STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the License to Conduct Gambling Activities of:	)	NO. CR 2014-01988
Ronald Bruneau East Wenatchee, Washington,	)	**FINDINGS, CONCLUSIONS, DECISION, AND FINAL ORDER IN DEFAULT**
Licensee.	)	

THE MATTER of the revocation of the license to conduct gambling activities of Ronald Bruneau, having come before the Commission on February 13, 2015, the Commission makes the following Findings of Fact, Conclusions of Law, and issues the following Decision and Order:

FINDINGS OF FACT

I.

The Washington State Gambling Commission issued Ronald Bruneau the following license:

Number 68-25719, authorizing Card Room Employee activity, formerly with the Buzz Inn Casino in East Wenatchee.

The license expires on September 16, 2015, and was issued subject to Mr. Bruneau's compliance with state gambling laws and rules.

II.

On November 26, 2014, Director David Trujillo issued administrative charges to Ronald Bruneau, by regular and certified mail. On December 2, 2014, the administrative charges were sent to a new address. On December 8, 2014, Commission staff received the signed certified receipt. The administrative charges notified Mr. Bruneau that failure to respond would result in the entry of a default order revoking his license. Mr. Bruneau did not respond to the charges and waived his right to a hearing. Pursuant to RCW 34.05.440, this final order is entered in default.

III.

SUMMARY:

Ronald Bruneau under-reported $380 in tips between July 8, 2014, and July 15, 2014.

FACTS:

1) On July 16, 2014, a Washington State Gambling Commission Special Agent (agent) began a

tip reporting review at the Buzz Inn Casino. The review was a follow-up to the initial tip review conducted in the summer of 2013, when Buzz Inn card room employees (CREs) had previously under-reported their tips.

2) Buzz Inn Casino CREs are required to sign a tip procedure statement, acknowledging the requirement to report 100% of their earned tips. According to Buzz Inn Casino's internal controls, CRE's are responsible for entering their daily tips into the time clock system when they clock out at the end of their shift. The tip entries are then processed through the Buzz Inn Casino's payroll system, and entries can be reviewed on the payroll report titled "Labor Report."

3) Alycia Williams, Buzz Inn Casino accounting manager, provided the agent with the Labor Report for week of July 7, 2014 - July 15, 2014. The report shows the daily tips entered for each CRE.

4) The agent reviewed the Labor Report tip entries for Ronald Bruneau, a dealer, for the following four-day work period:

- July 8, 2014;
- July 13, 2014;
- July 14, 2014; and
- July 15, 2014.

Mr. Bruneau reported a total of $300 in tip income. The cage log and surveillance video shows Mr. Bruneau actually cashed-out $680 in tip income for these four days, under-reporting his tips by $380. The agent obtained a copy of Buzz Inn Casino's tip reporting procedures signed by Mr. Bruneau.

5) The agent met with Mr. Bruneau on July 30, 2014, to explain his findings. Mr. Bruneau had under-reported his tip income by more than 55%. The agent provided copies of WAC 230-15-475 and WAC 230-03-085 and pointed out that he is required to accurately report his tips. Mr. Bruneau indicated he understood the requirements for tip reporting.

6) On September 22, 2014, the agent met with Mr. Bruneau and issued him a $200 Notice of Violation and Settlement (NOVAS[1]).

7) On October 12, 2014, the agent received notification that Mr. Bruneau had not paid his NOVAS fine.

8) On October 14, 2014, the agent visited the Buzz Inn Casino and spoke with the gaming manager. Mr. Bruneau was still working as a dealer on an on-call basis. The gaming manager spoke to Mr. Bruneau and informed him that the agent had extended the deadline to October 17, 2014, to pay the fine. Mr. Bruneau said he would pay the fine by the extended deadline.

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[1] NOVAS –A Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

9) On October 22, 2014, the agent verified Mr. Bruneau had failed to pay his fine.

VIOLATIONS:

1) RCW 9.46.075 Denial, suspension, or revocation of license, application, or permit
The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or certified employee, or any person with any interest therein:
(The following subsection applies.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

2) WAC 230-03-085 Denying, suspending, or revoking an application, license or permit
We may deny, suspend, or revoke any application, license or permit, when the applicant, certified employee, or anyone holding a substantial interest in the applicant's or certified employee's business or organization:
(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (d) Habits.

3) WAC 230-15-425 Internal controls
(The following subsection applies.)

(2) Licensed card room employees must follow the internal control procedures for their individual functions.

4) WAC 230-15-475 Tips from players and patrons to card room employees
(The following subsection applies.)

(6) Employees must…
(d) accurately report all tips to their employer as described in the licensee's internal controls.

Ronald Bruneau signed a tip reporting statement from Buzz Inn Casino, acknowledging he was required to report all of his tips. However, Mr. Bruneau willfully failed to comply with internal

control procedures by not accurately reporting his tips, in violation of WAC 230-425 and WAC 230-15-475. As a result the licensee poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities based on his activities. Therefore, there are grounds to suspend or revoke Ronald Bruneau's license based on RCW 9.46.075(1) and WAC 230-03-085(1), (3) and (8).

IV.

CONCLUSIONS OF LAW

The circumstances specified in the Findings of Facts in section III above constitute grounds for the revocation of Ronald Bruneau's license to conduct gambling activities under the authority of the RCW 9.46.075 and WAC 230-03-085.

DECISION AND ORDER

The Washington State Gambling Commission HEREBY ORDERS: Ronald Bruneau's license to conduct gambling activities is REVOKED.

DATED this 13th day of February 2015.

CHRISTOPHER STEARNS, CHAIR

BUD SIZEMORE, VICE CHAIR

KELSEY GRAY, Ph.D.

JULIA PATTERSON

ED TROYER

PRESENTED BY:

Amy B. Hunter, WSBA# 23773
Deputy Director
Washington State Gambling Commission

NOTICE: RCW 34.05.440(3) provides that within seven (7) days after service of a default order the party against whom it was entered may file a written motion requesting that the order be vacated and stating the grounds relied upon.

NOTICE: Petition for Judicial Review

You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final Order must be filed with the court and served upon both the Commission and the Office of the Attorney General within thirty-days (30) after the date this Final Order is served upon you.

WAC 230-17-040(3) requires that motions be served on the parties listed below:

Washington State Gambling Commission
Communications & Legal Division
PO Box 42400
Olympia, Washington 98504-2400

Gregory J. Rosen
Assistant Attorney General
P.O. Box 40100
Olympia, WA 98504-0100

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STATE OF WASHINGTON)
)SS
COUNTY OF THURSTON)

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 18 day of February, 2015

Maureen Pratt
Communications and Legal Department
Washington State Gambling Commission