

Received
JUN 15 2015
Gambling Commission
Comm. & Legal Division

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation of)
the Licenses to Conduct Gambling Activities of:)
)
)
)
Lucky Dragonz Casino)
Seattle, Washington,)
)
)
Licensee.)
_____)

No. CR 2014-02374

SETTLEMENT ORDER

The Washington State Gambling Commission and the licensee, Lucky Dragonz Casino, enter into this Settlement Order to resolve the administrative charges issued against the licensee. Gregory J. Rosen, Assistant Attorney General, and Arlene Dennistoun, Staff Attorney, represent the Gambling Commission. General Manager, Tom Luu, represents Lucky Dragonz Casino.

I.

The Washington State Gambling Commission issued Lucky Dragonz Casino, Organization Number 00-23001, the following licenses:
Number 53-21262; authorizing Commercial Amusement Games; and
Number 65-21262, authorizing Class "F6" Public Card Room activity.

The licenses expire on June 30, 2015, and were issued subject to the licensee's compliance with state gambling laws and Commission rules.

II.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on March 4, 2015. The licensee received the Notice, and on March 19, 2015, Commission staff received the licensee's request for hearing.

III.

The following summary of facts and violations were alleged in the Notice of Administrative Charges:

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SUMMARY:

On December 16, 2014, the licensee allowed a minor to gamble in its card room, which is the second violation for underage gambling in one year. The licensee was issued a Notice of Violation and Settlement¹ for \$300, which was paid on June 17, 2014, for allowing a minor to gamble, and the licensee violated a Settlement Order agreement dated October 12, 2014.

VIOLATIONS:

1) RCW 9.46.075 Denial, suspension, or revocation of license, 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) 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.

3) WAC 230-06-010 Age restrictions for players.

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

(The following subsections apply.)

(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:

(a) "Immediate family" means only the spouse, parents, or grandparents of an individual; and

(b) "Guardian" means only a court-appointed, legal guardian of an individual.

¹ NOVAS- Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

The previous Settlement Order stated that five days of the suspension shall be deferred for one year. If the licensee violates the terms of the order, the Director may impose the five-day suspension in addition to the consequences of the new violation. Lucky Dragonz Casino demonstrated willful disregard for Commission rules by repeatedly allowing a minor to gamble, in violation of WAC 230-06-010. In addition, the licensee violated the terms of the Settlement Order dated October 12, 2014. Therefore, grounds exist to suspend Lucky Dragonz Casino's licenses under RCW 9.46.075(1), WAC 230-03-085(1) and (3), and the 2014 Settlement Order.

IV.

On March 19, 2015, Commission staff received the licensee's request for a hearing. The licensee waives its right to a hearing, and the parties agree to settle this matter under the following terms:

The licensee's gambling license is hereby **suspended for a period of seven (7) days**, provided that:

- 1) **Five (5) 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 must not violate the terms of this Settlement Order, or Washington's gambling statutes and/or regulations during the one (1) year term.
 - If the licensee violates the terms of this order, 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 a five (5) day suspension of the current gambling license and any subsequently acquired gambling license(s).
- 2) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this settlement, has sole discretion to determine whether the licensee has violated any term of this settlement.
- 3) In the event the Director determines that a violation of this section or any other type of violation has occurred, he may suspend the license(s) issued to Lucky Dragonz Casino, by mailing or delivering a Notice of Administrative Charges to the licensee. The suspension shall be in addition to the 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.
- 4) Pursuant to RCW 9.46.077, the licensee has chosen to **vacate the remaining two (2) days** of the suspension by paying a fine of \$468, which represents 75% of the licensee's daily net receipts for two days, plus investigative and administrative costs of \$1,736. **The licensee agrees to pay a total monetary penalty of \$1,970.**
- 5) The licensee shall also serve a **two (2) day** suspension of the five (5) days that were deferred in the October 12, 2014, Settlement Order. **The suspension shall begin at 8:00 a.m. on June 22, 2015, and end at 8:00 a.m. on June 24, 2015.** During the suspension, no gambling activities may be conducted, and all games, shall be removed from public view.

The signed Settlement Order and payment must be received by Commission staff on or before June 15, 2015, and mailed to Commission Headquarters at the following address:

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

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

Washington State Gambling Commission
Communications and Legal Division
Third Floor Reception
4565 7th Avenue SE;
Lacey, Washington

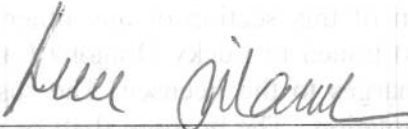
DATED this 11 day of June, 2015.



David Trujillo, Director

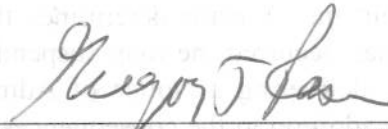
By his signature, the Licensee understands and accepts the terms and conditions of this Order.

APPROVED FOR ENTRY:



Tom Luu, General Manager (Date)
Lucky Dragonz Casino

APPROVED AS TO FORM:



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



Arlene Dennistoun, WSBA #28760
Staff Attorney
Washington State Gambling Commission