



STATE OF WASHINGTON  
GAMBLING COMMISSION

*"Protect the Public by Ensuring that Gambling is Legal and Honest"*

October 22, 2018

CUM INN BAR & GRILL  
C/O DENNIS BENNETT  
3221 PROGRESS  
VERADALE WA 99037

**RE: ADMINISTRATIVE ACTION; CR 2017-01455**

Dear Mr. Bennett:

Enclosed is an Order of Default entered by the Commission on October 18, 2018, revoking your license/certification to conduct gambling activities. This action occurred because you failed to appear at a prehearing conference on August 14.

You have the right to move to vacate this Order. If you do so, we must receive your request by the 10<sup>th</sup> day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

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

You also have the right to submit a Petition for Judicial Review. If you do this, you must submit it within 30 days of the date the Order was mailed. RCW 34.05.514 explains where you must file this petition and RCW 34.05.546 explains what information your Petition must include.

This is not meant to be a full explanation of all the statutes and regulations you would need to understand to move to vacate or Petition for Judicial Review. Please call me at (800) 345-2529, extension 3475, with any questions.

Sincerely,

Haylee P. Mills, Staff Attorney  
Legal & Records Division

Enclosure

Cc: Attorney



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7 **STATE OF WASHINGTON**  
8 **GAMBLING COMMISSION**

9 In the Matter of:

NO. CR 2017-01455

10 CUM INN BAR & GRILL, INC. d/b/a  
11 CUM INN BAR & GRILL,  
License No. 05-20848

FINAL ORDER OF THE  
GAMBLING COMMISSION

12  
13 Licensee.

14 This matter having come before the Washington State Gambling Commission  
15 (Commission) on October 18, 2018, the Commission makes the following Findings of Fact,  
16 Conclusions of Law, and issues its Final Order:

17 **I. FINDINGS OF FACT**

18 1. The Washington State Gambling Commission issued Licensee Cum Inn Bar &  
19 Grill, Inc. d/b/a Cum Inn Bar & Grill License number: 05-20848, authorizing Class F  
20 Punchboard/Pull-Tab activity in the State of Washington.

21 2. This license, which expired on September 30, 2018, was issued subject to the  
22 licensee's its substantial interest holder's compliance with state gambling laws and Commission  
23 rules at all times after receiving its gambling license.

24  
25  
26 FINAL ORDER OF THE  
GAMBLING COMMISSION

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IN RE: CUM INN BAR & GRILL, INC. D/B/A  
CUM INN BAR & GRILL  
NO. 2017-01455

Washington State Gambling Commission  
4565 7<sup>th</sup> Avenue S.E., Lacey, WA 98503  
P.O. Box 42400  
Olympia, WA 98504

1           3.       Dennis J. Bennett was the 100 % owner and sole governing person of Cum Inn  
2 Bar & Grill, Inc. d/b/a Cum Inn Bar & Grill. This made him a substantial interest holder of the  
3 Licensee under WAC 230-03-045.

4           4.       On September 21, 2017, Mr. Bennett was charged by the Washington State  
5 Attorney General's Office with two counts of Theft in the First Degree, Class B Felonies, for  
6 fraudulent activity related to the state's worker compensation system and federal disability  
7 benefits.

8           5.       Mr. Bennett's criminal case is pending criminal case is pending in Spokane  
9 County Superior Court, Case Number 17-1-03790-8.

10          6.       Director David Trujillo issued administrative charges on January 10, 2018  
11 alleging that Mr. Bennett's actions as the substantial interest holder of Licensee constituted  
12 violations of RCW 9A.56.030, RCW 9.46.075, and WAC 230-03-085. Further, that he could  
13 not show by clear and convincing evidence that he was qualified for licensure as required by  
14 RCW 9.46.153(1), and that his actions warranted revocation of his license pursuant to RCW  
15 9.46.075(1), (7), (8), and (9), and WAC 230-03-085(1) and (9)(Previously WAC 230-03-085(8)  
16 (2017)).

