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GAMBLING COMMISSION
COMM & LEGAL DEPT

STATE OF WASHINGTON
GAMBLING COMMISSION

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GAMBLING COMMISSION
COMM & LEGAL DIVISION

In the Matter of the Suspension of the)
Licenses to Conduct Gambling Activities of:)

No. CR 2009-01289

Silver Dollar Casino)
Renton, Washington,)

SETTLEMENT ORDER

Licensee.)
_____)

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HEADQUARTERS OFFICE OF
ADMINISTRATIVE HEARINGS

I.

This Settlement Order is entered into between the Washington State Gambling Commission and Silver Dollar Casino. The Gambling Commission is represented by H. Bruce Marvin, Assistant Attorney General, and Arlene Dennistoun, Staff Attorney. The licensee is represented by Matthew Le Master, Attorney, Davis Wright Tremaine LLP.

II.

The Washington State Gambling Commission issued Silver Dollar Casino, organization number 00-20029, the following licenses:

- Number 67-00213, Authorizing Class "15" House-Banked Card Room Activity;
- Number 05-19948, Authorizing Class "D" Punchboard/Pull-Tab Activity; and
- Number 53-20703, Authorizing Class "A" Commercial Amusement Games.

The licenses expire on September 30, 2010, and were issued subject to the licensee's compliance with state gambling laws and regulations.

III.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on September 9, 2009. On September 30, 2009, Commission staff received the licensee's request for a hearing, and Notice of Appearance of Counsel from Attorney, Matthew Le Master.

IV.

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

On August 13, 2009, the licensee allowed a minor to gamble in its card room, violating WAC 230-06-010. The licensee was previously issued a NOVAS¹ on March 27, 2009, for allowing a

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

minor to gamble. Grounds exist to suspend the licenses under RCW 9.46.075(1) and WAC 230-03-085(1) and (3).

VIOLATIONS:

RCW 9.46.075(1) Denying, Suspending or revoking a license or permit

The Commission may 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 licensee, or any person with any interest therein:

(The following subsection 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.

WAC 230-03-085 Denying, Suspending or revoking a license or permit

We may suspend or revoke any license or permit, when the licensee or anyone holding a substantial interest in the licensee's business or organization:

(The following subsection(s) 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.

WAC 230-06-010 Age restriction for players

No person must allow anyone under the age of eighteen to participate in gambling activities except: (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; or (2) To play bingo at agricultural fairs or school carnivals; or (3) To play amusement games; or (4) To sell raffle tickets for a charitable or nonprofit organization.

V.

The licensee acknowledges that it has read the Notice of Administrative Charges, and understands the facts contained in it. The licensee has waived its right to a hearing, based on the terms and conditions of this Settlement Order.

The licensee has submitted mitigating circumstances described below. The licensee has implemented the following methods to prevent minors from gambling at Silver Dollar Casino:

- All new employees are required to attend a new hire orientation training session before they begin work, and new employees are required to acknowledge that they have read and understand the policy. At the new hire training the "Policy for Underage Gambling and Drinking" is distributed and discussed.

- Training and instructional material is distributed to new employees on how to properly verify identifications.
- Instructional posters displaying how to properly check an ID are posted in the casino break room.
- Compliance signs are posted outside and throughout the establishment alerting patrons that no minors are permitted, and that you must have a picture ID.
- In October of 2007, and October 2009, employees attended mandatory underage compliance training.
- A security person is posted at the entrance to check identification.
- In January 2009, Silver Dollar's, Security Manager implemented a new "18 and Over Policy" that introduced a new patron stamping system.
- Random ID checks were made by agents of the Washington State Gambling Commission, and by Harmon Consulting, Inc.
- Established penalties for employees who fail to properly check ID's.
- Terminated both the dealer and security guard for this underage violation.
- A black light was purchased for the security podium.

1) The licensee agrees that Silver Dollar Casino's licenses are hereby suspended for a period of **five (5) days**, provided that:

a) **Four (4) 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 any of Washington's gambling statutes or regulations during the one (1) year term. If the licensee violates these 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 four-day suspension of the current gambling license(s) and any subsequently acquired gambling licenses.

b) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this agreement, has discretion to determine whether the licensee has violated any term of this agreement. In the event the Director determines that a violation of this section has occurred, he may suspend the license(s) issued to the licensee, and any subsequently acquired licenses, for up to four 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.

2) Pursuant to RCW 9.46.077, the licensee has chosen to vacate the **remaining one (1) day** of this suspension by paying a fine in the amount of **three thousand four hundred and forty three dollars (\$3,443)**, which represents **thirty-five percent** of the licensee's net gambling receipts for one day, based on information reported by the licensee on its activity reports. The licensee also agrees to reimburse the Commission for its investigative and administrative costs in the amount of **eight hundred twenty six dollars (\$826)**, for total fines and costs of **four thousand two hundred and sixty nine dollars (\$4,269)**. The payment must be received by Commission staff by **November 23, 2009**.

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Payment shall be mailed to Commission Headquarters at the following address:

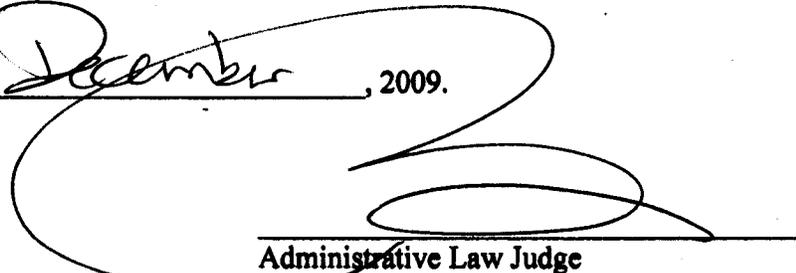
Washington State Gambling Commission
Attention: Communications and Legal Division – Fines
P.O. Box 42400
Olympia, WA 98504-2400

or delivered (in person or via private courier) to the following address:

Washington State Gambling Commission
Attention: Communications and Legal Division – Fines
4565 7th Avenue SE; Fourth Floor
Lacey, WA 98503

- 3) If the licensee makes its payment as agreed in Subsection V, paragraph 2, this matter will be deemed closed. However, if the licensee fails to timely make its payment, the Director may impose an additional two (2) day suspension for the late payment. Serving the suspension would not, however, relieve the licensee of its obligation to pay its fine.

DATED this 4th day of December, 2009.



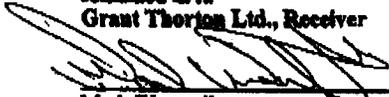
Administrative Law Judge

APPROVED FOR ENTRY:

APPROVED AS TO FORM:

By the signature below, the licensee acknowledges reading this Settlement Order, and understands the terms and conditions contained in it.

Grant Thornton Ltd., Receiver

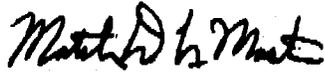


Mark Wentzell, Sr. Vice President (DATE)
Silver Dollar Casino

Nov. 20, 2009



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



Matthew LeMaster, Attorney #27233
Davis Wright Tremaine LLP



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