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BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Third-Party
Proposition Player Services License
Regarding:

TANISHA GRANT

Respondent.

BGC Case No. BGC-HQ2019-00019SL
CGCC Case No. CGCC-2019-0530-10F

DECISION AND ORDER

Hearing Date: November 22, 2019
Time: 2:00 p.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, on November 22, 2019.

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

Respondent Tanisha Grant (Grant) appeared on her own behalf.

During the evidentiary hearing, Presiding Officer Jason Pope took official notice of the Notice of Hearing, with enclosures, sent by the Commission to Grant, Designated Agent Chau On of Pacific United Services, Inc. (DA On), and DAG Hickey, via certified mail, on August 16, 2019.

Presiding Officer Jason Pope also took official notice of the Commission’s Conclusion of Prehearing Conference letter, the Bureau’s Statement of Reasons, and Grant’s signed Notice of Defense.

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

- (1) Copies of Statement to Respondent, Statement of Reasons, Business and Professions Code sections 19870 and 19871, California Code of Regulations section 12060, Declaration of Service by Certified Mail and

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Return Receipt, dated September 24, 2019, Bates Nos. BGC0001-0026;

(2) Bureau of Gambling Control Documents:

- a. Application for Third-Party Proposition Player Services License for Supervisor, Player or Other Employee, dated October 16, 2016, Bates Nos. BGC0027-0028;
- b. Level I Supplemental Information, dated September 5, 2016, Bates Nos. BGC0029-0038; and
- c. Third-Party Player Initial Background Investigation Report, Level III, with attachments, dated April 2019, Bates Nos. BGC0039-0047;

(3) California Gambling Control Commission Documents:

- a. Notice of Scheduled Commission Meeting letter to Respondent, dated May 17, 2019, Bates No. BGC0048;
- b. Referral of Third-Party Proposition Player Services License application to an Evidentiary Hearing to Respondent, dated June 3, 2019, with attached Notice of Defense form, Bates Nos. BGC0049-0052;
- c. Respondent's completed Notice of Defense form, dated June 13, 2019, Bates Nos. BGC0053-0054;
- d. Notice of Hearing letter to Respondent, dated August 16, 2019, Bates Nos. BGC0055-0070; and
- e. Conclusion of Prehearing Conference letter, dated October 8, 2019, Bates Nos. BGC0071-0077;

(4) Bureau of Gambling Control Registration History for Tanisha Maxseen Grant for dates April 9, 2013 through July 23, 2015, with attached Certificate of Official Records (Evidence Code section 1280) signed by Kathi Hegelein, Manager I, Bureau of Gambling Control, Department of Justice, dated June 18, 2019, Bates Nos. BGC0078-0079;

(5) Certified copies of Los Angeles County Superior Court Case No.

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BA417035 documents including:

- a. Felony Complaint for Arrest Warrant for Welfare and Institutions Code section 10980(c)(2) and Penal Code section 118(a), dated October 8, 2013, Bates Nos. BGC0080-0084;
- b. Order for Dismissal (Pen. Code §§ 1203.4, 1203.4a, 1203.41) of Los Angeles Superior Court Case BA417035, dated May 29, 2015, Bates Nos. BGC0085-0087;
- c. Electronic Docket on File with the Los Angeles Superior Court re: Case No. BA417035, Bates Nos. BGC0088-0093; and
- d. Misdemeanor Advisement of Rights, Waiver, and Plea Form in Los Angeles Superior Court Case No. BA417035, dated May 29, 2019, Bates Nos. BGC0094-0097;

(6) Bureau of Gambling Control Correspondence and Respondent's Responses:

- a. April 11, 2017 – Letter to Pacific United Services, Inc., re Additional Information and/or Documentation Required – Tanisha Maxseen Grant – Application Number 92343, Bates Nos. BGC0098-0100;
- b. April 14, 2017 – Email and attached letter from Chau On, Pacific United Service, Inc. to Krissia Thorsell, Analyst, Bureau of Gambling Control re requested information; and response email from Chau On to Krissia Thorsell, Bates Nos. BGC0101-0105;
- c. May 17, 2017 – Email from Krissia Thorsell to Karrie at Pacific United Service, Inc., re Request for additional information re: Tanisha Maxseen Grant, Bates Nos. BGC0106-0107;
- d. July 5, 2017 – Email from Krissia Thorsell to Karrie at Pacific United Service, Inc., re Request for additional information re: Tanisha Maxseen Grant, Bates No. BGC0108; and

- 1 e. July 18, 2017 – Letter to Karrie On, Designated Agent, Pacific United
2 Service, Inc., re Final Notice re: additional information re: Tanisha
3 Maxseen Grant, Bates Nos. BGC0109-0110;
- 4 (7) Appointment of Designated Agent for Owners and Proposition Players,
5 dated March 26, 2019, Bates No. BGC0111;
- 6 (8) Completed Employment Verification by Target Human Resource Team
7 Member Nellie Leon re: Tanisha Grant, dated May 8, 2017, Bates No.
8 BGC0112; and
- 9 (9) Miscellaneous correspondence between the California Bureau of Gambling
10 Control and the California Gambling Control Commission, Bates Nos.
11 BGC0113-0123.

12 During the evidentiary hearing, Presiding Officer Jason Pope also accepted into evidence
13 the following exhibit offered by Grant:

- 14 (A) Email from Grant to Commission staff regarding attached documents,
15 Bates No. APP001:
- 16 a. Department of Children and Family Services Probation Department’s
17 applicant background check assessment standards for Tanisha Grant,
18 Bates No. APP002;
- 19 b. California Department of Social Services’ Resource Family Approval
20 Certificate for Tanisha Grant, Bates No. APP003;
- 21 c. Character Reference Letter from Derranae Stuart, MSW, Bates No.
22 APP004; and
- 23 d. Letter from Tanisha Grant, Bates No. APP005.

24 The record was closed and the matter was submitted on November 22, 2019.

25 FINDINGS OF FACT

26 **Procedural History**

- 27 1. On or about October 27, 2016, the Bureau received an Application for Third-Party
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1 Proposition Player Services License for Player and a Level I Supplemental Information form
2 (Supplemental) (collectively, Application) from Grant.

3 2. On or about April 27, 2019, the Commission received a Third-Party Player Initial
4 Background Investigation Report on Grant from the Bureau. In this report, the Bureau
5 recommends that the Commission deny Grant's Application.

6 3. At its May 30, 2019 meeting, the Commission voted to refer the consideration of
7 Grant's Application to a Gambling Control Act evidentiary hearing pursuant to CCR sections
8 12056(a) and 12060.

9 4. On or about June 12, 2019, Grant submitted a signed notice of defense requesting an
10 evidentiary hearing on the consideration of her Application.

11 5. On or about August 16, 2019, the Commission sent a Notice of Hearing, via certified
12 mail, to Grant, DA On, and DAG Hickey.

13 6. On or about September 24, 2019, the Bureau sent a Statement of Reasons to Grant and
14 DA On via certified mail. The Commission received the Statement of Reasons from the Bureau
15 on or about September 24, 2019. In the Statement of Reasons, the Bureau recommends that the
16 Commission deny Grant's Application.

17 7. On or about October 7, 2019, the noticed Prehearing Conference was held before
18 Presiding Officer Jason Pope, Attorney III of the Commission. DA On attended on behalf of
19 Grant, who also attended. DAG Hickey attended on behalf of the Bureau.

20 8. On or about October 8, 2019, the Commission sent a Conclusion of Prehearing
21 Conference letter to Grant, DA On, and DAG Hickey.

22 9. The Commission heard this matter on November 22, 2019. The Bureau was
23 represented throughout the hearing by DAG Hickey. Grant appeared on her own behalf.

24 **Grant's Employment History in Controlled Gambling**

25 10. From approximately February 2013 to June 2014, Grant was employed as a third-party
26 proposition player with Team View Player Services, LLC, a third party provider of proposition
27 player services.

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1 11. From approximately July 2014 to July 2015, Grant was employed as a third-party
2 proposition player with Certified Players, Inc., a third party provider of proposition player
3 services.

4 12. From approximately July 2015 to the present, Grant has been employed by Pacific
5 United Service, Inc., a third party provider of proposition player services, as a third-party
6 proposition player under registration number TPPL-01568. Grant's registration expires on
7 February 2, 2021.

8 13. There was no evidence presented during the evidentiary hearing that Grant has
9 had any employment-related issues during her approximately seven years in controlled gambling.

10 **Grant's Prior Employment History**

11 14. From approximately November 2005 to October 2009, Grant was employed by Target
12 as a cashier. Grant was terminated from Target for gross misconduct because she violated
13 company policy by applying for multiple Target Red Cards using her name but different
14 addresses, which was against company policy.

15 15. On her Application, Grant disclosed that her reason for leaving Target was "wrongly
16 misconduct."

17 16. On or about April 14, 2017, Grant wrote a letter to the Bureau regarding her
18 employment at Target. In the letter, Grant states that she was released by Target because she was
19 accused of misconduct by applying for a Target Red Card multiple times using her name but
20 different addresses, which was against company policy. Grant states that she did not know it was
21 against company policy at the time.

22 17. On or about December 8, 2017, Grant wrote another letter to the Bureau regarding her
23 employment at Target. In the letter, Grant states that Target cashiers have a daily goal to get two
24 or three Target Red Cards. Grant states that when she was unable to reach that goal, she would
25 apply for a Target Red Card to meet her daily goal and avoid getting written up.

26 **Criminal History**

27 18. On or about May 15, 2015, Grant was convicted by the Los Angeles County Superior
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1 Court of violating California Welfare and Institutions Code section 10980(c)(2), fraud to obtain
2 aid, a misdemeanor, in the case of *People v. Grant* (Super. Ct. Los Angeles, 2013, No.
3 BA417035). Grant was sentenced to one day of probation, and ordered to perform 100 hours of
4 community service, pay a monetary fine, and pay restitution in the amount of \$4,044.

5 19. While receiving CalWORKS program benefits between December 1, 2011 and August
6 31, 2012, Grant failed to report income from a part time job to the Los Angeles Department of
7 Public Social Services. As a result, Grant obtained \$4,044 in cash benefits to which she was not
8 entitled.

9 20. Grant disclosed the conviction and provided the required details regarding the
10 conviction on her Application.

11 21. Grant successfully completed the terms of her probation. Grant completed her 100
12 hour community service requirement and paid restitution in full. The monetary fines were
13 permanently stayed.

14 22. On or about May 29, 2015, Grant's criminal conviction for fraud to obtain aid was set
15 aside and dismissed pursuant to California Penal Code section 1203.4.

16 23. On or about April 14, 2017, Grant wrote a letter to the Bureau regarding the
17 circumstances surrounding her criminal conviction. In the letter, Grant states that she received
18 benefits from the government while working a part time job. Grant states that she failed to report
19 her earnings in a timely manner. As a result, Grant states that she was asked to appear before a
20 judge who sentenced her to one day of probation and ordered her to repay the government funds
21 and perform 100 hours of community service.

22 **Grant's Letter of Reference**

23 24. Grant submitted a letter of reference in support of her Application from Derranae
24 Stuart (Stuart), a Children's Social Worker with the Department of Children and Family Services.
25 Stuart has known Grant for 13 years and has collaborated with her on various events. Stuart
26 describes Grant as a hard worker, kind hearted, caring, responsible, and reliable. Stuart states that
27 Grant has always approached tasks with passion and purpose and is committed to completing
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1 tasks that vary in difficulty. Stuart also states that Grant interacts positively with peers, offers
2 assistance to others in need, and leads by example.

3 **Grant's Letter to the Commission**

4 25. Grant submitted a personal letter as part of the exhibits she admitted into evidence
5 during the evidentiary hearing. In this letter, Grant states that she loves working in the gaming
6 industry. Grant states that she is sorry and disappointed with herself for the poor judgment and
7 ignorance of her youth. Grant states that she is moving forward as a mature adult, respects the
8 court and laws, and has taken the proper steps to make sure she makes better decisions.

9 **Grant's Testimony During the Evidentiary Hearing**

10 26. During the evidentiary hearing, Grant testified regarding her employment at Target
11 and her criminal conviction.

12 27. Regarding her employment at Target, Grant testified that cashiers were required to
13 obtain a certain amount of Target Red Card (credit card) applications per day. These quotas were
14 part of the cashiers' quarterly performance evaluations and the failure to obtain enough
15 applications would result in verbal warnings and reprimands. An employee who received a
16 certain amount of warnings and reprimands would be terminated. Given the difficulty in meeting
17 these quotas, Grant would apply for a Target Red Card in her own name using different
18 addresses. As a result, Grant was fired for misconduct for violating company policy. Grant
19 testified that she was not aware of any policies regarding the Target Red Card program at the time
20 of her employment. Grant testified that she did not know it was wrong for an employee to apply
21 for one or more Target Red Cards or that doing so could be grounds for termination. Grant also
22 testified that it was common for other cashiers to apply for multiple Target Red Cards to meet
23 their quotas.

