

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the)
License to Conduct Gambling Activities of:) NO. CR 2011-00458
)
Heather Ihlan) **FINDINGS, CONCLUSIONS,**
Federal Way, Washington,) **DECISION, AND FINAL**
) **ORDER IN DEFAULT**
Licensee.)

THE MATTER of the revocation of the license to conduct gambling activities of Heather Ihlan having come before the Commission on August 11, 2011, the State being represented by Jerry Ackerman, Senior Counsel, Office of the Attorney General, the Commission makes the following Findings of Fact, Conclusions of Law, and issues the following Decision and Order:

FINDINGS OF FACT

I.

Washington State Gambling Commission issued Heather Ihlan license number 68-13062, authorizing licensed card room activity currently with Roman Casino. The license expires on March 29, 2012, and was issued subject to the licensee's compliance with state gambling laws and rules.

II.

On April 22, 2011, Director Rick Day issued administrative charges to Heather Ihlan, by certified and regular mail. Also on April 28, 2011, the Director issued amended administrative charges to Ms. Ihlan, by certified and regular mail. The administrative charges notified Ms. Ihlan that failure to respond would result in the entry of a default order revoking her license.

Heather Ihlan did not respond to the charges. By not responding, Ms. Ihlan waived her right to a hearing on such charges and pursuant to RCW 34.05.440, this final order may be entered in default.

III.

1) Heather Ihlan failed to pay court-ordered fines and fees and currently owes \$3,794.75, which has been sent to collections for failure to pay. As a result of her fines and fees being in collections, the court issued ten Failures to Appear to the licensee. The licensee also had an outstanding warrant for failure to appear in court. Through her actions Ms. Ihlan has demonstrated willful disregard for complying with court orders.

2) Based on her failure to pay court-ordered fines and fees and her outstanding warrant, Ms. Ihlan poses a threat to the effective regulation of gaming and enhances the chance of unfair illegal practices. As a result, she has failed to prove she is qualified for licensure, as required under RCW 9.46.153(1).

3) Therefore, under RCW 9.46.075(1) and (8), and WAC 230-03-085(1), (3), (6) and (8), grounds exist to revoke Heather Ihlan's 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 she 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.

(6) Is the subject of an outstanding gross misdemeanor or felony arrest warrant.

(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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IV.

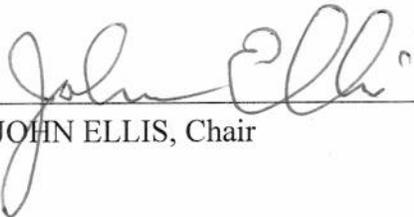
CONCLUSIONS OF LAW

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

DECISION AND ORDER

The Washington State Gambling Commission HEREBY ORDERS: Heather Ihlan's Card Room Employee license to conduct gambling activities is REVOKED.

DATED this 11th day of August, 2011.



JOHN ELLIS, Chair



MIKE AMOS, Vice Chair

KEVEN ROJECKI



MICHAEL REICHERT

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.

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

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