided; • Related correspondence/communications. 	<p>Retain until issue resolved or case closed</p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OFM</p>
18-08-69284 Rev. 0	<p>Disabled Beneficiary Account Administration</p> <p>Records relating to administration of accounts on behalf of disabled individuals enrolled in programs such as Achieving a Better Life Experience (ABLE) or Developmental Disabilities Endowment Trust Fund (DDEF). </p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Joinder agreements; • Eligibility documentation; • Contribution and disbursement records; • Related correspondence/communications. 	<p>Retain for 6 years after account closure</p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL OPR</p>

3. ECONOMIC DEVELOPMENT

This section covers records relating to assistance provided by the agency in the recruitment, retention, expansion, and development of businesses.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
72-11-02336 Rev. 1	<p><i>Business Recruitment, Retention and Expansion</i> Records related to assistance provided to businesses for site selection, business recruitment efforts, business retention and expansion. Includes but is not limited to:</p> <ul style="list-style-type: none"> • Site proposals; • Technical assistance/market intelligence and research; • Incentive information; • Salesforce data; • Related correspondence/communications. 	<p>Retain for 10 years after end of calendar year <i>then</i> Transfer to Washington State Archives for appraisal and selective retention.</p>	<p>ARCHIVAL (Appraisal Required) NON-ESSENTIAL OFM</p>
86-07-37271 Rev. 1	<p><i>International Trade and Foreign Direct Investment</i> Records related to export assistance to businesses, foreign business matchmaking services, Washington Investment Portfolio, and international trade missions or trade shows where Commerce is leading the delegation. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Trade mission agendas; • Marketing materials; • Final reports on mission outcomes; • Technical assistance/market intelligence and research; • Incentive information; • Salesforce data. <p>Excludes records covered by <i>State Publications (DAN GS 15008)</i>.</p>	<p>Retain for 5 years after end of fiscal year <i>then</i> Transfer to Washington State Archives for appraisal and selective retention.</p>	<p>ARCHIVAL (Appraisal Required) NON-ESSENTIAL OFM</p>

4. ENFORCEMENT AND COMPLIANCE

This section covers records relating to relating to certification, accreditation, enforcement and compliance.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
10-09-62321 Rev. 1	<p>Lead-Based Paint Certification</p> <p>Records related to the certification or accreditation of individuals and firms for lead-based paint training providers and renovation, repair, and painting program providers.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Applications; • Application review; • Invoices and payments; • Renewals; • Related correspondence/communications. 	<p>Retain for 6 years after certification is expired, denied, or revoked <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
17-12-69127 Rev. 0	<p>Lead-Based Paint Enforcement</p> <p>Records related to the enforcement of lead-safe work practices.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Complaints; • Investigations; • Photos; • Samples; • Lab tests and reports; • Recommendations for enforcement actions; • Penalties issued through compliance actions; • Related correspondence/communications. 	<p>Retain for 20 years after incident resolved <i>then</i> Destroy.</p>	NON-ARCHIVAL ESSENTIAL OPR

5. FINANCIAL ADMINISTRATION

This section covers records relating to the administration of grants or loans given out by the agency where not covered by the *State Government General Retention Schedule (SGGRRS)*.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
10-12-62339 Rev. 1	<p><i>Loan and Grant/Loan Combination – Applications (Denied or Withdrawn)</i></p> <p>Records relating to loan applications that were denied, withdrawn, bypassed or considered ineligible.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Applications; • Loan evaluation summaries; • Working papers; • Letters of denial; • Related correspondence/communications. 	<p>Retain for 1 year after application is denied or withdrawn</p> <p><i>then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
10-09-62323 Rev. 3	<p><i>Loan and Grant/Loan Combination – Applications (Successful)</i> Records relating to loan and grant/loan combinations administered and/or issued by the agency. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Announcement parameters, applications, evaluation summaries; • Notification of awards, project status, fiscal reports; • Monitoring and audit reports; • Modifications and amendment requests; • Progress and compliance reports prepared and submitted by the grantee; • Copies of promissory notes and loan contracts; • Original collateral documents that may include UCC filings, deeds of trust and personal guaranties; • Payment reimbursement forms; • Personal financial statements and corporate financial statements; • Tax returns and corporate tax returns; • Related correspondence/communications. 	<p>Retain for 6 years after loan or grant/loan combination is terminated, forgiven, or paid in full and collateral has been released <i>then</i> Destroy.</p>	NON-ARCHIVAL ESSENTIAL OPR
18-08-69285 Rev. 0	<p><i>Grant and Loan Monitoring – Review Copies</i> Copies of grant/loan recipient records provided for the purposes of monitoring compliance in lieu of inspecting the records onsite. Excludes records covered by:</p> <ul style="list-style-type: none"> • <i>Grants Issued by Agency – Applications (Successful) (DAN GS 23001);</i> • <i>Grants Issued by Agency – Program Administration (DAN GS 23003);</i> • <i>Loan and Grant/Loan Combination – Applications (Successful) (DAN 10-09-62323).</i> 	<p>Retain until no longer needed for agency business <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OFM

