



STATE OF WASHINGTON
GAMBLING COMMISSION

"Protect the Public by Ensuring that Gambling is Legal and Honest"

September 15, 2021

LYNA THOU
8820 PACIFIC AVE #10
TACOMA, WA 98444

RE: ADMINISTRATIVE ACTION; CR 2020-01588

Dear Lyna Thou:

Enclosed is an Order of Default entered by the Commission on August 27, 2021, revoking your license to conduct gambling activities. This action occurred because you failed to appear at a previously scheduled hearing on June 18, 2021.


You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

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

You also have the right to submit a Petition for Judicial Review. If you do this, you must submit it within 30 days of the date the Order was mailed. RCW 34.05.514 explains where you must file this petition and RCW 34.05.546 explains what information your Petition must include.

This is not meant to be a full explanation of all the statutes and regulations you would need to understand to move to vacate or Petition for Judicial Review. Please call me at (800) 345-2529, extension 3473, with any questions.

Sincerely,


Ashlie Lyndon, Rules Coordinator
Legal & Records Division

Enclosure

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

In the Matter of:

NO. CR 2020-01588

LYNA THOU,
License No. 69-19439,

FINAL ORDER OF THE
GAMBLING COMMISSION

Class III Employee.

This matter having come before the Washington State Gambling Commission (Commission) on August 12, 2021, and being continued until August 27, 2021, the Commission makes the following Findings of Fact, Conclusions of Law, and issues its Final Order:

I. FINDINGS OF FACT

1. The Washington State Gambling Commission issued Lyna Thou gambling certification No. 69-19439 authorizing Class III Employee activity for the Puyallup Indian Tribe.

2. This certification, which expires on August 25, 2021, was issued subject to Thou’s compliance with state gambling laws, Commission rules, and the Puyallup Tribal-State Gaming Compact.

3. Thou has held this certification since 2002.

4. On November 4, 2019, a WSGC Special Agent received an anonymous complaint regarding an illegal gambling operation. According to the complainant nearly every night a group of people, primarily public card room and tribal casino employees, played a Chinese card game where they “bought in” for each hand and paid tips to the renter of the apartment located in Tacoma.

1 5. From this initial contact until September 30, 2020, the Agent communicated with
2 the complainant via text message. Through these conversations, the Agent learned that the
3 players sit on the ground, putting money into a red tin for “tips.” When a new hand is dealt,
4 players put a chip into the red tin; if they do not pay with a chip, they are not dealt cards.

5 6. According to the complainant, the resident of the apartment keeps all chips and
6 cash in the tin in order to pay for food that is provided. The players then make separate wagers
7 amongst themselves. The complainant provided the Agent with numerous pictures of the games
8 being played, identifying each person found in the photos.

9 7. Amongst the photos provided by the complainant were three photographs of
10 Class III employee Lyna Thou. The photographs showed Thou sitting on the floor playing the
11 card game with both cash and chips in front of her.

12 8. During the ongoing discussion with the Agent, the complainant also voiced
13 concerns about the games going on while COVID-19 mandates were in effect. According to the
14 complainant, players were not wearing their required masks, and were often in groups larger
15 than 14 people in the apartment.

16 9. The complainant notified the Agent that the original location, 3707 East E St. #3
17 in Tacoma, Washington was no longer being used for the games. Instead, the games were being
18 held on a regular basis at a new Tacoma address, 7416 Golden Given Road E #09. Upon
19 receiving this information, the Agent began performing surveillance at this location.

20 10. On December 17, 2020, the Agent called the phone number that was listed for
21 Thou in the WSGC’s internal system. Eventually, the Agent was able to arrange an interview
22 with Thou through her daughter.

23 11. On December 21, 2020, Thou met with the Agent for a voluntary interview.
24 Thou’s daughter Sina served as a translator during the interview. Thou acknowledged playing
25 in the games, saying that she was invited to the 7416 Golden Given apartment by the resident of
26

1 | the apartment, Phal Chea. According to Thou she only played in the game because she knew
2 | Chea.

3 | 12. Thou said that she was playing the game for fun, and had done so three or four
4 | times. Thou explained that there were four to six people at the games that she played in. A
5 | typical bet was between \$1-5 per hand, but could max out at \$20 per hand; Thou would bring
6 | \$20-30 with her to play.

7 | 13. According to Thou, there was no “buy in” before hands, but after a hand was
8 | played, the winner would traditionally give a “tip” to the host, Chea. Thou also explained the
9 | use of chips in the game, stating that if players ran out of cash, they could use the chips to play
10 | instead of cash. She described using chips as a loan from the group, a loan that was expected to
11 | be repaid by bringing food or something else of value to the next game. This is primarily because
12 | in order to play the game, a minimum of four players is necessary.

