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STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Suspension of the License to Conduct Gambling Activities of:	)	NO. CR 2013-01631
	)	
Glory R. MacKenna	)	<b>SETTLEMENT ORDER</b>
Wenatchee, Washington,	)	
	)	
Licensee.	)	

I.

This Settlement Order is entered into between the Washington State Gambling Commission and Glory R. MacKenna. Gregory Rosen, Assistant Attorney General, and Melinda Froud, Staff Attorney, represent the Gambling Commission. Glory M. MacKenna, licensee, represents herself.

II.

The Washington State Gambling Commission issued Glory R. MacKenna the following license: Number 68-26651, authorizing Card Room Employee activity with Buzz Inn Steakhouse in East Wenatchee.

The license expires on June 18, 2014, and was issued subject to Ms. MacKenna's compliance with state gambling laws and rules.

III.

David Trujillo, Director, issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on October 24, 2013. On November 18, 2013, Commission staff received the licensee's request for a hearing.

IV.

**SUMMARY:**

Glory R. MacKenna was issued a Notice of Violation and Settlement (NOVAS)<sup>1</sup> for failing to accurately report tips. Ms. MacKenna failed to timely pay the NOVAS.

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<sup>1</sup>NOVAS- Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

**VIOLATIONS:**

**1) 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 certified employee, or any person with any interest therein:

(The following subsection applies.)

(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.

**2) 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, certified employee, or anyone holding a substantial interest in the applicant's or certified employee'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.

**3) WAC 230-15-425 Internal controls**

(The following subsection applies.)

(2) Licensed card room employees must follow the internal control procedures for their individual functions.

**4) WAC 230-15-475 Tips from players and patrons to card room employees**

(The following subsection applies.)

(6) Employees must...

(d) accurately report all tips to their employer as described in the licensee's internal controls.

III

III

**5) RCW 9.46.153 Applicants and licensees — Responsibilities and duties — Waiver of liability — Investigation statement as privileged.**  
(The following subsection applies.)

(1) 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.

Glory R. MacKenna failed to comply with internal control procedures by under-reporting her tips by approximately \$451 on June 14, 2013, in violation of WAC 230-15-425 and WAC 230-15-475. As a result, she has demonstrated willful disregard for complying with Commission rules. Ms. MacKenna has failed to establish by clear and convincing evidence, as required by RCW 9.46.153(1), that she is qualified to be licensed. In addition, failure to comply with internal controls and accurately report tips establishes that the licensee 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 based on her activities. As a result, there are grounds to suspend Glory MacKenna's license based on RCW 9.46.075(1), and WAC 230-03-085(1), (3) and (8).

V.

The licensee acknowledges that she has read the Notice of Administrative Charges and understands the facts contained in it. The licensee is waiving her right to a hearing and agrees to the terms of the Settlement Order.

Glory MacKenna has waived her right to a hearing based on the terms and conditions of this Settlement Order and further agrees to the following:

1) Glory MacKenna shall surrender her license. **The signed Settlement Order is effective on February 28, 2014, and the license must be received by Commission staff on or before February 28, 2014, and mailed to Commission Headquarters at the following address:**

Washington State Gambling Commission  
Attention: Communications and Legal Division  
P.O. Box 42400  
Olympia, WA 98504-2400

**Or deliver** (in person or via private courier) to the following address:

Washington State Gambling Commission  
Attention: Communications and Legal Division  
4565 7<sup>th</sup> Avenue SE; Third Floor  
Lacey, WA 98503

DATED this 11 day of March, 2014. IMG  
20 day of February

John M. Gray  
Administrative Law Judge

on the G. C.'s representation that Ms. MacKenna IG  
wished to surrender her license in lieu of a suspension

APPROVED FOR ENTRY:  
By her signature, the licensee  
understands and accepts the terms  
and conditions of this Order.

Glory R. MacKenna 2/27/14  
Licensee (DATE)

APPROVED AS TO FORM:  
Gregory J. Rosen  
Gregory Rosen, WSBA# 15870  
Assistant Attorney General  
Representing the Washington State  
Gambling Commission

Melinda Froud for Amy B. Hunter  
Melinda Froud, WSBA #26792 #23773  
Staff Attorney, Washington State  
Gambling Commission