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BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

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

STEVEN YU WANG

Applicant.

CGCC Case No. CGCC-2021-0408-8
BGC Case No. BGC-HQ2021-00019SL

DECISION AND ORDER

Hearing Date: December 15, 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 December 15, 2021.

Colin Wood, Deputy Attorney General, State of California (DAG Wood), represented complainant Nathan DaValle, Acting Director of the Bureau of Gambling Control (Bureau), Department of Justice, State of California.

Applicant Steven Wang (Wang) was present and was represented by his attorney, Tiffany Lichtig. Mandarin Interpreter Julie Shaeffer was also present to interpret for Wang as needed.

During the evidentiary hearing, Presiding Officer Russell Johnson 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 Notice of Hearing with two attachments (a) Wang’s Application for Third-Party Proposition Player Services License; and (b) the Bureau’s initial Background Investigation Report; and two Notices of Defense signed by Wang.

During the evidentiary hearing, Presiding Officer Russell Johnson accepted into evidence the following exhibits offered by the Bureau pursuant to stipulation of the parties:¹

- (1) Statement to Respondent; Statement of Reasons; copies of Bus. & Prof.

¹ The Stipulation did not include the Bureau’s Exhibit 9. Exhibit 9 was admitted over objection of the applicant for all purposes subject to the parties’ ability to object to certain portions of those documents.

- 1 Code sections 19870 & 19871; copy of Cal. Code. Regs., tit. 4, section 12060; and
2 July 28, 2021, Certificate of Service by Certified Mail Service, with signed
3 Receipt for Certified Mail, Bates Nos. 001-019.
- 4 (2) Notices of Defense, Bates Nos. 020-023;
- 5 (3) Notices from the Commission:
- 6 a. April 9, 2021, Referral of Application for Renewal of Third-Party
7 Proposition Player Services Worker License to an Evidentiary Hearing-
8 Steven Wang, Bates Nos. 024-026;
- 9 b. June 14, 2021, Notice of Hearing and Prehearing Conference, with
10 Attachments A & B, Bates Nos. 027-040;
- 11 (4) Application for Third-Party Proposition Player Services License for
12 Supervisors, Players or Other Employees, dated November 2, 2020, for Steven
13 Wang, Bates Nos. 041-043;
- 14 (5) Bureau Report and Attachments: February 2021-Third-Party Provider of
15 Proposition Player Services Player Renewal Background Investigation Report,
16 Bates Nos. 044-048.
- 17 (6) Commission Licensing Division Notice and Memorandum, Bates Nos.
18 049-053;
- 19 (7) Registration and License History, Bates No. 054;
- 20 (8) Certification of Records, Bates No. 055;
- 21 (9) Certified copies of court records regarding Steven “Yu” Wang,
22 misdemeanor conviction for violation of Health & Safety Code section 11358(c),
23 in the matter of *People v. Yu Wang* (Super. Ct. Los Angeles County, No.
24 RA121184), and Los Angeles County Sheriff’s Department Records, Bates Nos.
25 056-175;
- 26 (10) Designated Agent Form, Bates Nos. 176-177;
- 27 (11) Statements from Steven Wang, Bates Nos. 178-181;
- 28

1 (12) October 27, 2021 letter from Russell Johnson, Commission, regarding
2 Conclusion of Prehearing Conference, Bates Nos. 182-193.

3 During the evidentiary hearing, Presiding Officer Russell Johnson accepted into evidence
4 the following exhibits offered by Wang pursuant to Stipulation:²

- 5 A. Order for Dismissal, *People of the State of California v. Yu Wang*, Case
6 Number KA121186-06), dated January 7, 2021, Bates Nos. 001-002;
- 7 B. Letter of Recommendation from Long Luong, Bates No. 003;
- 8 C. Letter of Recommendation from Omar Kasri, Bates No. 004;
- 9 D. Letter of Recommendation from Tony Chan, Bates No. 005;
- 10 E. Letter of Recommendation from Tung Nguyen, Bates No. 006;

11 The record closed and the matter was submitted on December 15, 2021.

12 FINDINGS OF FACT

13 **Procedural History**

14 1. Wang was first issued a Third-Party Proposition Player registration on August 10,
15 2005. On or about May 24, 2018, the Commission issued a Third-Party Proposition Player
16 Services License to Wang valid through May 31, 2020 for his employment at Metis TPS, LLC
17 (Metis).

