



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 25, 2025

TIME: 10:06 AM

WSR 25-06-028

**Agency:** Department of Natural Resources

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** DNR's Commercial Real Estate program update to WAC 332-22-060 to be consistent with RCW 79.13.060(1)(b) which was modified in the 2022 legislative session. WAC 332-22-060 language is currently inconsistent with the statute requiring all leases, regardless of type and term, to have periodic rental reevaluation and adjustment. In addition, DNR is adding language to the WAC clarifying the definition for "periodic rental reevaluation and adjustment". This will create consistency for DNR between state statutory requirements and its administrative rules.

**Citation of rules affected by this order:**

New:

Repealed:

Amended: WAC 332-22-060

Suspended:

**Statutory authority for adoption:** RCW 79.13.060(1)(b)

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 25-01-167 on December 18, 2024 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>1</u>	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

<b>Date Adopted:</b> 2/25/2025	<b>Signature:</b> 
<b>Name:</b> Michael Kearney	
<b>Title:</b> Product Sales and Leasing Division Manager	

**WAC 332-22-060 Lease procedure—Rental adjustments.** All leases shall provide for periodic rental reevaluation and adjustment, except:

(1) Leases with rentals based upon a percentage of crop or income;

(2) Leases for commercial, industrial, or business purposes must only provide for periodic rental reevaluation and adjustment if the lease extends beyond 55 years.

Periodic rental reevaluation and adjustment is defined as a reappraisal or corresponding readjustment of rent based on the current market rental rate of the leased space or ground.

The lessee may request rental adjustments as provided in RCW ((79.01.096)) 79.13.060.