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BEFORE THE  
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Approval  
of Gambling Establishment Key Employee  
License Regarding:  
  
ROSANNE TRAN  
  
Respondent.

BGC Case No. BGC-HQ2021-00003SL  
CGCC Case No. CGCC-2021-0107-7

**DECISION AND ORDER**

Hearing Date: June 1, 2021  
Time: 10:00 a.m.

This matter was heard by the California Gambling Control Commission (Commission) pursuant to Business and Professions Code sections 19870 and 19871, and Title 4, California Code of Regulations (CCR) section 12060, in Sacramento, California, and held via Zoom video conference, on June 1, 2021.

Paras Modha, Deputy Attorney General, State of California (DAG Modha), represented complainant Stephanie Shimazu, Director of the Bureau of Gambling Control (Bureau), Department of Justice, State of California.

Applicant Rosanne Tran (Tran) appeared on her own behalf.

During the evidentiary hearing, Presiding Officer Jason Pope took official notice of the Notice of Hearing with Tran’s Application for Gambling Establishment Key Employee License and the Bureau’s Initial Background Investigation Report, the Bureau’s Statement of Reasons, Tran’s signed Notice of Defense, the Commission’s Conclusion of Prehearing Conference letter, and the Commission’s Notice and Agenda of Hearing.

During the evidentiary hearing, Presiding Officer Jason Pope accepted into evidence the following exhibits offered by the Bureau:

- (1) Statement to Respondent dated 4/26/2021; Statement of Reasons dated 4/26/2021; Business & Professions Code 19870 & 19871; California Code of Regulations, title 4, section 12060; Certificate of Service dated

- 1 4/26/2021, Bates Nos. BGC001-020;
- 2 (2) CGCC Referral to Evidentiary Hearing dated 1/8/2021; Notice of Defense
- 3 signed 1/25/2021; CGCC Notice of Hearing with Attachments A & B,
- 4 dated 2/25/2021, Bates Nos. BGC021-056;
- 5 (3) Application for Interim Key Employee for Rosanne Tran dated 10/29/2018;
- 6 Application for Gambling Establishment Key Employee License for
- 7 Kings/Westlane Card Room dated 10/26/2018; Key Employee
- 8 Supplemental Background Investigation Information dated 11/9/2018,
- 9 Bates Nos. BGC057-076;
- 10 (4) BGC Gambling Establishment Key Employee Initial Background
- 11 Investigation Report, Level III, for Rosanne Kim Tran at Kings Card Club
- 12 and Westlane Card Room dated October 2020 with attachments, Bates
- 13 Nos. BGC077-101;
- 14 (5) CGCC Correspondence and Memorandum, Bates Nos. BGC102-114;
- 15 (6) License/Registration History and Certification of Records, Bates Nos.
- 16 BGC115-116;
- 17 (7) BGC Correspondence and E-mails, Bates Nos. BGC117-227;
- 18 (8) Tran Bank Statements, Bates Nos. BGC228-343;
- 19 (9) Tran Credit Report and Collections, Bates Nos. BGC344-381; and
- 20 (10) Gambling Winnings, Bates Nos. BGC382-390.

21 Presiding Officer Jason Pope accepted into evidence the following exhibit offered by

22 Tran:

- 23 (A) Letters of Reference from: (1) Cary Lee; (2) Jordan Conner; (3) Scott
- 24 Ciboch; and (4) Rebecca Midgley.

25 The record was closed and the matter was submitted on June 1, 2021.

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1 FINDINGS OF FACT

2 **Procedural History**

3 1. On or about November 2, 2018, the Bureau received an Application for Interim Key  
4 Employee License from Tran.

5 2. On or about November 6, 2018, the Commission issued interim key employee license  
6 number GEKE-002481 to Tran.

7 3. On or about November 20, 2018, the Bureau received an Application for Gambling  
8 Establishment Key Employee License and Key Employee Supplemental Background  
9 Investigation Information (Supplemental) (collectively, Application) from Tran.

