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BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Key Employee License for:

CHRISTOPHER MOOSMAN

Applicant.

CGCC Case No. CGCC-2023-0907-4
BGC Case No. BGC-HQ2023-00008AL

DECISION AND ORDER

Hearing Dates: March 11, 2024
Time: 10:00 a.m.

This matter was heard by the California Gambling Control Commission (Commission) pursuant to Business and Professions Code sections¹ 19870 and 19871 and Title 4, California Code of Regulations (CCR) section 12060, in Sacramento, California, and held via Zoom video conference, on March 11, 2024.

Thomas Rinaldi, Deputy Attorney General, State of California (DAG Rinaldi), represented complainant Yolanda Morrow, Director of the Bureau of Gambling Control (Bureau), Department of Justice, State of California.

Applicant Christopher Moosman (Applicant) appeared on his own behalf and was represented by attorney Tiffany Lichtig.

During the evidentiary hearing, Presiding Officer Russell Johnson (Presiding Officer) took official notice of the following documents: the Commission’s Notice and Agenda of Commission Hearing, the Commission’s Conclusion of Prehearing Conference Letter, the Commission’s Notice of Hearing with two attachments: (a) Applicant’s Application for Key Employee License and (b) the Bureau’s Background Investigation Report, with attachments, the Bureau’s Statement of Reasons, and Applicant’s signed Notice of Defense.

Pursuant to a stipulation between the parties, the Presiding Officer accepted into evidence Exhibits 1 through 15 offered by the Bureau, which contain bates numbering BGC 0001 through BGC 0159 with a Table of Contents that separately identifies each document.

¹ All references to statute refer to the California Business and Professions Code unless otherwise stated.

1 Pursuant to a stipulation between the parties, the Presiding Officer accepted into evidence
2 Exhibits A through C offered by Applicant, which contain bates numbering CM 001 through CM
3 003 with a Table of Contents that separately identifies each document.

4 Pursuant to a stipulation between the parties, the Presiding Officer also accepted into
5 evidence written stipulated facts 1-8.²

6 On December 12, 2023, the Presiding Officer closed the administrative record and the
7 matter was submitted to the Commission for consideration.

8 **FACTUAL FINDINGS**

9 1. On January 26, 2022,³ the Bureau received an Application for Interim Key
10 Employee License,⁴ Application for Employee Category License, and a Key Employee
11 Supplemental Investigation Information form (collectively Application) from Applicant.

12 2. On May 24, 2022, the Commission issued Applicant a temporary key employee
13 license, number GEKE-002733, valid through April 2023.

14 3. On June 28, 2023, the Commission received from the Bureau a Gambling
15 Establishment Key Employee Initial Background Investigation Report recommending that the
16 Commission deny the Application.

17 4. On September 7, 2023, the Commission voted to refer the consideration of the
18 Application to a Gambling Control Act (Act) evidentiary hearing.

19 5. On September 13, 2023, the Commission sent a letter notifying Applicant that the
20 Commission referred the consideration of his Application to an evidentiary hearing and provided
21 him with a Notice of Defense form.

22 6. On September 29, 2023, the Commission received a signed Notice of Defense

23 ² The stipulated facts primarily provide background information and are related to allegations
24 from the Bureau Report that Applicant did not timely submit his application. Those allegations were not
25 contained in the Statement of Reasons or asserted as a cause for denial at the hearing, and also were not
determinative to the Commission's decision in this matter and therefore are not set forth in full within the
decision.

26 ³ The parties' second stipulated fact, provided that "[t]he Bureau's June 2023 Key Employee Initial
Background Investigation Report, Level III and Attachments A-G incorrectly indicate February 17, 2022,
27 as the date the application was received."

28 ⁴ The parties' fourth and fifth stipulated facts address the accidental submittal of this form, as the
Application for Interim Key Employee License was repealed on January 1, 2021, and temporary key
employee licenses were properly requested on the Application for Employee Category License.

1 form from Applicant requesting an evidentiary hearing on the consideration of his Application
2 and indicating that he was represented by attorney Tiffany Lichtig.

3 7. On December 15, 2023, the Commission sent a Notice of Hearing to Applicant and
4 DAG Rinaldi providing that a hearing was scheduled for March 11, 2024, at 10:00 a.m.

5 8. On or about January 12, 2024, the Bureau sent a Statement of Reasons to
6 Applicant and the Commission. In the Statement of Reasons, the Bureau alleges one cause for
7 denial, alleging that Applicant is unsuitable for licensure because he loaned money to and
8 borrowed money from customers of the Marina Club in violation of the Marina Club's internal
9 policies.

