



STATE OF WASHINGTON
GAMBLING COMMISSION

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

April 21, 2021

VITALIY POTRIKHALIN
5911 4TH DR W
EVERETT, WA 98203

RE: ADMINISTRATIVE ACTION; CR 2020-01320

Dear Vitaliy Potrikhalin:

Enclosed is an Order of Default entered by the Commission on April 8, 2021, revoking your license to conduct gambling activities. This action occurred because you did not timely respond by requesting a hearing to the administrative charges mailed on January 19, 2021.

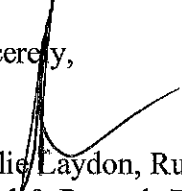
You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

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 3473, with any questions.

Sincerely,


Ashlie Laydon, Rules Coordinator
Legal & Records Division

Enclosure

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

In the Matter of:

NO. CR 2020-01320

VITALIY POTRIKHALIN,
License No. 68-07167,

FINAL ORDER OF THE
GAMBLING COMMISSION

Licensee.

This matter having come before the Washington State Gambling Commission (Commission) on April 8, 2021, the Commission makes the following Findings of Fact, Conclusions of Law, and issues its Final Order:

I. FINDINGS OF FACT

1. The Washington State Gambling Commission issued Vitaliy Potrikhalin License No. 68-07167 authorizing Public Card Room Employee activity at Great American Casino in Everett, Washington.

2. This license, which expired on February 15, 2021, was issued subject to Potrikhalin's compliance with state gambling laws and Commission rules.

3. Potrikhalin has been licensed since 1999.

4. On October 28, 2020, Josh Christman, the Surveillance Manager for Great American Casino Everett (GAE), reported to a WSGC Special Agent that GAE had caught one of their licensed card dealers cheating.

1 5. According to Christman, the licensee in question, Vitaliy Potrikhalin, had failed
2 to collect a losing \$5 toke wager¹ following the completion of the hand. Potrikhalin instead
3 moved the \$5 toke wager to a different wagering position, resulting in him winning \$200 on the
4 next hand.

5 6. On October 29, 2020, the Special Agent reviewed the video surveillance footage
6 for the incident, which began at 16:51 on October 27, 2020. Potrikhalin is dealing at a Bad Beat
7 Infinite Fortune Baccarat table with one player sitting at the table.

8 a. On the first hand shown in the footage, the player places multiple separate
9 wagers including one for the “Banker” to win², with a separate \$5 toke
10 wager on the “Banker”. After the “Player” hand won, Potrikhalin collects
11 all of the losing wagers, except for the “Banker” wager and the “Banker”
12 toke wager.

13 b. On the following hand, the player makes wagers similar to the previous
14 hand, again betting on the “Banker” hand to win. This hand was won by
15 the “Banker” with a “Super 7” hand³.

16 c. When Potrikhalin collects the wagers for that hand, he moves the \$5 toke
17 wager from its original position to the “Fortune 7” wager spot. After
18 doing so, Potrikhalin is observed initiating a conversation with the player.

19 d. After the discussion between the two ends, Potrikhalin pushes the
20 “Banker” wager back to the player, pays out the Fortune 7 bonus wager
21 to the player, and then collects a dealer bonus toke of \$200 to himself.

22
23 ¹ A toke wager is a wager placed, generally at the top right of any wagering circle, as a tip (toke) for the
24 dealer. If the wager is won, the dealer’s toke increases in the same manner a normal wager would; if the wager
loses, the toke is lost and collected by the house.

25 ² In Baccarat, two hands are dealt, regardless of the number of players. Players may bet on whether the
“Player” hand or the “Banker” hand gest closer to the target score of nine.

26 ³ A “Super 7” occurs when a “Banker” draws a total hand of 7 with three cards and scores a higher hand
than the “Player”. If a player makes a “Super 7” side bet (as is allowed with Bad Beat Infinite Fortune Baccarat)
and this situation occurs, the bet pays 40 to 1; all other outcomes result in a loss.

1 7. On November 3, 2020, Potrikhalin met with the Special Agent at the Washington
2 Liquor and Cannabis Board office in Mountlake Terrace, Washington to conduct a voluntary
3 interview. During the interview, Potrikhalin acknowledged that he was “off” while working the
4 day of the incident because his father had passed away a few days prior. Potrikhalin told the
5 Agent that he did not know what he was doing at the time, and admitted that he should have
6 called a supervisor to review the incident. Potrikhalin said he would pay back the \$200.

7 8. Days after the interview with Potrikhalin was concluded, the Special Agent was
8 contacted by GAE, who informed her that Potrikhalin was let go by GAE. In an employment
9 investigation interview, Potrikhalin had told GAE that the incident was an accident.

10 9. Director David Trujillo issued administrative charges on January 14, 2021
11 alleging that Potrikhalin’s actions constituted a violation of RCW 9.46.1961(1)(b) and RCW
12 9A.56.050. Further, that Potrikhalin could not show by clear and convincing evidence that he
13 was qualified for licensure as required by RCW 9.46.153(1), and that his actions warranted
14 revocation of his license pursuant to RCW 9.46.075(1) and WAC 230-03-085(1).

15 10. Potrikhalin was sent the charges by regular and certified mail on January 19, 2021
16 to the last address the Gambling Commission had on file.

17 11. Pursuant to WAC 230-17-010, a response was required to be received by the
18 Commission by February 11, 2021. To date, the Commission has received no communication
19 from Potrikhalin.

20 **II. CONCLUSIONS OF LAW**

21 1. Vitaliy Potrikhalin received proper notice of the charges within three days of
22 January 19, 2021 via regular and certified mail, pursuant to RCW 34.05.413 RCW 34.05.434,
23 WAC 230-17-005, WAC 230-17-010, and WAC 10-08-130.

24 2. The Commission can take final action against Vitaliy Potrikhalin’s gambling
25 license under Case Number CR 2020-01320 pursuant to RCW 9.46.075, RCW 34.05.440(1),
26 RCW 34.05.461, and WAC 230-03-085.


1 3. Vitaliy Potrikhalin's license should be revoked under Case Number CR 2020-
2 01320 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461, and
3 WAC 230-03-085.

4 **III. ORDER**

5 This matter having come before the Commission at its April 8, 2021, Commission
6 meeting, the Commissioners having heard arguments, been given the chance to review the
7 administrative record, and being fully advised in this matter, now therefore:


8 It is hereby **ORDERED** that Vitaliy Potrikhalin's gambling license, Number 68-07167,
9 is **REVOKED**.


10 DATED this 8th day of April, 2021.

11 
12 _____
13 BUD SIZEMORE, Chair



JULIA PATTERSON, Vice Chair

14 
15 _____
ALICIA LEVY



LAUREN KING

26

1 **NOTICE**

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

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

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

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

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

18 Washington State Gambling Commission
19 Legal and Records Division
20 4565 7th Avenue S.E., Lacey, WA
21 P.O. Box 42400
Olympia, WA 98504-2400

Doug Van de Brake
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:

VITALIY POTRIKHALIN
5911 4TH DR W
EVERETT WA 98203

EXECUTED this 11 day of April, 2021, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator