

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of)
Certification to Conduct Gambling Activities of:)
Doris Bilow)
Stanwood, Washington,)
Class III Employee.)
_____)

NO. CR 2010-00850

**NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING**

I.

The Washington State Gambling Commission issued Doris Bilow the following certification:¹
Number 69-26714, authorizing Class III Employee activity, formerly with the Tulalip Tribe.
The certification expires on December 17, 2010, and was issued subject to the Class III
Employee's compliance with state gambling laws and rules and Tulalip Tribal/State Compact.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the Class III
Employee with the following violations of the Washington State Gambling Act, 9.46 RCW,
WAC Title 230, and Tulalip Tribal/State Compact:

- 1) On November 5, 2009, Ms. Bilow was working as a Poker Cage Cashier when a casino patron turned in money found at the casino that was not the patron's. Ms. Bilow told the patron to take the money to the Main Cage Employee Services window, as required by casino procedures. However, the patron refused to do this and Ms. Bilow instead placed the money in the cage take box.
- 2) The Tulalip Tribal Gaming Agency (TTGA) determined that Ms. Bilow failed to follow casino procedures and that she misapplied and wrongfully deprived money from the Tulalip Gaming Operations. As a result of her actions, on November 16, 2009, the TTGA revoked Ms. Bilow's Tribal Gaming License.
- 3) Because of her actions and revocation of her Tribal Gaming License, Ms. Bilow has failed to establish by clear and convincing evidence the necessary qualifications for certification under RCW 9.46.153(1).

¹ The Commission issues Class III Certifications to employees working at Tribal casinos. Certifications allow similar activities as Card Room Employee (CRE) licenses issued to persons working at commercial house-banked card rooms. Class III Employees may transfer their certifications to a CRE license and work at commercial card rooms by sending Commission staff a transfer form and the accompanying fee.

4) Therefore, under Section 5(c), (i), (vi), and (viii) of the Tulalip Tribal/State Compact, RCW 9.46.075(1) and (8) and WAC 230-03-085(1) and (8), grounds exist to revoke Doris Bilow's certification.

Section 5(c) of the Tulalip Tribal/State Compact states:

The State Gaming Agency may revoke, suspend or deny a State Certification for any reason or reasons it deems to be in the public interest. These reasons shall include, but not be limited to when a holder of certification:

(The following subsections apply.)

(i) Has violated, failed or refused to comply with the provision, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the State Gaming Agency pursuant thereto, or any provision of a Tribal/State Compact has occurred upon any premises occupied or operated by any such person or over which she had substantial control.

(vi) Fails to prove, by clear and convincing evidence, that she is qualified in accordance with the provisions of this Section.

(viii) Has had a Tribal license revoked during the preceding twelve months.

RCW 9.46.075 Denying, suspending, or revoking an application, license 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 licensee, or any person with any interest therein:

(The following subsections apply.)

(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.

WAC 230-03-085 Denying, suspending, or revoking an application, license or permit

(The following subsections apply.)

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.

RCW 9.46.153(1) Applicants and licensees-Responsibilities and duties

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.

III.

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

The Class III Employee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING your certification.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission, and in that capacity has executed said Notice.

Rick Day

RICK DAY, DIRECTOR

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, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 30th day of August, 2010

Maurice P. Preble
Communications and Legal Department
Washington State Gambling Commission

SUBSCRIBED AND SWORN TO before me this 30 day of August, 2010.

Michelle M. Pardee

NOTARY PUBLIC in and for the State of Washington residing at Lacey
My commission expires on June 16, 2013