10 4. On or about November 6, 2020, the Commission received a Level III Gambling  
11 Establishment Key Employee Initial Background Investigation Report on Tran from the Bureau.  
12 In this report, the Bureau recommends that the Commission deny Tran's Application.

13 5. On or about November 10, 2020, the Commission sent a Notice of Cancellation of  
14 Interim Key Employee License to Tran pursuant to former CCR section 12354(e)(5).

15 6. At its January 7, 2021 meeting, the Commission referred consideration of Tran's  
16 Application to a Gambling Control Act (GCA) evidentiary hearing to be held pursuant to CCR  
17 section 12060.

18 7. On or about February 2, 2021, the Commission received from Tran a signed notice of  
19 defense requesting an evidentiary hearing on the consideration of her Application.

20 8. On or about February 25, 2021, the Commission sent a Notice of Hearing, via e-mail,  
21 to Tran and DAG Modha. The hearing was set for June 1, 2021.

22 9. On or about April 19, 2021, the noticed Prehearing Conference was held before  
23 Presiding Officer Jason Pope, Attorney III of the Commission. DAG Modha attended on behalf of  
24 the Bureau. Tran appeared on her own behalf.

25 10. On or about April 20, 2021, the Commission sent a Conclusion of Prehearing  
26 Conference letter, via e-mail, to Tran and DAG Modha.

27 11. On or about April 26, 2021, the Bureau sent a Statement of Reasons to Tran via  
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1 certified mail. In the Statement of Reasons, the Bureau requests that the Commission deny Tran's  
2 Application. The Commission received the Statement of Reasons from the Bureau on or about  
3 April 26, 2021.

4 12. The Commission heard this matter via Zoom video conference on June 1, 2021. The  
5 Bureau was represented by DAG Modha. Tran appeared on her own behalf.

### 6 **Work History in Controlled Gambling**

7 13. Tran worked as a gaming associate for Kings Consulting Group, LLC, a third party  
8 provider of proposition player services, from March 2012 to August 2012.

9 14. Tran worked as a shift lead for Valley Gaming Services, a third party provider of  
10 proposition player services, from August 2012 to January 2014.

11 15. Tran worked as a shift lead for Knighted Ventures, LLC, a third party provider of  
12 proposition player services, from January 2014 to January 2015.

13 16. Tran worked as a dealer for Parkwest Casino Lodi from January 2015 to September  
14 2017.

15 17. Tran worked as a dealer for Parkwest Casino 580 from September 2017 to January  
16 2018.

17 18. Tran has worked for Delta C, LP dba King's Card Club and Westlane Card Room  
18 from January 2018 to the present. Tran assumed key employee duties in her role as Dealer/Floor  
19 Service Representative in October 2018. Tran has worked exclusively as a dealer after the  
20 Commission canceled her Interim Key Employee License on November 10, 2020.

21 19. There was no evidence presented that Tran has had any derogatory employment-  
22 related issues while working in controlled gambling.

### 23 **Gambling and Financial History**

24 20. Section 10 of the Supplemental requires the applicant to disclose their personal  
25 financial history for ten years preceding the submission of their application. Tran checked the box  
26 marked "yes" to the question: "Have you had any purchase repossessed or had an unpaid  
27 debt/loan turned over to a collection agency or deemed uncollectable (charged-off) for any reason  
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1 within the last ten years?” Tran disclosed that she had unpaid debts turned over to a collection  
2 agency within the last ten years.

3 21. During the evidentiary hearing, Tran testified that she started gambling in 2016 or  
4 2017 after becoming a dealer. She testified that she would gamble all of the time and could lose  
5 \$5,000 in one session. Tran gambled in the same gambling establishments in which she was  
6 employed, including while she was a key employee. Tran incurred substantial credit card debt and  
7 borrowed money from her father to gamble. Tran testified that her gambling losses exceeded her  
8 income.

