

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation)
of the Licenses to Conduct Gambling Activities of:)
AAA Bowl Unlimited, Inc.,)
d/b/a Skyway Park Bowl,)
11819 Renton Avenue South)
Seattle, Washington)
Licensee.)
_____)

No. CR 2009-00995

**NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING**

I.

The Washington State Gambling Commission issued AAA Bowl Unlimited, Inc., d/b/a Skyway Park Bowl, organization number 00-06373, the following licenses:

Number 67-00014, Authorizing Class "15" House-Banked Card Room Activity;
Number 05-02696, Authorizing Class "H" Punchboard/Pull-Tab Activity; and
Number 53-00645, Authorizing Class "A" (premises only) Amusement Game Activity.

The licenses expire on September 30, 2009, and were issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Rick Day, Director, of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- 1) The licensee failed to keep legible, accurate, and complete records of all transactions relating to the revenues, costs, and expenses of the gambling operation. As a result, the licensee was not able to ensure consistency, comparability, and effective disclosure of financial information in violation of WAC 230-15-730.
- 2) The licensee failed to submit its financial statements in violation of WAC 230-15-740. The statements were due on April 30, 2009. In March 2009, the licensee requested and was granted an extension of the deadline to July 1, 2009. However, as of July 13, 2009, the licensee had not submitted its financial statements.

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- 3) The licensee has the following administrative history:
- In July 2007, a verbal warning was issued to the licensee for failing to ensure effective disclosure of financial information. (CR 2007-01389)
 - In October 2008, administrative charges were issued against the licensee because on eight separate occasions, the licensee failed to have sufficient cash in its cashier's cage before opening for business. Also, the licensee has failed to pay \$143,865.02 in gambling taxes owed to King County. In March of 2009, the licensee agreed to a twenty-day suspension, with eighteen days deferred, one day vacated by a fine of \$5,000, and one day vacated by the licensee's submission of verifiable and acceptable evidence of its compliance with the minimum cash on hand requirements. (CR 2008-01479)
- 4) Grounds exist to suspend or revoke AAA Bowl Unlimited, Inc., d/b/a Skyway Park Bowl's licenses under RCW 9.46.075(1) and WAC 230-03-085(1) and (7).
- 5) It is also a violation of the March 2009, Settlement Order for CR 2008-01479 and constitutes grounds to impose the eighteen-day deferred suspension pursuant to that Settlement Order.

RCW 9.46.075(1) Denying, suspending, or revoking an application, license

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.

WAC 230-03-085 Denying, suspending, or revoking an application, license

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.

(7) Fails to provide us with any information required under Commission rules within the time required, or, if the rule establishes no time limit, within thirty days after receiving a written request from us.

WAC 230-15-740 Preparing financial statements

Filing with the Commission.

(The following subsections apply)

(2) House-banked card game licensees must submit financial statements covering all financial activities of the licensees' business premises for each business year within one hundred twenty days following the end of their business year.

(3) We may authorize a sixty-day extension if a licensee submits a written request explaining the need for the extension.

WAC 230-15-730 Keeping an accounting system.

(The following subsections apply)

(1) House-banked card game licensees must keep and maintain a complete set of accounting records which we have approved before licensure. These records must include all receipts and disbursements of the licensee, including, at least, those related to gambling activities. Revenue, costs, and expenses.

(2) Licensees must keep legible, accurate, and complete records of all transactions relating to the revenues, costs, and expenses of the gambling operation. Licensees must keep these records in a format that ensures consistency, comparability, and effective disclosure of financial information.

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III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

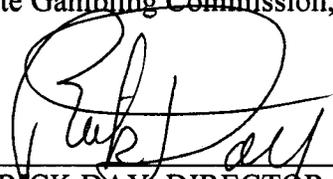
The licensee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return this document will result in the entry of a default order REVOKING your licenses.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission, and in that capacity has executed said Notice.



RICK DAY, DIRECTOR

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

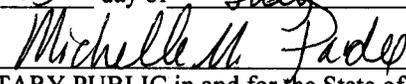
I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 15th day of July, 2009

Communications and Legal Department
Washington State Gambling Commission



SUBSCRIBED AND SWORN TO before me this 15 day of July, 2009.



NOTARY PUBLIC in and for the State of

Washington residing at Lacey

My Commission expires on June 16, 2013

