

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation)
of the License to Conduct Gambling Activities of:)
)
)
Terri M. Mullins)
Everett, Washington,)
)
Licensee.)
_____)

NO. CR 2012-01230

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

I.

The Washington State Gambling Commission issued Terri M. Mullins license number 68-16722, authorizing Card Room Employee activity at Crazy Moose Casino in Mount Lake Terrace. The license expires on September 19, 2013, and was issued subject to the licensee's compliance with state gambling laws and rules.

II.

Rick Day, 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 September 19, 2012, a Gambling Commission Special Agent (agent) was assigned to Terri Mullins' case to investigate whether she continued to qualify for a license while having a total of \$4,644.79 in court-ordered fines and fees in collections due to nonpayment. Commission staff became aware of these fines and fees during a routine annual criminal history check.
- 2) The agent determined that Ms. Mullins first applied for and was granted a license in 2002. As part of the agent's investigation, he conducted a criminal history background check and determined that Ms. Mullins has five Failures to Appear (FTA's) on her record as a result of failing to pay her fines and fees. In addition, 11 of her 13 cases remain open due to nonpayment.
- 3) The following is a breakdown of Ms. Mullins' history listed from the date of violation, the charge, and the dollar amount owed in collections:
 - 06/13/2012 – No Valid Operator's License, Operate Motor Vehicle Without Insurance, \$1,152.
 - 11/03/2011 – No Valid Operator's License, Operate Motor Vehicle Without Insurance, \$1,094.
 - 04/11/2011 – Speeding 15 MPH Over Limit/Operate Motor Vehicle Without Insurance, 252.
 - 07/05/2009 – Driving While License Suspended 3rd Degree - \$500.

- 04/02/2009 – Speeding 12 MPH Over Limit, \$206.
 - 01/14/2009 – Speeding 10 MPH Over Limit, Cell Phone Use While Driving, \$300.
 - 03/06/2007 – Hit and Run Unattended, \$214.79.
 - 03/06/2007 – Negligent Driving, 1st Degree, \$482.
 - 06/04/2005 – Safety Belt Improperly Fastened, \$153.
 - 11/29/2004 – Failure to Wear Safety Belt, \$153.
 - 04/22/2003 – Speeding Too Fast for Conditions, \$138.
- 4) On September 19, 2012, the agent sent a letter to Ms. Mullins and her employer notifying them of the court debt that she has accumulated. The letter notified them that based on her “pattern of criminal history, to include failure to comply with court ordered fines, fees, and obligations and the dollar amount of the fines and fees in collections, we feel that she may pose a threat to the effective regulation of gaming and enhances the chance of unfair or illegal practices, methods or activities of the gaming activity due to the financial pressure facing her.” The letter also stated that, “we are also concerned that since she failed to comply with the judge’s rulings, she may not comply with internal control requirements or adhere to the direction of the Washington State Gambling Commission” and that the agent was going to recommend the revocation of her gambling license.
- 5) For the majority of her court-ordered fines and fees, Ms. Mullins has made no payment since their imposition.
- 6) Ms. Mullins filed for Chapter 13 Bankruptcy on April 10, 2010. In a call with the agent on November 13, 2012, Ms. Mullins reported that her traffic fines and fees were not covered by the bankruptcy proceedings.

VIOLATIONS:

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.

(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) Habit.

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.

Ms. Mullins has failed to prove by clear and convincing evidence the necessary qualifications for licensure, in violation of RCW 9.46.153. She has demonstrated willful disregard for complying with court orders, resulting in five FTA's and 11 open cases due to nonpayment. Therefore, under RCW 9.46.075(1) and (8) and WAC 230-03-085(1), (3), and (8), grounds exist to suspend or revoke Terri M. Mullins' license.

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.

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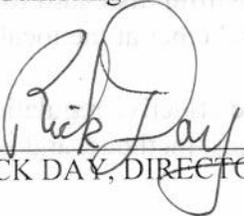
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Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING your license.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

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, DIRECTOR

SUBSCRIBED AND SWORN TO before me
this 7 day of December, 2012.



NOTARY PUBLIC in and for the State of
Washington residing at Thurston County
My commission expires on December 2, 2015



STATE OF WASHINGTON)
)
COUNTY OF THURSTON)

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, property 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 10 day of December, 2012