24 28. Regarding the circumstances surrounding her criminal conviction, Grant testified that
25 she was receiving aid from the government through the CalWORKS program. She had accepted a
26 part time job which included a probationary employment period. Grant was unsure if she was
27 going to clear probation. Grant testified that because the job included a probationary period, she
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1 thought that she did not need to report it to CalWORKS until she cleared probation. As a result,
2 Grant failed to report her job in a timely manner. Grant testified that she did not really read the
3 application when requesting government aid and that although she was aware that she had to
4 report income, she was unsure of the required timing to do so. Grant admitted that she did not
5 contact or follow up with anyone from CalWORKS regarding the required timing for reporting
6 her income.

7 29. Grant also testified that she is embarrassed and sorry for her past behavior regarding
8 her employment at Target and the circumstances surrounding her criminal conviction. She
9 testified that she reads everything carefully now and that she is a different person today.

10 **Assessment of Grant's Suitability for Licensure**

11 30. There are two significant issues that have a negative impact on Grant's suitability for
12 licensure. The first issue is Grant's employment and subsequent termination as a cashier from
13 Target for violating company policy by submitting multiple Target Red Card applications in her
14 own name but with different addresses. The second issue is Grant's criminal conviction for fraud
15 to obtain aid.

16 31. Grant's submission of multiple Target Red Card applications in her name but with
17 different addresses demonstrates a lack of honesty. The purpose of the Target Red Card program
18 is for customers to apply for Target Red Cards for use in shopping at Target and other locations.
19 When she was unable to meet her quota, Grant submitted Target Red Card applications that could
20 not be approved because she intentionally provided false addresses in the applications.

21 32. Although Grant's testimony that she was not aware of any policies regarding the
22 Target Red Card program is credible, the act of providing false information on Target Red Card
23 applications still demonstrates a lack of honesty.

24 33. Grant disclosed her termination from Target on her Application and accurately
25 disclosed her reason for leaving, which reflects positively on her honesty and integrity. Grant
26 candidly explained the circumstances surrounding her termination from Target in greater detail in
27 correspondence with the Bureau and during the evidentiary hearing. Also, Grant's termination
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1 from Target occurred 10 years ago, which is a significant amount of time that has elapsed.

2 34. Grant's criminal conviction for fraud to obtain aid is a serious crime that reflects
3 poorly on her honesty, character, and integrity. By failing to timely report her employment, Grant
4 received a substantial amount of unauthorized financial aid. Grant's criminal conviction was
5 relatively recent, having occurred less than 5 years ago.

6 35. Grant's testimony that she did not know when she was supposed to report her income
7 was credible. Grant disclosed the conviction and provided the required details regarding the
8 conviction on her Application. Grant also provided additional details regarding the circumstances
9 surrounding the conviction in a letter to the Bureau and during the evidentiary hearing. Grant's
10 disclosures and testimony were candid and reflect positively on her honesty, character, and
11 integrity. Grant also successfully completed the terms of probation and had the conviction set
12 aside and dismissed. There was no evidence presented during the evidentiary hearing that Grant
13 has had any other or subsequent criminal convictions.

14 36. Grant submitted a letter of reference from Stuart. The letter was individualized and
15 credible, and is persuasive that Grant is a hard worker, kind hearted, caring, and reliable. These
16 characteristics reflect positively on Grant's character.

17 37. Grant submitted a personalized letter and testified during the evidentiary hearing.
18 Grant stated that she is embarrassed and sorry for her past behavior regarding her employment at
19 Target and the circumstances surrounding her criminal conviction. She testified that she reads
20 everything carefully now and that she is a different person today. Grant's letter and testimony
21 were honest and candid. Grant has accepted responsibility for her past actions and demonstrated
22 rehabilitation and growth as an individual, which reflects positively on her character and integrity.
23 Grant has not had other or subsequent criminal convictions and there was no evidence presented
24 that she has had any employment-related issues during her approximately seven years in
25 controlled gambling. As a result, the likelihood that Grant will repeat the actions that led to her
26 termination from Target and her criminal conviction is a small.

