

1
2
3
4
5
6
**STATE OF WASHINGTON
GAMBLING COMMISSION**

7 In the Matter of:

NO. CR 2018-02006

8
9 KENNETH M GASH,
License No. 68-33003,

FINAL ORDER OF THE
GAMBLING COMMISSION

10
11 Licensee.

12 This matter having come before the Washington State Gambling Commission
13 (Commission) on July 11, 2019, the Commission makes the following Findings of Fact,
14 Conclusions of Law, and issues its Final Order:

15 **I. FINDINGS OF FACT**

16 1. The Washington State Gambling Commission issued Kenneth M Gash License
17 No.: 68-33003, authorizing Public Card Room Employee activity at Palace Casino in Lakewood,
18 Washington.

19 2. This license, which expires on July 21, 2019, was issued subject to Mr. Gash's
20 compliance with state gambling laws and Commission rules.

21 3. On December 27, 2018, the General Manager of the Palace Casino sent an email
22 to the Washington State Gambling Commission reporting that a theft had occurred on December
23 24, 2018.

24 4. On December 24, 2018, a casino patron dropped a roll of cash, approximately
25 \$1,000, onto the floor as he exited the card room.

26
FINAL ORDER OF THE
GAMBLING COMMISSION

IN RE: KENNETH M GASH
NO. 2018-02006

1 5. Mr. Gash, who works at Palace Casino as a Security Officer, noticed the roll of
2 cash on the floor, picked it up, placed it in his jacket pocket, and walked out to the parking lot.

3 6. The patron reentered the card room, approached card room staff about his lost
4 money, and then circled the card room looking for the lost roll of cash.

5 7. Mr. Gash reentered the card room at the same time as the patron but remained
6 near the door and watched the patron search for the cash.

7 8. The patron left the card room after he could not find the roll of money.

8 9. Video surveillance confirms the allegations in the above-referenced paragraphs.

9 10. Mr. Gash never informed card room management that he found the money on the
10 floor of the card room. Instead, he took the money with him when his shift ended.

11 11. Mr. Gash was confronted by card room management the next day about the
12 missing roll of money and he admitted to taking the roll of cash.

13 12. Mr. Gash disputed the amount of money he took from the patron.

14 13. However, Mr. Gash returned the roll of money he took from the card room patron
15 and gave it to card room management.

16 14. Mr. Gash's employment was terminated on December 26, 2018.

17 15. Director David Trujillo issued administrative charges on April 26, 2019 alleging
18 that Mr. Gash's actions constituted a violation of RCW 9.46.075 and WAC 230-03-085. Further,
19 that he could not show by clear and convincing evidence that he was qualified for licensure as
20 required by RCW 9.46.153(1), and that his actions warranted revocation of his license pursuant
21 to RCW 9.46.075(1), and (8), and WAC 230-03-085(1), (3), and (9)(a).

22 16. Mr. Gash was sent the charges by regular and certified mail on April 29, 2019 to
23 the last address the Gambling Commission had on file. The certified mail was delivered on May
24 1, 2019.

1 17. Pursuant to WAC 230-17-010, a response was required to be received by the
2 Commission by May 21, 2019. To date, the Commission has received no communication from
3 Mr. Gash.

4 II. CONCLUSIONS OF LAW

5 1. Mr. Gash received proper notice of the April 26, 2019 charges via regular and
6 certified mail on April 29, 2019 pursuant to RCW 34.05.431, RCW 34.05.434, WAC 230-17-
7 005, WAC 230-17-010, and WAC 10-08-130.

8 2. The Commission can take final action against Mr. Gash's gambling license under
9 Case Number CR 2018-02006 pursuant to RCW 9.46.075, RCW 34.05.440(1), RCW 34.05.461,
10 and WAC 230-03-085.

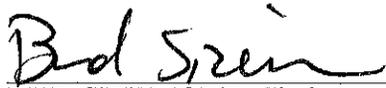
11 3. Mr. Gash's license should be revoked under Case Number CR 2018-02006
12 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461, and WAC
13 230-03-085.

ORDER

This matter having come before the Commission at its July 11, 2019, Commission meeting, the Commissioners having heard arguments, been given the chance to review the administrative record, and being fully advised in this matter, now therefore:

It is hereby **ORDERED** that Kenneth M Gash's gambling license, Number 68-33003, is **REVOKED**.

DATED this 11th day of July, 2019.

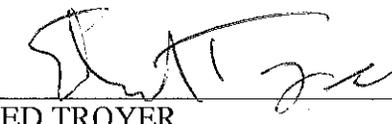


BUD SIZEMORE, Chair

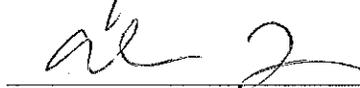
JULIA PATTERSON, Vice Chair



CHRISTOPHER STEARNS



ED TROYER



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 7th Avenue S.E., Lacey, WA
P.O. Box 42400
Olympia, WA 98504-2400

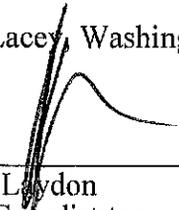
Kellen Wright
Attorney General's Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

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:

KENNETH M GASH
3218 S 45TH ST
TACOMA, WA 98409

EXECUTED this 5 day of July, 2019, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator