

Received

OCT 30 2013

Gambling Commission
Comm. & Legal Division

STATE OF WASHINGTON
GAMBLING COMMISSION

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OCT 21 2013
Gambling Commission
Comm. & Legal Division

In the Matter of the Suspension or Revocation
of the License to Conduct Gambling Activities of:)

NO. CR 2013-01109

SETTLEMENT ORDER

Angela R. Maya
Kennewick, Washington,)

Licensee.)

I.

This Settlement Order is entered into between the Washington State Gambling Commission and Angela R. Maya. Gregory Rosen, Assistant Attorney General, and Melinda Froud, Staff Attorney, represent the Gambling Commission. Ms. Maya represents herself.

II.

The Washington State Gambling Commission issued license number 68-24446 to Angela R. Maya, authorizing Card Room Employee activity at Casino Caribbean in Yakima.

The license expires on June 1, 2014, and was issued subject to the licensee's compliance with state gambling laws and rules.

III.

David Trujillo, Director, issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on July 22, 2013. On August 9, 2013, Commission staff received the licensee's request for a hearing.

IV.

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

SUMMARY

Angela R. Maya owes approximately \$5,564 in outstanding court-ordered fines, of which \$3,354 has been sent to collections.

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VIOLATIONS:**1) RCW 9.46.075 Denying, suspending, or revoking an application, license 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 licensee, 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.

2) 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, licensee, or anyone holding a substantial interest in the applicant's or licensee'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.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(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) Habit.

Ms. Maya has demonstrated willful disregard for complying with court orders, resulting in \$3,354 in collections, six FTAs, and 14 of her 19 cases remaining open. Therefore, under RCW 9.46.075(1) and WAC 230-03-085(1), (3), and (8), grounds exist to suspend or revoke Angela R. Maya's license.

V.

The licensee acknowledges that she has read the Notice of Administrative Charges and understands the facts contained in it.

Angela R. Maya has made a substantial payment towards her fines and fees, demonstrating that she no longer poses a threat to the effective regulation of gaming. Ms. Maya waives her right to a hearing, based on the following terms and conditions of this Settlement Order. The parties further agree to the following:

1) Angela R. Maya agrees that her license is suspended for a period of ten (10) days provided that:

- a) **Three (3) 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 the terms of this Settlement Order, or any of Washington's gambling statutes or regulations during the one (1) year term. If the licensee violates this Settlement Order or gambling 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 three-day deferred suspension of the current license and any subsequently acquired gambling licenses.
- b) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this Settlement Order, has discretion to determine whether the licensee has violated any term of this Settlement Order. In the event the Director determines that a violation has occurred, he may suspend the license issued to Ms. Maya, and any subsequently acquired licenses, for up to three 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.
- c) **The licensee shall serve the remaining seven (7) days of this suspension, as follows:**
 - The suspension period will begin at 8:00 a.m. on Monday, November 4, 2013, and runs through Sunday, November 10, 2013.
 - The licensee may resume gambling activities at 8:00 a.m. on Monday, November 11, 2013.
- d) During this period of suspension, the licensee shall have no involvement, directly or indirectly, with any gambling activity, including punchboard/pull-tab activity. Ms. Maya's suspension does not prevent her from working in any non-gambling activity, such as employment in restaurants located in establishments engaged in authorized gambling activity.

2) Ms. Maya shall continue to make regular payments towards her court-ordered fines and fees. She further agrees that any increase in the amount of court-ordered fines and fees owed and/or failure to continue to reduce the amount of her outstanding court-ordered fines and fees will likely result in revocation of her license.

3) **The signed Settlement Order must be received by Commission staff by October 21, 2013.** Please mail to Commission Headquarters at the following address:

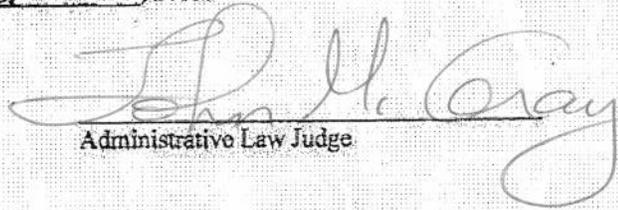
Washington State Gambling Commission
Attention: Communications and Legal Division
P.O. Box 42400
Olympia, WA 98504-2400

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

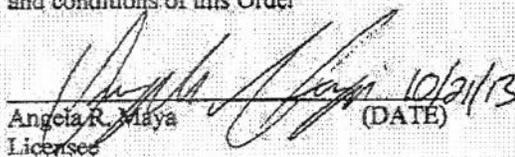
Washington State Gambling Commission
Attention: Communications and Legal Division
4565 7th Avenue SE, Third Floor
Lacey, WA 98503

The parties now move for dismissal of the administrative action before the Office of Administrative Hearings and request the files be returned to Commission staff for its records.

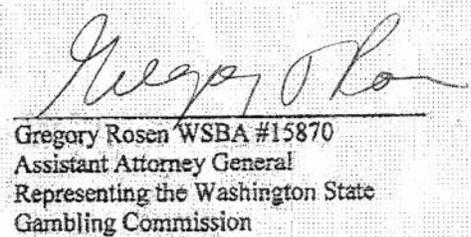
DATED this 22nd day of October, 2013.

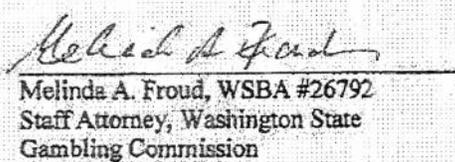

Administrative Law Judge

APPROVED FOR ENTRY:
By her signature, the licensee understands and accepts the terms and conditions of this Order


Angela R. Maya
Licensee (DATE)

APPROVED AS TO FORM:


Gregory Rosen WSBA #15870
Assistant Attorney General
Representing the Washington State Gambling Commission


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