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GAMBLING COMMISSION
COMM & LEGAL DEPT

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation of the License to Conduct Gambling Activities of:	)	No. CR 2012-00311
Chorak's Sportsman's Inn, Inc. Vashon, Washington,	)	**SETTLEMENT ORDER**
Licensee.	)	

I.

This Settlement Order is entered into between the Washington State Gambling Commission and Chorak's Sportsman's Inn, Inc. The Gambling Commission is represented by Stephanie U. Happold, Assistant Attorney General, and Melinda Froud, Staff Attorney. The licensee is represented by its owner, Peter M. Chorak.

II.

The Washington State Gambling Commission issued Chorak's Sportsman's Inn, Inc., organization Number 00-14400, the following license:

05-08045, Authorizing Class "B" Punchboard Pull-Tab activity.

The license expires on March 31, 2013, and was issued subject to the licensee's compliance with state gambling laws and regulations.

III.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on March 21, 2012. On March 29, 2012, Commission staff received the licensee's Request for Hearing.

SUMMARY:

Chorak's Sportsman's Inn, Inc.'s, 3rd and 4th quarter 2011 punchboard/pull-tab activity report was due at our administrative office by January 30, 2012; however, the report was not received until March 29, 2012, in violation of WAC 230-14-284(2).

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VIOLATIONS:

RCW 9.46.075(1) Denying, suspending, or revoking a 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 subsection applies.)

(1) 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 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.

(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 230-14-284 Activity reports for punchboard and pull-tab licensees
Punchboards and pull-tab licensees must submit an activity report to the Commission. Licensees must complete the report in the format we require and must:
(The following subsections apply.)

(1) Cover the periods: (a) January 1 through June 30; and (b) July 1 through December 31; and

(2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period.

IV.

The licensee acknowledges that it has read the Notice of Administrative Charges, and understands the facts contained in it. The licensee has waived its right to a hearing, based on the terms and conditions of this Settlement Order.

1) The licensee agrees that Chorak's Sportsman's Inn, Inc.'s license is hereby suspended for a period of **fifteen (15) days**, provided that:

a) **Three (3) days of the suspension shall not be currently served, but shall be deferred** for a period of two years from the date of entry of this Settlement Order, subject to the following: The licensee agrees not to violate any of Washington's gambling statutes or regulations during the two (2) year term. If the licensee violates these 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 suspension of the current gambling license and any subsequently acquired gambling licenses.

b) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this agreement, has discretion to determine whether the licensee has violated any term of this agreement. In the event the Director determines that a violation of this section has occurred, he may suspend the license(s) issued to the licensee, 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 has chosen to serve the remaining **twelve (12) days** of the suspension.

- **The suspension period begins at 8:00 a.m. on Monday, May 7, 2012, and runs through Friday, May 18, 2012.**
- The licensee may resume gambling activities at 8:00 a.m. on Saturday, May 19, 2012.
- During this period of suspension, <u>no gambling activities shall take place at the licensed premises.</u>

2) **The signed order must be received by Commission staff on or before Friday, April 27, 2012.** The order must be mailed 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 delivered (in person or via private courier) to the following address:

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

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DATED this 25th day of April, 2012.

Administrative Law Judge

APPROVED FOR ENTRY:

By the signature below, the licensee acknowledges reading this Settlement Order, and understands the terms and conditions contained in it.

4-16-12

Peter M. Chorak Date
Owner of Chorak's Sportsman's Inn, Inc.

APPROVED AS TO FORM:

4/18/12

Stephanie U. Happold, WSBA #38112
Assistant Attorney General,
Washington State Gambling Commission

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