18 2. Wang's license was administratively extended via the Governor's Executive orders
19 N40-20, N-66-20 and N-71-20 through September 30, 2020.

20 3. On or about November 5, 2020, the Bureau received a Renewal Application for Third-
21 Party Proposition Player Services License for Supervisor, Player or Other Employee
22 (Application) from Wang.

23 4. On or about February 16, 2021, the Commission received the Bureau's Third-Party
24 Provider of Proposition Player Services Player Renewal Background Investigation Report
25 (Bureau Report) on Wang recommending that the Commission deny his Application. Thereafter,
26 Wang's license was administratively extended through April 30, 2021.

27 ² Applicant submitted a table of contents to identify the documents that he intended to
28 offer into evidence at the hearing. Documents identified as exhibits F-H on the table of contents
were not offered or admitted into evidence at the hearing.

1 5. At its April 8, 2021 meeting, the Commission voted to refer the Application to a
2 Gambling Control Act (GCA) evidentiary hearing to be held pursuant to CCR section 12054,
3 subdivision (a)(2); and, for issuance of an interim renewal license pursuant to CCR section 12035
4 valid through May 31, 2022.

5 6. On or about April 19, 2021, the Commission received a Notice of Defense form
6 signed by Wang requesting an evidentiary hearing on the consideration of his Application and
7 indicating that he was represented by attorney Keith Sharp.

8 7. On or about June 14, 2021, the Commission sent a Notice of Hearing to Wang
9 providing that an evidentiary hearing would be held before the Commission on December 15,
10 2021 and a prehearing conference would be held on October 26, 2021.

11 8. On or about July 15, 2021, the Commission received a new Notice of Defense form
12 from Wang requesting an evidentiary hearing on the consideration of his Application and
13 indicating that he was represented by attorney Tiffany Lichtig.

14 9. On July 28, 2021, the Bureau served its Statement of Reasons on the Commission and
15 Wang. In the Statement of Reasons, the Bureau requests that the Commission deny Wang's
16 Application on the basis that he was convicted of a misdemeanor offense and provided untrue or
17 misleading information to the Bureau regarding the conviction.

18 10. The Commission heard this matter via Zoom video conference on December 15, 2021.
19 The Bureau was represented throughout the hearing by DAG Wood. Wang attended the hearing
20 and was represented by attorney Tiffany Lichtig.

21 **Wang's Employment History in Controlled Gambling**

22 11. Wang has worked in controlled gambling since 2005. Wang worked for Progressive
23 Gaming Group, Inc., Pacific Palace, Inc., Voyager Gaming Group, Inc. (Voyager), Banc, LLC,
24 Metis, Treasure Vessel, LLC, and most recently he returned to work for Progressive, LLC
25 (Progressive). In all of these positions, Wang's employers were licensed providers of third-party
26 proposition player services contracted to provide services at Commerce Casino.

27 12. Wang has been employed by Progressive since approximately March 13, 2020 and is
28

1 currently in a Lead Associate position.

2 13. There was no evidence presented that Wang has had any derogatory employment-
3 related issues while working in controlled gambling.

4 **Wang's Criminal History**

5 14. On November 21, 2019, Wang was convicted of violating California Health and
6 Safety Code section 11358, cultivation of cannabis, a misdemeanor. Wang was sentenced to four
7 days in jail, one year of probation, and ordered to pay restitution. Imposition of the sentence was
8 suspended.

9 15. On or about January 7, 2021, the Los Angeles County Superior Court granted an
10 Order of Dismissal of Wang's conviction pursuant to Penal Code section 1203.4.

11 16. Wang disclosed the conviction on his Application and on January 24, 2020, he
12 provided the Bureau with a written statement regarding the circumstances that led to the
13 conviction. Wang wrote that he let his friend, Kenny,³ open a Southern Edison utility account in
14 Wang's name. Wang claimed that he did not know that Kenny was using the property to grow
15 cannabis, and that Wang was charged with a misdemeanor because the property's utility account
16 was under his name.

17 17. In the course of the Bureau's investigation, a County of Los Angeles, Sheriff's
18 Department Incident Report (Incident Report) was obtained. The Incident Report details an
19 investigation into a cannabis grow operation involving multiple co-conspirators and properties.

20 18. The Incident Report disclosed that the utility account associated with a property on
21 Ash Street in Lake Elsinore, California (Lake Elsinore Property) was in Kenny's name from April
22 28, 2015 to June 1, 2015, during which time the electrical usage and pattern was consistent with
23 cultivation of cannabis. The account was then transferred without an interruption in service to
24 Wang and the electrical usage and pattern remained consistent with the cultivation of cannabis.

25 19. The Bureau Report states that the Incident Report contradicts Wang's assertion that he
26 had no knowledge that the property was being used to grow marijuana and that records available

27 ³ Wang's letter did not identify his friend by name. However, the Incident Report and
28 Wang's testimony at the hearing confirm that the friend Wang referred to in this letter was
Kenny. Kenny's full name is known to the parties and in evidence, but is not used in the Decision.

1 to the Bureau indicate that Wang actually owned the home, which had a pattern and amount of
2 electrical usage consistent with the cultivation of cannabis.

3 20. On approximately April 7, 2021, after issuance of the Bureau Report recommending
4 denial, Wang sent a written statement to the Commission apologizing for providing misleading
5 information to the Bureau. Wang wrote that in July 2015, he used his savings to finance the
6 purchase of an investment property located on I Avenue in Hesperia, California (Hesperia
7 Property). After six months, Wang was unable to find a tenant to rent the Hesperia Property.
8 Wang's friend and former coworker, Kenny, offered to arrange for someone to rent and use the
9 property to grow cannabis. Wang admitted that he withheld this information from the Bureau
10 because he "was afraid to say I knew about the cannabis growing as I didn't want to lose my
11 third-party license."

12 21. At the GCA hearing, Wang testified regarding the circumstances leading to his arrest
13 and eventual conviction for cultivation of cannabis, including an explanation regarding the
14 transfer of the utilities at the Lake Elsinore Property into Wang's name and his purchase of the
15 Hesperia Property.

16 *Lake Elsinore Property*

17 22. Wang testified that he met Kenny in 2006 while they both worked for Voyager, a
18 third-party proposition player services provider. Kenny and Wang became friends and worked
19 together for approximately five years before Kenny left Voyager to work for a different company.

20 23. Wang testified that in 2015, Kenny offered him \$300 to open a utility account in
21 Wang's name at the Lake Elsinore Property because Kenny did not have sufficient credit. Wang
22 testified that he has never been to the Lake Elsinore Property. Wang testified that he agreed to
23 open the utility account, but did not accept the \$300 because Kenny had done him a favor in 2014
24 by co-signing for a car loan for Wang.

25 24. Wang testified that it was not until after Kenny was arrested in August 2016, that he
26 learned that Kenny was involved in the cultivation of cannabis and used the Lake Elsinore
27 Property as a grow house.

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1 *Hesperia Property*

2 25. Wang testified that he purchased the Hesperia Property as an investment and intended
3 to find a tenant for the property. The down payment for the Hesperia Property consisted in part of
4 \$30,000 that Wang had borrowed from Kenny. Wang did not ask Kenny how he obtained the
5 \$30,000.

6 26. Escrow closed on the Hesperia Property on July 8, 2016. Wang testified that he began
7 searching for a tenant prior to the close of escrow. After approximately six months of searching
8 for a tenant, Wang began to ask friends if they knew anyone who might want to rent the property.

9 27. Wang testified that Kenny offered to arrange for someone to rent the Hesperia
10 Property for \$3,000/month, which was double the market value, and the tenant would use the
11 property to grow cannabis. Wang agreed to Kenny's proposal.

12 28. After Wang received the first rent payment for the month of August 2016, Kenny was
13 arrested. Kenny told Wang about the arrest a couple of days later. Kenny told Wang that the
14 tenant was leaving the Hesperia Property. At that point, Wang put the utilities at the Hesperia
15 Property back into his own name.

16 29. Wang was arrested in September 2016. In June 2019, Wang, Kenny, and several other
17 individuals, including Kenny's wife, were charged with felony theft of utility services exceeding
18 \$950 in value.⁴ However, Wang ultimately pled no contest to misdemeanor cultivation of
19 cannabis.

20 **Wang's Letters of Reference**

21 30. Wang submitted a letter of reference from his friend and co-worker, Long Luong. Mr.
22 Luong has known Wang for 10 years. Mr. Luong notes that as a coworker, Wang gives good
23 customer service and is responsible for assigning over 150 employees to work areas and manages
24 breaks and lunch schedules.

25 31. Wang also provided a letter by Omar Kasri, the Director of Operations for
26 Progressive. Mr. Kasri attests that Wang has a good work ethic and pays attention to detail.

27 _____
28 ⁴ Other defendants were charged with additional crimes. However, there was only one
count against Wang.

1 Because of Wang's positive attributes, he moved up quickly in the company and is currently a
2 lead associate. Wang displays good character and integrity and is a hard worker. Mr. Kasri notes
3 that Wang has had no write ups in the 10 years that they have worked together.

4 32. Wang's supervisor, Tony Chan, also provided a letter of reference. Mr. Chan has
5 worked with Wang for over 15 years as a peer and now as his supervisor. Mr. Chan wrote that
6 Wang is a good employee, is excellent at his job, and displays a positive attitude and dedication to
7 the success of the team.

8 33. Tung Nguyen has worked with Wang for approximately 12 years. Mr. Nguyen wrote
9 that Wang is a good employee and coworker, a hard worker, and is reliable and trustworthy.

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

11 34. The letters of reference were individualized and candid, and relate to both Wang's
12 work in controlled gambling and his personal attributes. These letters reflect positively on
13 Wang's character.

14 35. The fact that there was no derogatory information regarding Wang's history in
15 controlled gambling also reflects positively on his character and his ability to participate in
16 controlled gambling.

17 36. However, there are significant concerns regarding Wang's qualifications and
18 suitability for licensure based on (1) his failure to reveal material facts and supplying of untrue or
19 misleading information to the Bureau during the application process; (2) other instances of Wang
20 omitting relevant information and providing misleading or untrue information while responding
21 to a rental application and when answering questions posed by law enforcement and the
22 Commission; and (3) his involvement in the cultivation of cannabis.

23 *First Concern: Failure to Reveal Material Facts/Supplying Misleading Information to Bureau*

24 37. Wang admitted that he provided information to the Bureau during the course of its
25 background investigation that was untrue and misleading regarding his knowledge that cannabis
26 would be grown at the Lake Elsinore Property. Wang also admitted that he purposefully withheld
27 information regarding his ownership of the Hesperia Property and the fact that he knew that his
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1 first tenant intended to use the property to cultivate cannabis.

2 38. During the hearing and in his written apology to the Commission, Wang admitted that
3 he purposefully withheld the true circumstances regarding his involvement and knowledge of the
4 cultivation of marijuana at the Lake Elsinore and Hesperia Properties because he worried it might
5 result in denial of his Application. This clearly indicates to the Commission that Wang
6 understood that he was withholding information that was material and relevant to the Bureau's
7 investigation.

8 *Second Concern: Other Instances of Providing Misleading/Untrue Information*

9 39. There were multiple instances where Wang provided testimony to the Commission
10 that was both not credible and misleading in an attempt to downplay the extent of his relationship
11 with Kenny as well as his involvement in the cultivation of cannabis.