9 22. Tran’s 2017 federal income tax return indicated that her gross annual income was  
10 \$17,798. Her 2018 federal income tax return indicated that her gross annual income was \$24,984.

11 23. In response to a Bureau email to Tran inquiring about 43 ATM deposits totaling  
12 \$41,563 from September 2017 through October 2018, on July 13, 2019 Tran responded that most  
13 of the deposits were cash deposits from gambling. Tran also stated that most of the cash  
14 withdrawals were made at gambling establishments to gamble.

15 24. Tran testified that the sources of money she used to gamble came from gambling,  
16 credit cards, and her father. Tran’s father loaned her \$20,000 over the course of a year (2017-  
17 2018) to be paid back in full by 2029 with payments beginning on January 1, 2021. In an August  
18 20, 2019 email to the Bureau, Tran stated that she never received credit from a gambling  
19 establishment to gamble.

20 25. In 2017, Tran hit a quads progressive jackpot in the amount of \$850 and received a  
21 Form 1099-G. Tran testified that she remembered hitting the jackpot and receiving the Form  
22 1099-G. However, Tran’s 2017 federal income tax return indicated that she did not claim any  
23 additional income from gambling. Tran stated to the Bureau and testified during the hearing that  
24 she was unaware that she had to report gambling winnings and felt that by the end of the year she  
25 had lost more than she won. Tran admitted that she never kept track of her gambling winnings  
26 and losses. Tran filed amended federal and California state tax returns for 2017 in which she  
27 claimed the \$850 jackpot in gambling winnings.  
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1           26. On or about June 12, 2018, Tran signed a Debt Negotiation Agreement with National  
2 Debt Relief to make monthly payments of \$677 in settlement of debts owed to six creditors.

3           27. In response to a Bureau email to Tran inquiring about 14 deposits and two  
4 withdrawals from December 2018 to June 2019, on September 2, 2019 Tran responded that most  
5 of her small cash deposits were from gambling or from work.

6           28. In response to a Bureau email to Tran inquiring about 15 ATM deposits totaling  
7 \$12,700 and four withdrawals totaling \$2,259 from July 2019 through December 2019, on May  
8 10, 2020 Tran responded that the deposits and withdrawals were for gambling.

9           29. In a November 8, 2019 email to the Bureau, Tran stated that that her personal  
10 circumstances have changed since her niece started living with her full time in 2018. As a result,  
11 Tran stated that she tries to be responsible for her niece, does not gamble in the manner she used  
12 to, and does not use any forms of credit to gamble.

13           30. In a November 4, 2020 letter to the Bureau and Commission, Tran stated that there  
14 were times in the past when she gambled excessively and made the irresponsible decision to use  
15 her credit cards to fund her gambling. Tran stated that since then she has come to realize how  
16 detrimental excessive gambling can be for her financial stability. Tran stated that she has been  
17 working on paying off her credit cards and being more responsible with her money. In 2018, Tran  
18 took custody of her niece. Tran stated she had to learn how to become a parent and that it opened  
19 her eyes to how important it is to remain financially stable. Tran stated that her main focus is  
20 taking care of her niece and working toward becoming free of debt.

21           31. During the hearing, Tran testified that her gambling never affected her work ethic nor  
22 distracted her from work. Tran testified that she is re-hirable at all of her past employers and that  
23 her letters of reference show the quality of her character.

24           32. Tran also testified that she does not currently gamble but admitted to having gambled  
25 a few months ago. Tran admitted she had a gambling problem in 2017-2018. Tran testified that  
26 she has not received professional help and that she could handle her gambling problem on her  
27 own. Tran testified that she now set limits on gambling. Tran admitted that she is more inclined to  
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1 gamble if around gambling.