27 38. Based on the foregoing, Grant has met her burden of demonstrating that she is a
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1 person of good character, honesty, and integrity.

2 39. Grant has also met her burden of demonstrating that she is a person whose prior
3 activities, criminal record, reputation, habits, and associations do not pose a threat to the public
4 interest of this state, or to the effective regulation and control of controlled gambling, or create or
5 enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the
6 conduct of controlled gambling on in the carrying on of the business and financial arrangements
7 incidental thereto.

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

11 41. The matter was submitted for Commission consideration on November 22, 2019.

12 LEGAL CONCLUSIONS

13 42. Division 1.5 of the Business and Professions Code, the provisions of which govern the
14 denial of licenses on various grounds, does not apply to licensure decisions made by the
15 Commission under the Gambling Control Act. Business and Professions Code section 476(a).

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

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

24 45. The Commission has the power to deny any application for a license, permit, or
25 approval for any cause deemed reasonable by the Commission. Business and Professions Code
26 section 19824(b).

27 46. 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 47. 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 48. At an evidentiary hearing pursuant to Business and Professions Code sections 19870
6 and 19871 and CCR section 12060(b), the burden of proof rests with the applicant to prove his or
7 her qualifications to receive any license under the Gambling Control Act. CCR section 12060(i).

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

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

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

22 52. A requester shall be ineligible for licensing [as a third party proposition player] if the
23 request to convert is for licensing as an owner, supervisor, or player, and the requester has failed
24 to meet the requirements of Business and Professions Code sections 19856 or 19857. CCR
25 section 12218.11(e).

26 53. A requester shall be ineligible for licensing [as a third party proposition player] if the
27 requester would be ineligible for a state gambling license under any of the criteria set forth in
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1 Business and Professions Code section 19859, subdivisions (b), (e), or (f). CCR section
2 12218.11(f).

3 54. Grant has met her burden of demonstrating that she that she is a person of good
4 character, honesty, and integrity. Therefore, Grant is qualified to receive a third-party proposition
5 player license pursuant to Business and Professions Code section 19857(a).

6 55. Grant has met her burden of demonstrating that she is a person whose prior
7 activities, criminal record, reputation, habits, and associations do not pose a threat to the public
8 interest of this state, or to the effective regulation and control of controlled gambling, or create or
9 enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the
10 conduct of controlled gambling on in the carrying on of the business and financial arrangements
11 incidental thereto. Therefore, Grant is qualified to receive a third-party proposition player license
12 pursuant to Business and Professions Code section 19857(b).

13 56. Grant has met her burden of proving that she is a person that is in all other respects
14 qualified to be licensed as provided in the Gambling Control Act. Therefore, Grant is qualified to
15 receive a third-party proposition player license pursuant to Business and Professions Code section
16 19857(c).

17 57. Grant has met her burden of proving that she is not disqualified from licensure
18 pursuant to Business and Professions Code section 19859 and not ineligible for licensing as a
19 third-party proposition player pursuant to CCR section 12218.11.

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ORDER

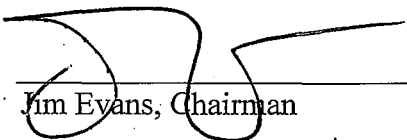
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2 1. Tanisha Grant's Application for Third-Party Proposition Player License is
3 APPROVED.

4 2. No costs are to be awarded.

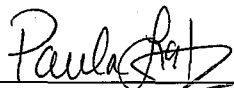
5 3. Each side to pay its own attorneys' fees.

6 This Order is effective on January 9, 2020.

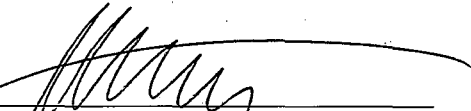
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8 Dated: 1/9/20

Signature: 
Jim Evans, Chairman

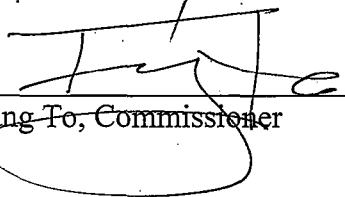
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10 Dated: 1/9/2020

Signature: 
Paula LaBrie, Commissioner

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12 Dated: 1/9/2020

Signature: 
Gareth Lacy, Commissioner

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15 Dated: 1/9/2020

Signature: 
Trang To, Commissioner