1	BEFOI	RE THE
2	CALIFORNIA GAMBLING CONTROL COMMISSION	
3	In the Matter of the Application for Approval	CGCC Case No. CGCC-2018-0222-12
4 5	of Initial Third-Party Proposition Player Services License Regarding:	DEFAULT DECISION AND ORDER
6	SUMEET ANAND	
0 7	TPPL-011589	Hearing Date: Thursday, July 12, 2018
8	Applicant.	Time: 10:00 A.M.
9	1. This matter was scheduled for hea	aring before the California Gambling Control
10	Commission (Commission) pursuant to Business	and Professions Code sections 19870 and 19871
11	and Title 4, California Code of Regulations (CC	R) section 12060, in Sacramento, California, on
12	Thursday, July 12, 2018.	
13	2. Sumeet Anand (Applicant) failed	to appear and was not represented at the hearing.
14	<b>FINDING</b>	S OF FACT
15	3. On or about July 24, 2017, the Bu	rreau of Gambling Control (Bureau) received an
16	Application for Approval of Third-Party Proposi	tion Player Services License for Supervisor,
17	Player or Other Employee from Applicant.	
18	4. Applicant was issued an interim r	enewal license No. TPPL-011589 which is valid
19	until November 30, 2019 or until the conclusion	of this evidentiary hearing, whichever is sooner.
20	5. On or about January 15, 2018, the	e Bureau issued its Third-Party Player
21	Background Investigation Report in which it con	cluded that Applicant was unqualified for
22	licensure pursuant to Business and Profession Co	ode section 19857 and disqualified for licensure
23	pursuant to Business and Profession Code sectio	n 19859. The Bureau recommended that the
24	Commission deny Applicant's application	
25	6. On or about February 22, 2018 th	e Commission considered Applicant's
26	application and voted to refer the matter to an ev	identiary hearing pursuant to Title 4, CCR
27	section 12060, subdivision (b).	
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	Dec	cision and Order, CGCC Case No: CGCC-2018-0222-12

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1	7. Applicant received notice of Commission consideration of Applicant's application
2	in two ways. First, Commission staff mailed an evidentiary hearing referral letter via certified
3	mail to Applicant's address of record on February 27, 2018 which included a blank Notice of
4	Defense form with instructions to return it to the Commission within 15 days of receipt or else the
5	Commission may issue a default decision. A copy of the letter was mailed to Applicant's
6	Designated Agent. Commission staff received no response from Applicant including a Notice of
7	Defense form or otherwise as of March 28, 2018. (Exhibit A)
8	8. Second, Applicant further received notice of the hearing through a hearing notice
9	sent certified mail on April 6, 2018 to Applicant's address of record which included Exhibit A
10	and stated that the hearing was set to occur on Thursday, July 12, 2018 at 10:00 A.M. A copy of
11	the letter was mailed to Applicant's Designated Agent.
12	DETERMINATION OF ISSUES
13	9. An application to receive a license constitutes a request for a determination of the
14	applicant's general character, integrity, and ability to participate in, engage in, or be associated
15	with, controlled gambling. (Bus. & Prof. Code § 19856, subd. (b).)
16	10. In addition, the burden of proving Applicant's qualifications to receive any license
17	from the Commission is on the applicant. (Bus. & Prof. Code § 19856, subd. (a).)
18	11. At an evidentiary hearing pursuant to Business and Professions Code sections
19	19870 and 19871 and Title 4, CCR section 12060 the burden of proof rests with the applicant to
20	demonstrate why a license should be issued. (Cal. Code Regs., tit. 4, § 12060, subd. (i).)
21	12. Title 4, CCR section 12052, subdivision (c), provides in pertinent part:
22	(c) An applicant for any license, permit, finding of suitability,
23	renewal, or other approval shall be given notice of the meeting at which the application is scheduled to be heard. Notice shall be given pursuant to Section 12006.
24	* * *
25	(2) If the equilibration is to be each adult dot on each dentions
26	(2) If the application is to be scheduled at an evidentiary hearing, pursuant to subsections (a) or (b) of Section 12060, the notice of hearing shall inform the applicant of the following:
27	notice of hearing shall inform the applicant of the following:
28	* * *
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	Decision and Order, CGCC Case No: CGCC-2018-0222-12

