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GAMBLING COMMISSION STATE OF WASHINGTON
COMM & LEGAL DEPT GAMBLING COMMISSION

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GAMBLING COMMISSION
COMM & LEGAL DIVISION

In the Matter of the Revocation of the)
License to Conduct Gambling)
Activities of:)
)
Sodany Im)
Seattle, Washington,)
)
Licensee.)
_____)

NO. CR 2012-00912

SETTLEMENT ORDER

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The Washington State Gambling Commission and the Licensee, Sodany Im, agree to this Settlement Order to resolve the administrative charges pending against her. Stephanie U. Happold, Assistant Attorney General, and Melinda Froud, Staff Attorney, represent the Gambling Commission. Ms. Im represents herself.

I.

The Washington State Gambling Commission issued Sodany Im the following license:

Number: 68-24311, authorizing Card Room Employee activity at Wizards Casino, Burien.

The Commission issued this license, which expired on September 28, 2012, subject to the licensee's compliance with state gambling laws and Commission rules.

II.

On September 28, 2012, the licensed employee was personally served with the Notice of Administrative Charges. On October 3, 2012, Ms. Im requested an Administrative Hearing on her revocation proceedings.

III.

SUMMARY:

The licensee, Sodany Im, stole approximately \$200 from the cage and approximately \$94 from the cashier's pooled token box through four separate shifts while working as a cashier at the Wizards Casino in Burien.

VIOLATIONS:

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 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 he, she or it is qualified in accordance with the provisions of this chapter;

(10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain;

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.

(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.

Sodany Im's actions of stealing \$294 demonstrate that she poses a threat to the effective regulation of gambling or increases the likelihood of unfair or illegal practices. Ms. Im has failed to establish clearly and convincingly that she is qualified to be licensed, as required by RCW 9.46.153(1). As a result, grounds exist to revoke Sodany Im's license based on RCW 9.46.075(1), (8), and (10), and WAC 230-03-085(1), and (8).

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IV.

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

1) Sodany Im shall surrender her license. **The signed Settlement Order and the license must be received by Commission staff on or before November 2, 2012**, 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 delivered (in person or via private courier) to the following address:

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

2) In the event Ms. Im subsequently applies for a certification or gambling license, she will be subject to all the Commission's investigative procedures for processing an application for a gambling license. Furthermore, no promises or assurances have been made to Ms. Im that she will receive a certification or license from the Commission should she apply.

3) Ms. Im shall have no involvement directly or indirectly, whether paid or unpaid, in the operation, ownership, or financing of any business in Washington State which is applying for, or holds, a gambling license or permit or is involved with any gambling activity, including punchboard/pull-tab activity. However, this does not prevent Ms. Im from working in any non-gambling activity, such as employment in restaurants located in establishments engaged in authorized gambling activity.

DATED this 16th day of November, 2012.



Administrative Law Judge

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By her signature, the licensed employee understands and accepts the terms and conditions of this Order.

APPROVED FOR ENTRY:

APPROVED AS TO FORM:

Sodany Im 10/28/12
Sodany Im, Licensee (Date)

Stephanie U. Happold 11/6/12
Stephanie U. Happold, WSBA# 38112
Assistant Attorney General,
Representing the Washington State
Gambling Commission

Melinda A. Froud
Melinda Froud, WSBA# 26792
Staff Attorney,
Washington State Gambling Commission