13 | 14. Former Director David Trujillo issued administrative charges on February 26,
14 | 2021 alleging that Thou’s actions constituted a violation of RCW 9.46.221 and 9.46.160 and
15 | Sections V.E. (1) of the Puyallup Tribal-State Compact. Further, that Thou could not show by
16 | clear and convincing evidence that she was qualified for licensure as required by RCW
17 | 9.46.153(1), and that her actions warranted revocation of her certification pursuant to RCW
18 | 9.46.075(1), (2), and (3), WAC 230-03-085(1), (3), and (9)(d) and (3), and Section V.E (1) of
19 | the Puyallup Tribal-State Gaming Compact.

20 | 15. Thou was sent the charges by regular and certified mail on February 26, 2021 to
21 | the last address the Gambling Commission had on file.

22 | 16. Thou filed a Request for Administrative Hearing on March 8, 2021. As a result,
23 | Thou was assigned a case with the Office of Administrative Hearings (OAH). On June 18, 2021,
24 | Thou failed to appear at a previously scheduled hearing in front of OAH. As a result, OAH
25 | issued an Order Dismissing Appeal-Default on June 21, 2021.
26 |

1 17. Pursuant to that Order, Thou was required to either: 1) file a request to have the
2 order vacated within seven (7) days, or 2) file a petition for review the decision within twenty
3 (20) days of when the order was mailed to Thou. To date, the Commission has not received
4 either of these documents from Thou.

5 **II. CONCLUSIONS OF LAW**

6 1. Lyna Thou received proper notice of the Order Dismissing Appeal within three
7 days of June 21, 2021 via regular and certified mail, pursuant to RCW 34.05.413 RCW
8 34.05.434, RCW 34.05.440, WAC 230-17-005, WAC 230-17-010, WAC 230-17-090 and WAC
9 10-08-130.

10 2. The Commission can take final action against Lyna Thou's gambling certification
11 under Case Number CR 2020-01588 pursuant to RCW 9.46.075, RCW 34.05.440, RCW
12 34.05.461, WAC 230-17-090 and WAC 230-03-085.


13 3. Lyna Thou's certification should be revoked under Case Number CR 2020-01588
14 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440, RCW 34.05.461, WAC 230-
15 17-090 and WAC 230-03-085.

16 **III. ORDER**

17 This matter having come before the Commission at its August 12, 2021, Commission
18 meeting, the Commissioners having heard arguments, been given the chance to review the
19 administrative record, and being fully advised in this matter, now therefore:

20 It is hereby **ORDERED** that Lyna Thou's gambling certification, Number 69-19439, is
21 **REVOKED**.

22 DATED this 27th day of August, 2021.

23 
24 _____
BUD SIZEMORE, Chair

23 
24 _____
JULIA PATTERSON, Vice Chair

25 _____
26 ALICIA LEVY
FINAL ORDER OF THE
GAMBLING COMMISSION

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26 _____
KRISTINE REEVES

1 **NOTICE**

2 Reconsideration: RCW 34.05.470 and WAC 230-17-140 provide that a party may file a
3 petition for reconsideration of a final order. A petition for reconsideration must be received no
4 later than thirteen (13) days after the date this final order is mailed. Any motion for
5 reconsideration must state the specific grounds supporting the party's request for
6 reconsideration.

7 Stay of Final Order: Filing for reconsideration does not stay the effectiveness of this
8 Order. WAC 230-17-145 provides that a party may petition the Commission for a stay of a final
9 order. Any petition for a stay should be received by the Commission within thirteen (13) days
10 after the date this final order is mailed.

11 Judicial Review: RCW 34.05.542 provides that a party may appeal this final order by
12 filing a petition for judicial review within thirty (30) days after service of this order. A petition
13 for judicial review must be filed with the appropriate superior court and served upon both the
14 Commission and the Office of the Attorney General.

15 Service: This Order was served on you three days after it was deposited in the United
16 States Postal Service regular mail, excluding the date of mailing. WAC 230-17-035.

17 Any motions or petitions for judicial review should be served on or mailed to:

18 Washington State Gambling Commission
19 Legal and Records Division
20 4565 7th Avenue S.E., Lacey, WA
21 P.O. Box 42400
Olympia, WA 98504-2400

Doug Van de Brake
Attorney General's Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

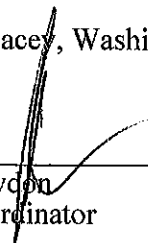
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CERTIFICATE OF SERVICE

I certify that on the date below I served a copy of the foregoing document on all parties and/or their counsel by United States Postal Service regular mail to the following:

LYNA THOU
8820 PACIFIC AVE #10
TACOMA WA 98444

EXECUTED this 15 day of ^{September} ~~August~~, 2021, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator