

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension of the Licenses to)
Conduct Gambling Activities of:)
)
Chaplin & Friends Bar & Grill,)
d/b/a Ace's Card Room)
Spokane, Washington,)
)
Licensee.)
_____)

No. CR 2011-01111

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

I.

The Washington State Gambling Commission issued Chaplin & Friends Bar & Grill, d/b/a Ace's Card Room (Aces), organization number 00-16799, the following licenses:

Number 67-00033, Authorizing Class "10" House-Banked Card Room Activity; and
Number 05-09215, Authorizing Class "A" Punchboard/Pull-Tab Activity.

The licenses expire on June 30, 2012, 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 violation of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- 1) On September 24, 2011, the licensee allowed two persons under the age of eighteen (minors) to gamble in its card room, violating WAC 230-06-010.
- 2) The licensee failed to ensure that employees followed applicable rules and laws when the minors were allowed to enter the card room, and a pit¹ supervisor on duty allowed the minors to play blackjack at Ace's Casino.
- 3) The licensee was previously issued a NOVAS² on February 4, 2011, for allowing a minor to gamble.
- 4) On May 31, 2011, the licensee submitted to Commission staff a comprehensive rewrite of the internal controls (IC) manual governing gambling activities at Ace's, which was subsequently approved. Incorporated within the Security section of the revised IC manual is a document entitled "Underage Gambling," which specifically addresses how Ace's employees must ensure no underage gambling occurred on the premises.

¹ The pit is the area located behind the house-banked card games where the dealers, floor supervisors, and shift managers are present. Typically, the house-banked tables are aligned to form an enclosed circle and the pit is in the middle of the circle.

² NOVAS—A Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

5) Grounds exist to suspend Ace's Casino's licenses under RCW 9.46.075(1) and WAC 230-03-085(1) and (3).

RCW 9.46.075 Denying, Suspending or revoking a license or permit

The Commission may 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 licensee, or any person with any interest therein:

(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 a license or permit

We may suspend or revoke any license or permit, when the licensee or anyone holding a substantial interest in the 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.

WAC 230-06-010 Age restriction for players

No person must allow anyone under the age of eighteen to participate in gambling activities except:

(1) To play in licensed bingo games when accompanied by an adult member of his or her immediate family or a guardian, who is at least eighteen years old; or

(2) To play bingo at agricultural fairs or school carnivals; or

(3) To play amusement games; or

(4) To sell raffle tickets for a charitable or nonprofit organization.

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III.

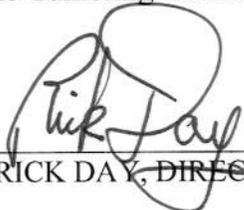
Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230. The licensee will have the opportunity to have a hearing on the alleged violations.

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 a request for hearing will result in the entry of a default order SUSPENDING your licenses for 15 days.

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

SUBSCRIBED AND SWORN TO before me
this 11 day of October, 2011.



NOTARY PUBLIC in and for the State of
Washington residing at LACEY
My commission expires on 6/16/2013

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 11 day of October, 2011

Communications and Legal Department
Washington State Gambling Commission