6. LOCAL GOVERNMENT ASSISTANCE

This section covers records relating to education, training, and technical assistance provided to local government agencies.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
04-07-60718 Rev. 2	<p><i>Adopted Growth Management Act (GMA) Review Materials</i></p> <p>Adopted originals or amendments to Comprehensive Plans, development regulations, or County-Wide Planning Policies (CWPPs).</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Ordinance adopting the action; • Resolutions; • SEPA materials related to the action; • Staff reports; • Maps; • Commerce’s acknowledgement of the receipt of materials; • Comments and recommendations from Commerce and other state agencies; • Related correspondence/communications. <p><i>Note: The local governments’ adopted Growth Management Act materials have an Archival designation. RCW 36.70A.040(6) states that a <u>copy</u> of each document required under RCW 36.70A.040 shall be submitted to Commerce at the time of its adoption.</i></p>	<p>Retain for 6 years after date of adoption by local government</p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OFM</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
04-07-60717 Rev. 1	<p><i>Draft Growth Management Act (GMA) Review Materials</i></p> <p>Comments and recommendations on Draft Growth Management Act (GMA) review materials, proposed drafts, original or amended comprehensive plans, development regulations, or County Wide Planning Policies (CWPPs).</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Draft ordinances; • Draft resolutions; • SEPA materials related to the action; • Staff reports; • Maps; • Commerce’s acknowledgement of receipt of materials; • Comments and recommendations; • Related correspondence/communications. 	<p>Retain for 3 years after materials are received or communication is provided, <i>whichever is later</i></p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OFM</p>

7. REPORTING

This section covers records relating to reports, notifications, and filings received by the agency as required by federal, state, or local statute.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
90-02-45746 Rev. 1	<p><i>Bond Reporting</i></p> <p>Bond issuances reported by all state and local governments to the Department of Commerce as required by RCW 39.44.210.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Bond 101 Reporting Forms; • Bond covenants; • Annual reports from local governments on outstanding general-obligation debt; • Related correspondence/communications. 	<p>Retain for 6 years after final bond payment <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

GLOSSARY

Appraisal

The process of determining the value and disposition of records based on their current administrative, legal and fiscal use; their evidential and informational or research value; and their relationship to other records.

Archival (Appraisal Required)

Public records which may possess enduring legal and/or historic value and must be appraised by the Washington State Archives on an individual basis.

Public records will be evaluated, sampled and weeded according to archival principles by archivists from Washington State Archives (WSA). Records not selected for retention by WSA may be disposed of after appraisal.

Archival (Permanent Retention)

Public records which possess enduring legal and/or historic value and must not be destroyed. State government agencies must transfer these records to Washington State Archives (WSA) at the end of the minimum retention period.

WSA will not sample, weed, or otherwise dispose of records fitting the records series description designated as “Archival (Permanent Retention)” other than the removal of duplicates.

Disposition

Actions taken with records when they are no longer required to be retained by the agency.

Possible disposition actions include transfer to Washington State Archives and destruction.

Disposition Authority Number (DAN)

Control numbers systematically assigned to records series or records retention schedules when they are approved by the State Records Committee.

Essential Records

Public records that state government agencies must have in order to maintain or resume business continuity following a disaster. While the retention requirements for essential records may range from very short-term to archival, these records are necessary for an agency to resume its core functions following a disaster.

Security backups of these public records should be created and may be deposited with Washington State Archives in accordance with Chapter 40.10 RCW.

Non-Archival

Public records which do not possess sufficient historic value to be designated as “Archival”. Agencies must retain these records for the minimum retention period specified by the appropriate, current records retention schedule.

Agencies should destroy these records after their minimum retention period expires, provided that the records are not required for litigation, public records requests, or other purposes required by law.

Non-Essential Records

Public records which are not required in order for an agency to resume its core functions following a disaster, as described in Chapter 40.10 RCW.

OFM (Office Files and Memoranda)

Public records which have been designated as “Office Files and Memoranda” for the purposes of RCW 40.14.010.

RCW 40.14.010 – Definition and classification of public records.

(2) “Office files and memoranda include such records as correspondence, exhibits, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records filed with any agency of the state of Washington; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and other documents or records as determined by the records committee to be office files and memoranda.”

OPR (Official Public Records)

Public records which have been designated as “Official Public Records” for the purposes of RCW 40.14.010.

RCW 40.14.010 – Definition and classification of public records.

(1) “Official public records shall include all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use, and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the state of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the state of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the state of Washington; ... and all other documents or records determined by the records committee... to be official public records.”

Public Records

RCW 40.14.010 – Definition and classification of public records.

“... The term “public records” shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, compact disc meeting current industry ISO specifications, or other document, regardless of physical form or characteristics, and

including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business..."

Records Series

A group of records, performing a specific function, which is used as a unit, filed as a unit, and may be transferred or destroyed as a unit. A records series may consist of a single type of form or a number of different types of documents that are filed together to document a specific function.

State Records Committee

The committee established by RCW 40.14.050 to review and approve disposition of state government records.

Its four members include the State Archivist and one representative each from the Office of the Attorney General, Office of the State Auditor, and the Office of Financial Management.

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