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GAMBLING COMMISSION
COMM & LEGAL DIVISION

In the Matter of the Revocation or Suspension of)
the License to Conduct Gambling Activities of:)

No. CR 2010-01311

Daniel Parsons)
Yakima, Washington,)

SETTLEMENT ORDER

Licensee.)
_____)

I.

The Washington State Gambling Commission and the licensee Daniel Parsons agree to this Settlement Order to resolve the administrative charges pending against the licensee. H. Bruce Marvin, Assistant Attorney General, and Arlene Dennistoun, Staff Attorney represents the Gambling Commission. The licensee represents himself.

II.

The Washington State Gambling Commission issued Daniel Parsons the following:
License number 68-15248, authorizing Card Room Employee activity currently with Casino Caribbean in Yakima.
The license expires on November 18, 2011, and was issued subject to Mr. Parsons' compliance with state gambling laws and rules.

III.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on November 29, 2010. On December 9, 2010, Commission staff received the licensee's request for a hearing.

IV.

The following is a summary of the facts alleged, and the violations charged in the Notice of Administrative Charges:

- 1) The licensee has failed to pay \$3,501 in court ordered fines and fees. The court has issued seven Failures to Appear to the licensee because of his fines and fees in collections. Additionally, last year the Director administratively charged the licensee with the same violations in CR 2009-01740. The licensee settled those charges by paying \$2,000 towards his \$5,020 outstanding balance, and serving a seven-day suspension in February 2010. Since then, however, the licensee has failed to make any further payments. Through his actions, the licensee has demonstrated willful disregard for complying with court orders.

2) Because of the amount of unpaid fines and fees he has in collections, the licensee poses a threat to the effective regulation of gaming and creates or increases the likelihood of unfair or illegal practices. The licensee has demonstrated that he poses a threat to the effective regulation of gaming, and therefore, has failed to establish by clear and convincing evidence the necessary qualifications for licensure under RCW 9.46.153(1).

3) Under RCW 9.46.075(1) and (8), and WAC 230-03-085(1), (3), and (8), grounds exist to suspend or revoke Daniel Parsons' license.

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 is qualified in accordance with the provisions of this chapter.

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.

(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 (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.

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V.

The licensee acknowledges that he has read the Notice of Administrative Charges and understands the facts contained in it.

As of February 14, 2011, the licensee has now paid all of his outstanding fines and fees, demonstrating that he no longer poses a threat to the effective regulation of gaming. The licensee further agrees to timely pay all future court ordered fines and fees. In the future, if the licensee renews or reapplies for a gambling license, Commission staff will review the amount of outstanding court ordered fines and fees and notify the licensee if he no longer qualifies for a license.

The licensee waives his right to a hearing, based on the following terms and conditions of this Settlement Order. The parties further agree to the following:

1) Daniel Parsons agrees that his license is **suspended for a period of ten (10) days**, provided that:

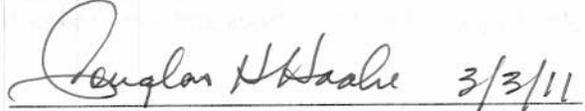
- a) **Three (3) days of the suspension shall not be currently served, but shall be deferred for a period of one year** from the date of entry of this Settlement Order, subject to the following: The licensee agrees not to violate the terms of this Settlement Order, or any of Washington's gambling statutes or regulations during the one (1) year term. If the licensee violates this Settlement Order or gambling statutes or regulations, and if the violation is the type that warrants the filing of administrative or criminal charges, then the Director may impose the three-day deferred suspension of the current gambling licenses and any subsequently acquired gambling licenses.
- b) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this Settlement Order, has discretion to determine whether the licensee has violated any term of this Settlement Order. In the event the Director determines that a violation has occurred, he may suspend the license issued to the licensee, and any subsequently acquired licenses, for up to three days, by mailing or delivering a Notice of Order of Administrative Charges to the licensee. This suspension shall be in addition to any consequences of the new violation. The licensee shall be afforded the opportunity to have an Adjudicative Proceeding, which includes a hearing on the alleged violations.
- c) **The licensee shall serve the remaining seven (7) days of this suspension, as follows:**
 - **The suspension period will begin at 8:00 a.m. on Monday, February 28, 2011, and end on Monday, March 7, 2011.**
 - **The licensee may resume his gambling activities at 8:00 a.m. on Monday, March 7, 2011.**

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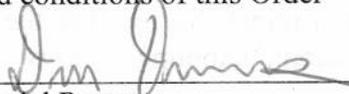
- d) During this period of suspension, the licensee shall have no involvement directly or indirectly, with any gambling activity, including punchboard/pull-tab activity. Mr. Parsons' suspension does not prevent him from working in any non-gambling activity, such as employment in restaurants located in establishments engaged in authorized gambling activity.

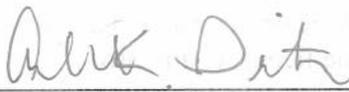
DATED this 16 day of February, 2011.


Administrative Law Judge

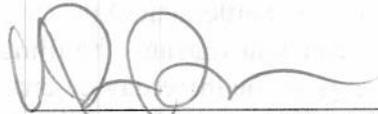
APPROVED FOR ENTRY:

By his signature, the licensee understands and accepts the terms and conditions of this Order


Daniel Parsons (DATE) 2/16/11
Licensee


Arlene Dennistoun, WSBA# 28760
Staff Attorney,
Washington State Gambling Commission

APPROVED AS TO FORM:


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