

RECEIVED

FEB 03 2009

GAMBLING COMMISSION
STATE OF WASHINGTON
COMM & LEGAL DIVISION

RECEIVED

JAN 16 2009

GAMBLING COMMISSION
COMM & LEGAL DIVISION

In the Matter of the Revocation of the License)
to Conduct Gambling Activities of:) NO. CR 2008-01810
))
Titnun Singpracha,) **SETTLEMENT ORDER**
Spanaway, Washington,))
))
Class III Employee.))
_____)

This Settlement Order is entered into between the Washington State Gambling Commission and the licensee, Titnun Singpracha. The Gambling Commission is represented by H. Bruce Marvin, Assistant Attorney General, and Melinda Froud, Staff Attorney. The licensee represents herself.

I.

The Washington State Gambling Commission issued Titnun Singpracha the following Class III Certification:

Number 69-10793, Authorizing Class III Employee Activity, formerly for the Muckleshoot Indian Tribe.

This certification¹ expires on March 14, 2009, and was issued subject to the certified employee's compliance with state gambling laws and regulations.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, WAC Title 230, and the Muckleshoot Tribal-State Compact.

II.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the certified employee, on December 8, 2008. The certified employee received the Notice, and on December 23, 2008, Commission staff received Ms. Singpracha's request for a hearing.

III.

The following summary of facts and violations were alleged in the Notice of Administrative Charges:

- 1) Ms. Singpracha denied to three different casino employees that she had found a \$100 bill. However, when she saw the surveillance video of her actions, she confessed to finding the \$100 bill. Ms. Singpracha made untrue statements and engaged in an act that operated as a fraud or deceit under RCW 9.46.190.

¹ Class III Certification is issued to employees working at tribal Casinos. The certification authorizes similar activities as the Card Room Employee (CRE) license issued to individuals working at commercial house-banked card rooms. By submitting a transfer form and fees, holders of a Class III Certification may convert their certification to a CRE license.

- 2) On October 29, 2008, the Muckleshoot Gaming Commission revoked Ms. Singpracha's Tribal Gaming license.
- 3) Ms. Singpracha is not qualified for certification.

VIOLATIONS:

Muckleshoot Tribal-State Compact

Section V(C) provides that the State Gaming Agency² may revoke or suspend a State certification under the provisions of RCW 9.46.075, and rules promulgated thereunder, or for any reason or reasons it deems to be in the public interest. In addition, these reasons shall include, but shall not be limited to when a holder of certification:

- (1) Is determined to be a person whose prior activities, criminal record, if any, or reputation, habits and associations pose a threat to the effective regulation of gaming or create or enhance the chances of unfair or illegal practices, methods and activities in the conduct of the gaming activities or the person has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by any provision of a Tribal/State Compact.
- (2) Has had a Tribal or State Gaming license revoked during the 12 months prior to the date of receipt of application; is currently on probation; or had demonstrated a willful disregard for compliance with gaming regulatory authority in any jurisdiction, including offenses that could subject the individual to suspension, revocation or forfeiture of a gaming license.

RCW 9.46.075 Denial, suspension, or revocation of license, 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 licensee, or any person with any interest therein:

- (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.
- (8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter.
- (10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

² Washington State Gambling Commission, as referred to in the Muckleshoot Tribal/State Compact, Section II(U).

RCW 9.46.190 Violations relating to fraud or deceit.

Any person, association, or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

- (1) Employ any device, scheme, or artifice to defraud; or
- (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or
- (3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a gross misdemeanor subject to the penalty set forth in RCW 9A.02.021.

RCW 9.46.153 Applicants and licensees- Responsibilities and duties-Waiver of liability - Investigation statement as privileged.

(1) It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

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, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

- (1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.
- (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 (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

IV.

The charges specified above constitute grounds for revocation of the Class III certification issued to Titnun Singpracha to conduct authorized gambling activities under the authority of the Muckleshoot Tribal-State Compact, RCW 9.46.075 and WAC 230-03-085.

V.

Titnun Singpracha requested a hearing in this matter, but has waived her right to a hearing based on the terms and conditions of this Settlement Order and further agrees to the following:

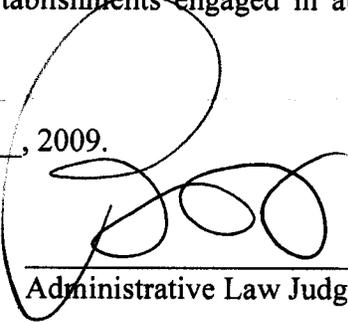
- 1) **Titnun Singpracha shall surrender her Class III Employee certification on or before January 27, 2009**, by mailing this certification to Washington State Gambling Commission, Communications and Legal Division, P.O. Box 42400, Olympia, Washington 98504-2400.

2) In the event Titnun Singpracha applies for a certification or gambling license, she will be subject to all the Commission's investigative procedures for processing an application for a gambling license. Furthermore, no promises or assurances have been made to Ms. Singpracha that she will receive a certification or license from the Commission should she apply.

3) Titnun Singpracha shall have no involvement directly or indirectly, whether paid or unpaid, in the operation, ownership, or financing of any business in Washington State which is applying for, or holds, a gambling license or permit or is involved with any gambling activity, including punchboard/pull-tab activity.

4) However, this does not prevent Ms. Singpracha from working in any non-gambling activity, such as employment in restaurants located in establishments engaged in authorized gambling activity.

DATED this 28th day of January, 2009.



Administrative Law Judge

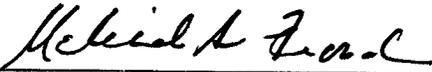
By her signature, the Class III employee understands and accepts the terms and conditions of this Order

APPROVED FOR ENTRY:



Titnun Singpracha Date

cell. (253) 219-8903



Melinda Froud, WSBA# 26792
Staff Attorney,
Washington State Gambling Commission

APPROVED AS TO FORM:

See attached

H. Bruce Marvin, WSBA# 25152
Assistant Attorney General,
Representing the Washington State
Gambling Commission

2) In the event Titnun Singpracha applies for a certification or gambling license, she will be subject to all the Commission's investigative procedures for processing an application for a gambling license. Furthermore, no promises or assurances have been made to Ms. Singpracha that she will receive a certification or license from the Commission should she apply.

3) Titnun Singpracha shall have no involvement directly or indirectly, whether paid or unpaid, in the operation, ownership, or financing of any business in Washington State which is applying for, or holds, a gambling license or permit or is involved with any gambling activity, including punchboard/pull-tab activity.

4) However, this does not prevent Ms. Singpracha from working in any non-gambling activity, such as employment in restaurants located in establishments engaged in authorized gambling activity.

DATED this _____ day of _____, 2009.

Administrative Law Judge

By her signature, the Class III employee understands and accepts the terms and conditions of this Order

APPROVED FOR ENTRY:

Titnun Singpracha 1-15-09
Date
cell. (253) 219-8903

Melinda Froud
Melinda Froud, WSBA# 26792
Staff Attorney,
Washington State Gambling Commission

APPROVED AS TO FORM:

H. Bruce Marvin
H. Bruce Marvin, WSBA# 25152
Assistant Attorney General,
Representing the Washington State
Gambling Commission