1	(F) The waiver of an evidentiary hearing, or failure of the applicant to submit a Notice of Defense, or failure of an applicant to encount a submit a many result in	
2	to appear at an evidentiary hearing, may result in:	
3 4	1. A default decision being issued by the Commission based upon the Bureau report, any supplemental reports by the Bureau and any other documents or testimony already provided or which might be provided to the Commission	
5	13. An applicant for an owner, supervisor or player registration is ineligible for a	
6	registration if they have had an application denied under Title 4, CCR Chapter 2.1 or the	
7	Gambling Control Act. (Cal. Code Regs., tit. 4, § 12204, subd. (d).)	
8	14. Title 4, CCR section 12205, subdivision (a) states in pertinent part:	
9		
10	Any regular registration issued in accordance with this chapter shall be subject to cancellation pursuant this this section. A registration shall be cancelled if the Commission determines after a noticed hearing that	
11	the registration is ineligible for registration	
12	15. The Commission takes official notice of the Bureau report, any supplemental	
13	reports by the Bureau and any other documents or testimony already provided to it in this matter	
14	as required by Business and Professions Code section 19870, subdivision (a) and Title 4, CCR	
15	section 12052, subdivision (c)(2)(F)(1).	
16	16. The Commission has jurisdiction to adjudicate this case by default.	
17	17. The Commission may deny Applicant's application based upon the Bureau report,	
18	any supplemental reports by the Bureau and any other documents or testimony already provided	
19	to it, pursuant to CCR section 12052, subdivision (c)(2)(F)(1), and Business and Professions	
20	Code sections 19857 and 19859.	
21	18. The Commission may further also deny Applicant's application based upon	
22	Applicant's failure to prove to the Commission Applicant is qualified to receive a license or other	
23	approval as required by Business and Profession Code section 19856, subdivision (a) and Title 4,	
24	CCR section 12060(i).	
25	19. Therefore, as the Applicant failed to return a Notice of Defense form, did not	
26	attend the default hearing, and did not submit any information or evidence in favor of granting	
27	Applicant's Application, Applicant did not meet Applicant's burden of demonstrating why a	
28	license should be issued pursuant to Business and Professions Code section 19856(a) and Title 4, 3	
	Decision and Order, CGCC Case No: CGCC-2018-0222-12	

1	CCR section 12060(i). The Commission further finds that pursuant to California Code of
2	Regulations, Title 4, section 12052, subdivision (c)(2)(F)(1), Applicant's Application is subject to
3	denial.
4	20. As Applicant's application is subject to denial, upon the conclusion of this
5	evidentiary hearing, Applicant's interim renewal license is rendered invalid by operation of Title
6	4, CCR section 12035(b)(2).
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	Decision and Order, CGCC Case No: CGCC-2018-0222-12

1	NOTICE OF APPLICANT'S APPEAL RIGHTS
2	Applicant has the following appeal rights available under state law:
3	Title 4, CCR section 12064, subdivision (a) and (b) provide, in part:
4	(a) After the Commission issues a decision following a GCA hearing conducted
5	pursuant to Section 12060, an applicant denied a license, permit, registration, or finding of suitability, or whose license, permit, registration, or finding of
6	suitability has had conditions, restrictions, or limitations imposed upon it, may request reconsideration by the Commission within 30 calendar days of service of
7	the decision, or before the effective date specified in the decision, whichever is
8	later. (b) A request for reconsideration shall be made in writing to the Commission,
9	copied to the Bureau, and shall state the reasons for the request, which must be based upon either:
10	(1) Newly discovered evidence or legal authorities that could not reasonably have been presented before the Commission's issuance of the
11	decision or at the hearing on the matter; or,
12	(2) Other good cause which the Commission may decide, in its sole discretion, merits reconsideration.
13	Business and Professions Code section 19870, subdivision (e) provides:
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15 16	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
10	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.
18	Title 4, CCR section 12066, subdivision (c) provides:
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20	A decision of the Commission denying an application or imposing conditions on a license shall be subject to judicial review as provided in Business and Professions
21	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
22	reconsideration.
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	Decision and Order, CGCC Case No: CGCC-2018-02

1	<u>ORDER</u>
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3	1. Sumeet Anand's Application for Approval of Initial Third-Party Proposition
4	Player Services License for Supervisor, Player or Other Employee is DENIED.
5	2. Sumeet Anand's Interim Renewal License No. TPPL-011589 is rendered invalid.
6.	3. Sumeet Anand may not apply to the Commission or the Bureau for any type of
7	license, registration or work permit for one (1) year after the effective date of this Order.
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9	This Order is effective on $7/2/8$ .
10	2/12/18
11	Dated: 7 12 18 Signature:
12	Jim Evans, Chairman
13	The link I a Date i
14	Dated: Signature:
15	Paula LaBrie, Commissioner
16	7/17/10 74
17	Dated: Signature: 3
18	Trang To, Commissioner
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	Decision and Order, CGCC Case No: CGCC-2018-0222-12

## **DECLARATION OF STEPHANIE CLARK**

I, Stephanie Clark, declare as follows:

I am employed by the California Gambling Control Commission as an analyst in the Commission's Licensing Division. Sumeet Anand's case has been assigned to me for processing.

On February 27, 2018, I mailed a Gambling Control Act hearing referral letter to Sumeet Anand at **Constitution of the Second Sec** 

Today is March 28, 2018 and I have not received the Notice of Defense form or any communication from Sumeet Anand regarding a request for a Gambling Control Act hearing.

I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Executed on March 28, 2018 in Sacramento, California.

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Stephanie Clark