2 **Letters of Reference**

3 33. Tran submitted four letters of reference in support of her Application:

- 4 a. Cary Lee (Lee) is the Gaming Director with King’s Card Club and Westlane  
5 Card Room. Lee has known Tran for three years as a coworker and direct  
6 supervisor. Lee states that Tran consistently performed her duties with  
7 competence and often does more than is expected of her. Tran started as dealer  
8 but was quickly promoted to the management team due to her hard work and  
9 trustworthiness. Lee states that Tran has demonstrated moral character and  
10 dedication to her job. Lee describes Tran as highly talented, brilliant, and a  
11 service-oriented individual who puts staff and customers first.
- 12 b. Jordan Conner (Conner) is the General Manager/Designated Agent for King’s  
13 Card Club and Westlane Card Room. Conner has worked with Tran for three  
14 years and states that Tran is an outstanding employee. Conner states that Tran  
15 started as a dealer and advanced to helping hire new dealers and training them.  
16 Tran was offered a floor position because she demonstrated the focus and  
17 trustworthiness to lead and mentor staff. Conner describes Tran as professional  
18 and self-motivated with a strong work ethic.
- 19 c. Scott Ciboch (Ciboch) is the Casino Manager of Parkwest Casino Lodi. Ciboch  
20 has known Tran for approximately eight years and in many capacities. Ciboch  
21 states that Tran stood out among her peers in several categories while working  
22 as a third party proposition player for Knighted Ventures. Ciboch states that  
23 Tran excelled in her duties as a table associate including demonstrating speed,  
24 accuracy, and awareness. Ciboch describes Tran as possessing a positive  
25 attitude and good-natured personality. In January 2015, Tran applied to be a  
26 Chip Runner for Parkwest Casino Lodi. The position of Chip Runner was new  
27 and Tran was a key contributor in helping to create many of the policies and  
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1 procedures for chip runners. Ciboch states that Tran was trusted with  
2 thousands of dollars in cash and chip transactions and was responsible for  
3 recording and reporting numerous bonuses and jackpots. Tran was trusted to  
4 perform without variance and did so consistently. In December 2015, Tran  
5 became a dealer at Parkwest Casino Lodi. Tran was trusted with handling cash  
6 and chip transactions for thousands of dollars on a daily basis and performed  
7 her duties consistently and without variance. Ciboch states that he has kept in  
8 touch with Tran since she left Parkwest Casino Lodi and would rehire her  
9 without hesitation.

- 10 d. Rebecca Midgley (Midgley) states that she has known Tran professionally and  
11 as a friend for several years. Midgley states that Tran has a cheerful, positive,  
12 and professional frame of mind. Midgley states that Tran offers to take the  
13 extra time needed to help someone and excels at training new hires and  
14 existing employees. Midgley states that Tran took in her young niece and is her  
15 sole provider and role model. Midgley describes Tran as well-liked,  
16 dependable, trustworthy, and kindhearted.

17 **Assessment of Suitability**

18 34. As a result of the Bureau's background investigation, there are two interrelated issues  
19 of concern regarding Tran's suitability for a key employee license. These issues involve her  
20 gambling and related personal financial management.

21 35. In its Statement of Reasons, the Bureau alleges the following:

- 22 a. That Tran deposited amounts greater than her annual income into her bank  
23 account during the years 2017 and 2018 and was not able to specifically  
24 identify the source of those funds;
- 25 b. That Tran gambled and failed to keep an accounting of her gambling winnings  
26 and losses during the years 2017 through 2019;
- 27 c. That Tran failed to report her gambling winnings on her initial tax returns for  
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1                   2017;

2                   d. That Tran gambled with borrowed funds during the years 2017-2019; and

3                   e. That Tran failed to make timely payments on loans with five different  
4                   institutional lenders.

5                   36. During the evidentiary hearing, Tran agreed that all of the above statements were true  
6 and correct. Tran testified that she started gambling when she became a dealer. Tran admitted to  
7 incurring substantial credit card debt and borrowing money from her father to gamble. Tran also  
8 admitted to failing to keep track of her gambling winnings and losses, which resulted in her  
9 submission of federal and California state income tax returns without accounting for her \$850  
10 jackpot win. Tran admitted that she had a gambling problem for which she never received  
11 professional assistance and that she is more inclined to gamble when around gambling.

12                  37. Tran has taken steps to address her gambling and personal financial management. Tran  
13 consolidated her outstanding credit card debts and signed a Debt Negotiation Agreement with  
14 National Debt Relief to make monthly payments of \$677 in settlement of debts owed to six  
15 creditors. Tran testified that she does not gamble in the manner she used to and does not use any  
16 forms of credit to gamble. Tran is now aware that she needs to report gambling winnings and  
17 losses on her taxes and filed amended federal and California state tax returns for the year 2017 to  
18 include her \$850 jackpot win.

19                  38. Tran's testimony that her gambling and related financial management issues did not  
20 affect her work performance appears supported by the evidence given the lack of any derogatory  
21 work-related issues and the letters of reference she submitted, which were impressive. The letters  
22 of reference were individualized and candid, and relate to Tran's work history in controlled  
23 gambling. The collective testimony is persuasive that Tran has demonstrated many positive  
24 attributes in her work history, including being hardworking, professional, talented, dedicated,  
25 well respected, and helpful. These characteristics reflect positively on Tran's character.

26                  39. Tran disclosed on her Application that she had unpaid debts that were turned over to a  
27 collection agency and that these debts related to gambling, which reflects positively on her  
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1 honesty. In her subsequent responses to the Bureau, and during the evidentiary hearing, Tran  
2 provided detailed and candid testimony regarding her gambling and related personal financial  
3 history, even admitting that she had a gambling problem. Tran’s testimony was credible and  
4 supported by the documentary evidence.

5 40. Based on the foregoing, Tran has met her burden of demonstrating that she is a person  
6 of good character, honesty, and integrity.

7 41. While Tran testified that her circumstances changed in 2018 when she took full  
8 custody of her niece, Tran continued to gamble excessively into 2019. Tran admitted to having  
9 had a gambling problem but did not obtain professional assistance. Tran still gambles and still  
10 owes tens of thousands of dollars in consolidated credit card debt and to her father. Tran also  
11 admitted that she is more inclined to gamble when around gambling, and her continued  
12 employment in controlled gambling creates concern that she will continue to gamble and  
13 potentially gamble excessively. Further, gambling could lead to more personal financial  
14 management issues, including incurring more debt.

15 42. It is not generally in the public’s interest for an individual who incurred substantial  
16 debt due to gambling, admits to having had a gambling problem, continues to gamble, and states  
17 that they are more inclined to gamble when around gambling, to work in controlled gambling.  
18 The opportunity for an individual employed by a cardroom to gamble is always available. Tran’s  
19 continued employment in controlled gambling given her history and habit of excessive gambling  
20 and incurring substantial debts as a result poses a threat to the public interest of the State of  
21 California and to the effective regulation and control of controlled gambling, but this threat is  
22 satisfactorily addressed through the imposition of conditions on the approval of Tran’s  
23 Application.

24 43. The Commission finds it reasonable and appropriate to place conditions on the  
25 approval of Tran’s Application to protect the public and ensure the effective regulation and  
26 control of controlled gambling. These conditions include the submission of a Self-Exclusion  
27 Request for two consecutive one-year periods, the submission of proof of having submitted a  
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1 Self-Exclusion Request, compliance with the terms of the Self-Exclusion Request, and refraining  
2 from participating in controlled gambling in the State of California.

3 44. All documentary and testimonial evidence submitted by the parties that is not  
4 specifically addressed in this Decision and Order was considered but not used by the Commission  
5 in making its determination on Tran's Application for Gambling Establishment Key Employee  
6 License.

7 45. The matter was submitted for Commission consideration on June 1, 2021.

### 8 LEGAL CONCLUSIONS

9 46. Division 1.5 of the Business and Professions Code, the provisions of which govern the  
10 denial of licenses on various grounds, does not apply to licensure decisions made by the  
11 Commission under the GCA. Business and Professions Code section 476(a).

12 47. Public trust and confidence can only be maintained by strict and comprehensive  
13 regulation of all persons, locations, practices, associations, and activities related to the operation  
14 of lawful gambling establishments and the manufacture and distribution of permissible gambling  
15 equipment. Business and Professions Code section 19801(h).

16 48. The Commission has the responsibility of assuring that licenses, approvals, and  
17 permits are not issued to, or held by, unqualified or disqualified persons, or by persons whose  
18 operations are conducted in a manner that is inimical to the public health, safety, or welfare.  
19 Business and Professions Code section 19823(a)(1).

20 49. The Commission may limit, condition, or restrict any license, permit, or approval for  
21 any cause deemed reasonable by the Commission. Business and Professions Code section  
22 19824(b).

23 50. Every key employee shall apply for and obtain a key employee license. Business and  
24 Professions Code section 19854(a).

25 51. No person may be issued a key employee license unless the person would qualify for a  
26 state gambling license. Business and Professions Code section 19854(b).

27 52. The burden of proving his or her qualifications to receive any license from the  
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1 Commission is on the applicant. Business and Professions Code section 19856(a).

2 53. An application to receive a license constitutes a request for a determination of the  
3 applicant's general character, integrity, and ability to participate in, engage in, or be associated  
4 with, controlled gambling. Business and Professions Code section 19856(b).

5 54. The burden of proof is always on the applicant to prove his, her, or its qualifications to  
6 receive any license or other approval under the GCA. CCR section 12060(i).

7 55. No gambling license shall be issued unless, based on all of the information and  
8 documents submitted, the commission is satisfied that the applicant is a person of good character,  
9 honesty, and integrity. Business and Professions Code section 19857(a).

10 56. No gambling license shall be issued unless, based on all of the information and  
11 documents submitted, the commission is satisfied that the applicant is a person whose prior  
12 activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the  
13 public interest of this state, or to the effective regulation and control of controlled gambling, or  
14 create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in  
15 the conduct of controlled gambling or in the carrying on of the business and financial  
16 arrangements incidental thereto. Business and Professions Code section 19857(b).

17 57. No gambling license shall be issued unless, based on all of the information and  
18 documents submitted, the Commission is satisfied that the applicant is a person that is in all other  
19 respects qualified to be licensed as provided in this chapter. Business and Professions Code  
20 section 19857(c).

21 58. The GCA is an exercise of the police power of the state for the protection of health,  
22 safety, and welfare of the people of the State of California, and shall be liberally construed to  
23 effectuate those purposes. Business and Professions Code section 19971.

24 59. As provided in the Findings of Fact, Tran has met her burden of demonstrating that  
25 she is a person of good character, honesty, and integrity pursuant to Business and Professions  
26 Code section 19857(a).

27 60. As provided in the Findings of Fact, there are issues of concern regarding Tran's  
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1 suitability for licensure as a result of her history and habit of gambling excessively and incurring  
2 substantial debt from gambling. With the placement of appropriate and reasonable conditions on  
3 the approval of her Application, and her required compliance with those conditions, Tran has met  
4 her burden of proving that she is a person whose prior activities, reputation, habits, and  
5 associations do not pose a threat to the public interest of this state, or to the effective regulation  
6 and control of controlled gambling, or create or enhance the dangers of unsuitable, unfair, or  
7 illegal practices, methods, and activities in the conduct of controlled gambling or in the carrying  
8 on of the business and financial arrangements incidental thereto pursuant to Business and  
9 Professions Code section 19857(b).

10 61. For the protection of the public and to ensure the effective regulation and control of  
11 control gambling, the Commission finds it reasonable and appropriate to condition the approval  
12 of Tran's Application. These conditions include the submission of a Self-Exclusion Request for  
13 two consecutive one-year periods, the submission of proof of having submitted a Self-Exclusion  
14 Request, compliance with the terms of the Self-Exclusion Request, and refraining from  
15 participating in controlled gambling in the State of California

16 62. Tran has met her burden of demonstrating that she is a person that is in all other  
17 respects qualified to be licensed as provided in the Gambling Control Act pursuant to Business  
18 and Professions Code section 19857(c).

19 63. Tran has met her burden of demonstrating that she is not disqualified from licensure  
20 pursuant to Business and Professions Code section 19859.

21 64. Based on the foregoing, Tran is qualified to receive a key employee license subject to  
22 conditions.

### 23 NOTICE OF APPLICANT'S APPEAL RIGHTS

24 Tran has the following appeal rights available under state law:

25 CCR section 12064, subsections (a) and (b) provide, in part:

26 (a) After the Commission issues a decision following a GCA hearing  
27 conducted pursuant to Section 12060, an applicant denied a license, permit,  
28 registration, or finding of suitability, or whose license, permit, registration, or  
finding of suitability has had conditions, restrictions, or limitations imposed

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upon it, may request reconsideration by the Commission. A request for reconsideration must be:

- (1) Made in writing to the Commission, copied to the Complainant. The Bureau may provide a written response to the Commission within 10 calendar days of receipt of the request; and
- (2) Received by the Commission and Complainant within 30 calendar days of service of the decision, or before the effective date specified in the decision, whichever is earlier.

(b) A request for reconsideration must state the reasons for the request, which must be based upon either:

- (1) Newly discovered evidence or legal authorities that could not reasonably have been presented before the Commission’s issuance of the decision or at the hearing on the matter; or,
- (2) Other good cause which the Commission may decide, in its sole discretion, merits reconsideration.

Business and Professions Code section 19870, subdivision (e) provides:

A decision of the commission denying a license or approval, or imposing any condition or restriction on the grant of a license or approval may be reviewed by petition pursuant to Section 1085 of the Code of Civil Procedure. Section 1094.5 of the Code of Civil Procedure shall not apply to any judicial proceeding described in the foregoing sentence, and the court may grant the petition only if the court finds that the action of the commission was arbitrary and capricious, or that the action exceeded the commission's jurisdiction.

CCR section 12066, subsection (c) provides:

A decision of the Commission denying an application or imposing conditions on license shall be subject to judicial review as provided in Business and Professions Code section 19870, subdivision (e). Neither the right to petition for judicial review nor the time for filing the petition shall be affected by failure to seek reconsideration.

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1 **ORDER**

2 1. Rosanne Tran's Application for Gambling Establishment Key Employee License is  
3 APPROVED WITH CONDITIONS as follows:

4 **Condition 1:** Tran must submit a complete Self-Exclusion Request pursuant to CCR  
5 section 12464, form CH7-05 (New 05/20), to the Bureau for two consecutive periods of  
6 one year each, for a total of two years of self-exclusion from gambling.

7 **Condition 2:** Tran must submit proof of having submitted a complete Self-Exclusion  
8 Request pursuant to CCR section 12464 to the Bureau within 30 days after service of this  
9 Decision and Order.

10 **Condition 3:** Tran must comply with the terms of the Self-Exclusion Request she  
11 submitted.

12 **Condition 4:** Tran must refrain from participating in controlled gambling in the State of  
13 California.

14 2. No costs are awarded.

15 3. Each side to pay its own attorneys' fees.

16 This Order is effective on August 4, 2021.

17 Dated: 7/20/21

Signature: 

18 Paula LaBrie, Chair

19  
20 Dated: 7/20/2021

Signature: 

21 Cathleen Galgiani, Commissioner

22  
23 Dated: 7/21/2021

Signature: 

24 Eric Heins, Commissioner

25  
26 Dated: 7/20/21

Signature: 

27 Edward Yee, Commissioner