17          7.       Licensee was sent the charges by regular and certified mail on January 10, 2018,  
18 to the last address the Gambling Commission had on file. The Commission received a request  
19 for hearing on January 30, 2018. A prehearing conference was scheduled for August 14, 2018,  
20 and Mr. Bennett was sent notice of the prehearing to the last address the Gambling Commission  
21 had on file on May 9, 2018 and July 13, 2018.

22          8.       Licensee failed to attend the August 14, 2018 prehearing conference, and an order  
23 dismissing appeal was issued on August 15, 2018.

24          9.       To date, the Commission has received no further communication from Licensee  
25 indicating the desire to proceed with appeal.

1 **II. CONCLUSIONS OF LAW**

2 1. Licensee received proper notice of the January 10, 2018 charges by regular and  
3 certified mail on January 10, 2018 pursuant to RCW 34.05.434, RCW 34.05.431, and WAC 10-  
4 08-130.

5 2. The Commission can take final action against Licensee's gambling license under  
6 Case Number CR 2017-01455 pursuant to RCW 9.46.075, RCW 34.05.440(2), RCW 34.05.461,  
7 and WAC 230-03-085.

8 3. Cum Inn Bar & Grill, Inc. d/b/a Cum Inn Bar & Grill's license should be revoked  
9 under Case Number CR 2017-01455 pursuant to RCW 9A.56.030, RCW 9.46.075, RCW  
10 9.46.153(1), RCW 34.05.440(2), RCW 34.05.461, and WAC 230-03-085.

11 **ORDER**

12 This matter having come before the Commission at its October 18, 2018, Commission  
13 meeting, the Commissioners having heard arguments, been given the chance to review the  
14 administrative record, and being fully advised in this matter, now therefore:

15 It is hereby **ORDERED** that Cum Inn Bar & Grill, Inc. d/b/a Cum Inn Bar & Grill's  
16 gambling license, Number 05-20848, is **REVOKED**.

17  
18 DATED this 18 day of October, 2018.

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BUD SIZEMORE, Chair

\_\_\_\_\_ JULIA PATTERSON, Vice Chair

21   
22 \_\_\_\_\_  
CHRISTOPHER STEARNS

\_\_\_\_\_ ED TROYER

23  
24   
25 \_\_\_\_\_  
ALICIA LEVY

**NOTICE**

Reconsideration: RCW 34.05.470 and WAC 230-17-140 provide that a party may file a petition for reconsideration of a final order. A petition for reconsideration must be received no later than thirteen (13) days after the date this final order is mailed. Any motion for reconsideration must state the specific grounds supporting the party's request for reconsideration.

Stay of Final Order: Filing for reconsideration does not stay the effectiveness of this Order. WAC 230-17-145 provides that a party may petition the Commission for a stay of a final order. Any petition for a stay should be received by the Commission within thirteen (13) days after the date this final order is mailed.

Judicial Review: RCW 34.05.542 provides that a party may appeal this final order by filing a petition for judicial review within thirty (30) days after service of this order. A petition for judicial review must be filed with the appropriate superior court and served upon both the Commission and the Office of the Attorney General.

Service: This Order was served on you three days after it was deposited in the United States Postal Service regular mail, excluding the date of mailing. WAC 230-17-035.

Any motions or petitions for judicial review should be served on or mailed to:

Washington State Gambling Commission  
Legal and Records Division  
4565 7<sup>th</sup> Avenue S.E., Lacey, WA  
P.O. Box 42400  
Olympia, WA 98504-2400

Gregory J. Rosen  
Attorney General's Office  
1135 Washington St. SE  
P.O. Box 40100  
Olympia, WA 98504-0100

**CERTIFICATE OF SERVICE**

I certify that on the date below I served a copy of the foregoing document on all parties and/or their counsel by United States Postal Service regular mail to the following:

CUM INN BAR & GRILL  
C/O DENNIS BENNETT  
3221 S PROGRESS  
VERADALE WA 99037

CHRIS A BUGBEE  
BUGBEE LAW OFFICE, PS  
1312 N MONROE  
SPOKANE WA 99201

EXECUTED this 29 day of October, 2018, at Lacey, Washington.



Haylee Mills  
Staff Attorney