10 **Applicant's Employment History in Controlled Gambling**

11 9. From May 2012 to September 30, 2014, Applicant worked as a banker for
12 Certified Players, Inc. (Certified Players), a Third-Party Provider of Proposition Player Services.
13 On June 4, 2012, the Commission issued Applicant a registration which became inactive on
14 October 21, 2014 due to him being terminated. Applicant was subsequently offered a position as a
15 banker in a different cardroom serviced by Certified Players. However, the offered location was
16 too far from Applicant's residence for him to accept the position.

17 10. Applicant began working for the Marina Club in November 2014 as a dealer. From
18 September 2021 to February 2022, Applicant participated in a training program where he worked
19 under the supervision of an owner or key employee. Applicant testified that after completing the
20 training program and receiving a temporary key employee license, he began working as a Floor
21 Manager at the Marina Club.

22 **Applicant's Loans to and from Patrons**

23 11. Andrea Farris testified on behalf of the Bureau. Ms. Farris is a Staff Services
24 Manager I in the Bureau's Key Employee and Work Permit Unit and oversaw Applicant's
25 background investigation. Ms. Farris testified that in the course of the investigation, Bureau staff
26 questioned Applicant about specific deposits and withdrawals shown on his bank statements
27 during the period he worked as a dealer at the Marina Club.

28 12. Applicant responded to the Bureau's inquiries in a forthcoming manner and

1 identified that the transactions at issue were related to personal funds he borrowed or loaned
2 pursuant to informal agreements with friends, coworkers, and Marina Club customers (generally
3 referred to as “loans”).

4 13. Ms. Farris testified that while there is not a specific regulation prohibiting the
5 types of loans provided by Applicant, the Bureau found the loans concerning because it is
6 conceivable that a patron may expect a favor from Applicant in exchange for a loan.

7 14. Additionally, Ms. Farris testified that the Bureau confirmed that the Marina Club
8 had a written policy prohibiting these types of loans. The Bureau did not inquire whether the
9 Marina Club advised employees about the policy prohibiting loans.

10 15. Applicant’s testimony was consistent with his written statements that the loans
11 were between him and regular customers, current and former coworkers, and friends he knew for
12 a long time and trusted. Applicant does not know the exact number of loans he made while
13 working at the Marina Club, but he estimates it was between 30 and 100 during the entire period
14 he was a dealer. The amounts of the loans ranged from \$5 to \$300. The loans were made while
15 Applicant was on break or off the clock and in some cases occurred outside of the Marina Club,
16 such as at personal outings unrelated to his work at the Marina Club.

17 16. Applicant testified that a typical circumstance in which he loaned money to a
18 customer of the Marina Club was when a regular customer ran out of money but wanted to
19 continue playing or needed to borrow funds to finish playing a hand. Applicant testified that these
20 regular customers would tip him well as a dealer and then would later ask to borrow money from
21 him when he was on break or assigned to a different table and it was difficult for him to decline
22 these requests. Applicant testified that only his personal funds were used for the loans and he did
23 not impose any repayment terms or interest, and in all but a few instances he was repaid very
24 quickly.

25 17. Applicant testified that a typical example of him receiving a loan was from a
26 coworker to purchase food or pooling money together with friends to gamble, or to buy personal
27 items such as shoes. Applicant does not owe any money to Marina Club customers and last
28 borrowed money from a customer in February 2021.

1 25. The burden of proving his or her qualifications to receive any license from the
2 Commission is on the applicant. (Bus. & Prof. Code, § 19856, subd. (a); CCR section 12060,
3 subd. (j).)

4 26. An application to receive a license constitutes a request for a determination of the
5 applicant’s general character, integrity, and ability to participate in, engage in, or be associated
6 with, controlled gambling. (Bus. & Prof. Code, § 19856, subd. (b).)

7 27. In reviewing an application for any license, the Commission shall consider
8 whether issuance of the license is inimical to public health, safety, or welfare and whether
9 issuance of the license will undermine public trust that the gambling operations with respect to
10 which the license would be issued are free from criminal and dishonest elements and would be
11 conducted honestly. (Bus. & Prof. Code, § 19856, subd. (c).)

12 28. No gambling license shall be issued unless, based on all of the information and
13 documents submitted, the Commission is satisfied that the applicant is a person of good character,
14 honesty, and integrity. (Bus. & Prof. Code, § 19857, subd. (a).)

15 29. No gambling license shall be issued unless, based on all of the information and
16 documents submitted, the Commission is satisfied that the applicant is a person whose prior
17 activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the
18 public interest of this state, or to the effective regulation and control of controlled gambling, or
19 create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in
20 the conduct of controlled gambling or in the carrying on of the business and financial
21 arrangements incidental thereto. (Bus. & Prof. Code, § 19857, subd. (b).)

22 30. An application for a license will be denied if the Commission finds that the
23 applicant has not satisfied the requirements of Business and Professions Code section 19857.
24 (CCR section 12040, subd. (a)(1).)

25 **ASSESSMENT OF APPLICANT’S SUITABILITY FOR LICENSURE**

26 31. Applicant disclosed his termination from Certified Players to the Bureau and
27 Commission. After Applicant’s termination, Certified Players immediately offered him another
28 position, which he did not accept. After the termination, Applicant continued working in the

1 controlled gambling industry without further disciplinary action.

2 32. Applicant also disclosed two alcohol-related convictions which occurred during a
3 difficult personal time. Applicant sought treatment on his own volition without court mandate and
4 did not drink for more than a year. He was able to “turn his life around” and satisfied all
5 conditions of his sentences.

6 33. The owner and General Manager of the Marina Club, Frank Calamia, provided a
7 character reference letter in support of Applicant. Mr. Calamia wrote that he has known Applicant
8 since 2014 and stated that he is kind, considerate, honest, loyal, and has good judgment.
9 Applicant always does his best to face any challenges presented to him while working at the
10 Marina Club. Mr. Calamia recruited Applicant to become a floor manager and his performance as
11 a key employee has been exemplary. The morale of the staff supervised by Applicant is very high
12 and his relationship with customers is outstanding. Mr. Calamia hopes for Applicant to continue
13 in his career path as a valued employee of the Marina Club.

14 34. Tuan Nguyen, General Manager of the Marina Club, also provided a character
15 reference letter in support of Applicant. Mr. Nguyen has worked with Applicant since 2014 and
16 states that Applicant is a valuable asset to the management team. Applicant has integrity, good
17 morals, dedication, a great attitude, willingness to learn, and thrives in moments of adversity.

18 35. Kellee Stoehr, a supervisor and colleague of Applicant at the Marina Club, also
19 provided a character reference letter. Ms. Stoehr has known Applicant for 8 years and states he
20 has sound character, is compassionate, disciplined, honest, humble, sincere, and ambitious, and
21 she has witnessed tremendous growth in his leadership skills over the years.

22 36. The character reference letters by Applicant’s employer and coworkers are
23 persuasive that he is a valued team member at the Marina Club and is generally considered by his
24 employer and coworkers to have good character, honesty, and integrity.

25 37. Commission regulations do not directly prohibit a cardroom employee from
26 loaning personal funds to patrons. However, the Commission regulations specify conditions under
27 which a cardroom business licensee can extend credit to patrons, including public protection
28 measures that were not followed by Applicant in relation to his loans. The Commission agrees

1 with the Bureau that loans involving patrons may lead to the appearance of impropriety and
2 should be carefully scrutinized.

3 38. Applicant's testimony that he was unaware that the Marina Club had an internal
4 policy prohibiting employees from borrowing from or loaning money to patrons was credible, as
5 was his testimony that he ceased the activity prior to assuming key employee duties. Further,
6 Applicant voluntarily disclosed the loan activity to the Bureau, including voluntarily admitting
7 that he had made more loans than the few transactions the Bureau questioned him about.

8 39. Based on the foregoing, Applicant has met his burden of proving that he is a
9 person of good character, honesty, and integrity.

10 40. All documentary and testimonial evidence submitted by the parties that is not
11 specifically addressed in this Decision and Order was considered but not used by the Commission
12 in making its determination on Moosman's Application.

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ORDER

- 1. Christopher Moosman’s Application for a Key Employee license is Approved.
- 2. No costs are awarded.
- 3. Each side to pay its own attorneys’ fees.

This Order is effective on May 9, 2024

Dated: 5/9/2024 Signature: 
DocuSigned by:
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 Paula LaBrie, Chair

Dated: 5/9/2024 Signature: 
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 Eric Heins, Commissioner

Dated: 5/9/2024 Signature: 
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 William Liu, Commissioner

Dated: 5/9/2024 Signature: 
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 Edward Yee, Commissioner