



STATE OF WASHINGTON
GAMBLING COMMISSION

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

November 23, 2021

KONTHEA CHUM
6810 E J ST
TACOMA, WA 98404

RE: ADMINISTRATIVE ACTION; CR 2021-00047

Dear Konthea Chum:

Enclosed is an Order of Default entered by the Commission on November 16, 2021, revoking your license to conduct gambling activities. This action occurred because you failed to appear at a previously scheduled hearing on September 3, 2021.

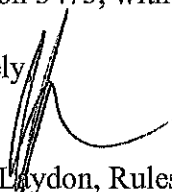
You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

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 Laydon, Rules Coordinator
Legal & Records Division

Enclosure

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

In the Matter of:

NO. CR 2021-00047

KONTHEA CHUM,
License No. 68-03941,

FINAL ORDER OF THE
GAMBLING COMMISSION

Licensee.

This matter having come before the Washington State Gambling Commission (Commission) on November 16, 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 Konthea Chum License No. 68-03941 authorizing Public Card Room Employee activity at Great American Casino in Lakewood, Washington.

2. This license, which expires on November 21, 2021, was issued subject to Chum’s compliance with state gambling laws and Commission rules.

3. Chum has been licensed since 1997.

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.

FINAL ORDER OF THE
GAMBLING COMMISSION

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

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

17 9. On March 26, 2020, the Agent observed two vehicles arrive at the apartment in
18 question. One car, a silver Mercedes with the Washington license plate BOY9146, contained a
19 man and a woman who both exited the vehicle and entered apartment #09. The vehicle is
20 registered to WSGC licensee Samnang Chuab, who the Agent was able to identify as the man
21 exiting the vehicle using pictures from the complainant. The Agent was able to identify the
22 woman as his wife, Konthea Chum, a licensed card room employee.

23 10. On March 31, 2020 the Agent performed surveillance on the property. The entire
24 time that he was surveilling the property, the Agent observed the vehicle registered to Chuab
25 parked in the apartment complex’s parking lot.
26

1 11. On April 2, 2020, while surveilling the property, the Agent observed the vehicle
2 registered to Chuab arrive and park in front of the apartment. This time, a woman, later identified
3 in a photograph taken that day as Chum, was driving the vehicle with an older man riding in the
4 passenger's seat. The two took items out of the vehicle and brought them into the apartment
5 building.

6 12. On April 3, 2020, while performing surveillance on the property, the Agent
7 observed the vehicle registered to Chuab arrive. The Agent was able to take pictures of the
8 parties exiting the vehicle and entering apartment #09. Using the photographs, the Agent was
9 able to positively identify both Chuab and Chum.

10 13. On April 16, 2020, the Agent again surveilled the property. On this date, he was
11 able to identify the vehicle registered to Chuab parked in the apartment complex parking lot.
12 The Agent continued to surveil the property over time, although the subjects of the investigation
13 were not observed at every attempt.

14 14. On December 17, 2020 the Agent attempted to call the subjects of the
15 investigation using the phone numbers listed in the WSGC's internal computer system. The
16 Agent was unable to reach Chum through her listed phone number. Eventually, another Agent
17 was able to find Chum's current number through Emerald Queen Casino.

18 15. On January 7, 2021, Chum met with the Agent at the WSGC's Federal Way
19 office. Chum acknowledged that she and her husband played in the regular games for fun with
20 friends. Chum was only able to identify the tenants of the apartment as "mama" and her husband.
21 Chum did not identify any of the other players in the game aside from her husband.

22 16. Chum contradicted the complainant, saying there was no buy in to get cards.
23 They would, however, "tip" "mama" to buy food and drinks for the game. Chum claimed she
24 only played in the games on her days off, but stopped playing once she went back to work.

25 17. Chum acknowledged that she knew the games were illegal. She learned that such
26 games were illegal when she took the class to become a licensed card room employee. In spite

1 of that, she continued to play because “mama” was sick with cancer, and the games made her
2 happy.

3 18. Former Director David Trujillo issued administrative charges on February 10,
4 2021 alleging that Chum’s actions constituted a violation of RCW 9.46.221, 9.46.160. Further,
5 that Chum could not show by clear and convincing evidence that she was qualified for licensure
6 as required by RCW 9.46.153(1), and that her actions warranted revocation of her license
7 pursuant to RCW 9.46.075(1), (2) and (8), and WAC 230-03-085(1), (3), and (9)(d) and (e).

8 19. Chum was sent the charges by regular and certified mail on February 12, 2021 to
9 the last address the Gambling Commission had on file.

10 20. Chum filed a Request for Hearing on March 12, 2021. As a result, Chum was
11 issued a case number with the Office of Administrative Hearings (OAH), and a Prehearing
12 Conference was scheduled.

13 21. Chum appeared for three separate scheduled conferences in front of OAH, the
14 last of which scheduled a Hearing date of September 3, 2021.

15 22. Chum failed to appear at the Hearing, and as a Result, OAH issued an Order
16 Dismissing Appeal-Default to Chum on September 3, 2021. That Order notified Chum that to
17 challenge the issuance of said Order, Chum must either file a Petition to Reinstate within seven
18 days (September 10, 2021), or file a Petition for Review within twenty days (September 23,
19 2021).

20 23. To date, Chum has not filed either a Petition to Reinstate or Petition for Review
21 in response to the Order Dismissing Appeal. Pursuant to WAC 230-17-090, a Petition was
22 required to be received by the Commission by September 23, 2021.

23 **II. CONCLUSIONS OF LAW**

24 1. Konthea Chum received proper Order Dismissing Appeal within three days of
25 September 3, 2021 via regular and certified mail, pursuant to RCW 34.05.413 RCW 34.05.434,
26 WAC 230-17-005, WAC 230-17-010, and WAC 10-08-130.

2. Konthea Chum failed to file either a timely Petition to Reinstate or a timely Petition for Review within the time outlined in the Order, pursuant to RCW 34.05.464, WAC 230-17-090, and WAC 10-08-211.

3. The Commission can take final action against Konthea Chum’s gambling license under Case Number CR 2021-00047 pursuant to RCW 9.46.075, RCW 34.05.440(1), RCW 34.05.461, and WAC 230-03-085.

4. Konthea Chum’s license should be revoked under Case Number CR 2021-00047 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461, and WAC 230-03-085.

III. ORDER

This matter having come before the Commission at its November 16, 2021, Commission meeting, the Commissioners having heard arguments, been given the chance to review the administrative record, and being fully advised in this matter, now therefore:

It is hereby **ORDERED** that Konthea Chum’s gambling license, Number 68-03941, is **REVOKED**.

DATED this 19th day of November, 2021.

Bud Sizemore

BUD SIZEMORE, Chair

Julia Patterson

JULIA PATTERSON, Vice Chair

Alicia Levy

ALICIA LEVY

Kristine Reeves

KRISTINE REEVES

Sarah Lawson

SARAH LAWSON

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NOTICE

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

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

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

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

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

Washington State Gambling Commission
Legal and Records Division
4565 7th Avenue S.E., Lacey, WA
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:

KONTHEA CHUM
6810 E J ST
TACOMA WA 98404

EXECUTED this 23 day of November, 2021, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator