

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of Revocation of the License)
to Conduct Gambling Activities of:) No. CR 2010-00987
) CR 2010-01357
Christina Lee)
Auburn, Washington,)
) **AMENDED NOTICE OF**
) **ADMINISTRATIVE CHARGES AND**
Licensee.) **OPPORTUNITY FOR AN**
) **ADJUDICATIVE PROCEEDING**
) *Amendments are in italics and strikethrough*

I.

The Washington State Gambling Commission issued license number 68-03540 to Christina Lee, authorizing Card Room Employee activity, ~~currently~~ *formerly* with Silver Dollar Casino in Renton and formerly with Palace Casino in Lakewood.

This license expires on May 22, 2011, and was issued subject to the licensee in compliance with state gambling laws and regulations.

II.

David Trujillo, Deputy Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- 1) On August 10, 2010, while working as a poker dealer at Palace Casino, Christina Lee mistakenly received from the floor supervisor an overage of \$60 in casino chips in her chip tray.¹ Ms. Lee later realized the \$60 overage, but she did not report it to her supervisor. Instead, Ms. Lee deposited the \$60 overage in casino chips into her token box.² At the end of her shift, Ms. Lee cashed out all the chips in her token box, including the \$60 overage in chips that she put in her token box, and took the money as her own.
- 2) When interviewed by a Commission Special Agent (agent), Ms. Lee said she put the overage into her token box so that her chip tray would balance. Ms. Lee knew that she should have reported the overage to her supervisor, but did not because she thought her employer would fire her for having the overage in her chip tray.
- 3) Ms. Lee's actions while dealing poker demonstrate that she pursued economic gain in an occupational manner which creates probable cause to believe that her participation in gambling

¹ A poker dealer has a chip tray at the poker table. The dealer must have the same amount of money (in chips) in her chip tray at the end of their work shift as she had at the beginning of her work shift. The dealer is responsible for any shortages and any overages are considered house money.

² The dealers receive tips from patrons and place them into a drop box called a token box.

or related activities would be detrimental to the proper operation of an authorized gambling or related activity in this state.

4) Additionally, Ms. Lee engaged in an act, practice, or course of operation that operated as fraud or deceit on her employer at the time, Palace Casino, in violation of RCW 9.46.190. As a result, she poses a threat to the effective regulation of gambling and failed to establish by clear and convincing evidence the necessary qualifications for licensure under RCW 9.46.153(1).

5) *As a result of her actions on August 10, 2010, at the Palace Casino, Ms. Lee was charged with Theft, third degree, in Lakewood Municipal Court, on November 17, 2010. This charge is currently pending.*

6) *Previously, Ms. Lee disclosed to Commission staff the following criminal history:*

- a) A November 8, 2005, Theft, third degree, conviction;*
- b) A May 2, 2004, Theft, third degree, conviction;*
- c) A January 21, 2002, Shoplifting conviction.*

5)7) Therefore, grounds exist to revoke Christina Lee's license under RCW 9.46.075(1), (4), (8), (9), and (10), and WAC 230-03-085(1) and (8).

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 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.

(4) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to larceny.

(8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter.

(9) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses included under subsection (4) of this section: PROVIDED, That at the request of an applicant for an original license, the Commission may defer decision upon the application during the pendency of such prosecution or appeal.

(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.

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:

(The following subsections apply.)

(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 9.46.190 Violations relating to fraud or deceit

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

(The following subsections apply.)

(1) Employ any device, scheme, or artifice to defraud; 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(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.

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I hereby certify that I have this day served a copy of the document upon all parties to the proceeding by mail, by personal delivery, or by other means, and that a copy of the document has been filed with the court. Witness my hand and the seal of the court this _____ day of _____, 2010.

_____ Day of _____, 2010

Washington State Gambling Commission
Commissioner and Legal Department



III.

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

The licensee 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 license.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

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

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 15 day of December, 2010

Maura [Signature]

Communications and Legal Department
Washington State Gambling Commission

Dave Trujillo

DAVE TRUJILLO, DEPUTY DIRECTOR

SUBSCRIBED AND SWORN TO before me
this 13 day of December, 2010.

Michelle M. Pardee

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

