

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Suspension of the )  
Licenses to Conduct Gambling Activities of: )  
 )  
The Hideaway )  
Shoreline, Washington )  
 )  
Licensee. )  
\_\_\_\_\_ )

NO. CR 2014-00122

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

I.

The Washington State Gambling Commission issued The Hideaway, Organization Number 00-21630, the following licenses:

Number 05-08045, authorizing Class "C" Punchboard/Pull-Tab activity; and  
Number 65-07236, authorizing Class "F7" Public Card Room activity.

The licenses expire on June 30, 2014, and were issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Mark Harris, Assistant 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:

**SUMMARY:**

On January 17, 2014, during an underage compliance inspection, the Hideaway allowed a minor to gamble for the second time within one year.

**FACTS:**

1) On January 17, 2014, a Washington State Gambling Commission Special Agent (agent) and a 17-year-old operative entered The Hideaway poker card room. The operative and was asked for their ID by Peter Wade, bartender. The operative purchased \$45 worth of pull-tabs from Brandon Farrar, bartender. The operative won \$2.00. The agent purchased \$25 worth of pull-tabs and won \$3.00. After gambling, the operative and agent exited The Hideaway.

2) On January 20, 2014, the agent called Wesley Johnson, Accounting Manager, and told him The Hideaway had failed an underage inspection.

3) On January 21, 2014, the agent met with Mr. Johnson and watched the surveillance video and observed the operative and agent enter the bar area at the Hideaway. Mr. Wade, who was working behind the bar, checked the ID's. Mr. Farrar took money from the operative in exchange for pull-tabs. The agent also purchased some pull-tabs.

4) The operative opened all of the pull-tabs. Both the agent and the operative purchased and opened additional pull-tabs. Mr. Farrar took more money from the operative, brought the money back to the cash register, and gave the operative change.

5) The agent and operative each gave Mr. Farrar at least one winning pull-tab, and he gave them money in exchange for the winning pull-tabs.

#### **ADMINISTRATIVE HISTORY:**

The Hideaway received a Notice of Violation and Settlement (NOVAS)<sup>1</sup> for allowing a person under the age of 18 to gamble in July 2013. The licensee has also received five Warning Letters and three Verbal Warnings for other violation within the last five years.

#### **VIOLATIONS:**

##### **1) RCW 9.46.075 Denial, suspension, or revocation of license, 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 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, 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.

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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.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

**3) WAC 230-06-010 Age restrictions for players.**

No person must allow anyone under the age of eighteen to participate in gambling activities except:

(The following subsections apply.)

(1) To play in licensed bingo games when accompanied by an adult member of his or her immediate family or a guardian, who is at least eighteen years old:

(a) "Immediate family" means only the spouse, parents, or grandparents of an individual; and

(b) "Guardian" means only a court-appointed, legal guardian of an individual; or

The licensee previously received a NOVAS in July 2013 for allowing a minor to gamble. The Hideaway demonstrated willful disregard for Commission rules by again allowing a minor to gamble, in violation of WAC 230-06-010. Therefore, grounds exist to suspend The Hideaway's licenses under RCW 9.46.075(1) and WAC 230-03-085(1) and (3).

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III.

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

You have the right to a hearing. To have a hearing, or to settle the case, the Gambling Commission must receive the hearing request form back from you within 23 days. After we receive this form, we will call you about settlement options. If you do not return the form on time, YOUR LICENSE WILL BE SUSPENDED FOR 30 DAYS AND YOU WILL NOT BE ABLE TO OPERATE. (RCW 34.05.440.)

IV.

I have read this Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding, know the contents of it, believe it to be true, and have executed this Notice in my capacity as Assistant Director of the Washington State Gambling Commission.

Dated 4/14/14

*Mark Harris*

MARK HARRIS, ASSISTANT DIRECTOR

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 14 day of April 2014.  
*Marcus Pretell*