12 40. Wang testified that prior to Kenny's arrest in August 2016, Wang had no
13 knowledge of what Kenny did for work or that he was involved in the cultivation of cannabis.
14 This testimony was not credible. Kenny gave Wang \$30,000 towards the purchase of the Hesperia
15 Property and later arranged for a tenant to rent the property to cultivate cannabis. Kenny also
16 asked Wang to provide his personal information and "identity" for Kenny to open a utility
17 account at the Lake Elsinore Property. This information directly contradicts Wang's claim that he
18 had no idea that Kenny was involved in the cultivation of cannabis prior to August 2016.

19 41. Wang's testimony at the hearing attempting to minimize his relationship with and
20 knowledge of Kenny's criminal activity was not credible. Wang's collective testimony
21 established that he and Kenny were more than casual acquaintances or former coworkers. Kenny
22 co-signed a vehicle loan for Wang and also loaned him \$30,000 to use as part of the down
23 payment on the Hesperia Property. Kenny later forgave the \$30,000 loan. Wang used Kenny as a
24 personal reference on a rental application. Additionally, when Kenny asked to use Wang's
25 identify to open a utility account at the Lake Elsinore Property, Wang agreed without question.
26 Finally, Kenny let Wang borrow a phone when Wang's own phone broke without Kenny deleting
27 any of his own photos or information prior to giving the phone to Wang. It is simply not credible
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1 that given the nature of this friendship, Wang would have no idea that Kenny cultivated large
2 quantities of cannabis at various residences, including at the Lake Elsinore Property where the
3 utilities were in Wang's name.

4 42. Additionally, evidence presented at the evidentiary hearing, including Wang's own
5 testimony, indicated that Wang has provided false or misleading information regarding his
6 associations with Kenny on other occasions. For instance, Wang admitted that he listed Kenny as
7 a personal reference on a rental application and indicated that Kenny's occupation was "business
8 owner." Wang testified that he did not know what Kenny's occupation was at the time, but
9 thought he would have a better chance at being selected to rent the property if he indicated that
10 Kenny was a business owner. Not only did Wang provide untrue information on the rental
11 application, but he also provided testimony to the Commission that was not credible by testifying
12 that he did not know what Kenny's occupation was.

13 43. Additionally, the Incident Report notes that in response to questioning by police,
14 Wang claimed that he had no business associations with Kenny. Wang admits that this statement
15 to police was untrue.

16 *Third Concern: Criminal Activity/Cultivation of Cannabis*

17 44. As previously explained, the Commission finds Wang's testimony that he was not
18 aware that the Lake Elsinore Property was used to cultivate cannabis when he allowed Kenny to
19 open a utility account in his name to lack credibility. However, the extent of Wang's knowledge
20 of and involvement in the cultivation of cannabis at the Lake Elsinore Property is not clear due to
21 his failure to provide forthcoming testimony at the hearing.

22 45. Regarding the Hesperia Property, Wang admits that he knew that Kenny was
23 arranging for someone to rent the property to use for the cultivation of cannabis. Wang willingly
24 entered into this arrangement in exchange for above market rent.

25 46. All documentary and testimonial evidence submitted by the parties that is not
26 specifically addressed in this Decision and Order was considered but not used by the Commission
27 in making its determination on Wang's Application.
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LEGAL CONCLUSIONS

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

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

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

13 50. The Commission has the power to deny any application for a license, permit, or
14 approval for any cause deemed reasonable by the Commission. Business and Professions Code
15 section 19824(b).

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

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

21 53. At an evidentiary hearing pursuant to Business and Professions Code sections 19870
22 and 19871 and CCR section 12060(b), the burden of proof rests with the applicant to prove his or
23 her qualifications to receive any license under the GCA. CCR section 12060(i).

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

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1 55. An “unqualified person” means a person who is found to be unqualified pursuant to
2 the criteria set forth in Business and Professions Code section 19857, and “disqualified person”
3 means a person who is found to be disqualified pursuant to the criteria set forth in Business and
4 Professions Code section 19859. Business and Professions Code section 19823(b).

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

8 57. 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 whose prior
10 activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the
11 public interest of this state, or to the effective regulation and control of controlled gambling, or
12 create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in
13 the conduct of controlled gambling or in the carrying on of the business and financial
14 arrangements incidental thereto. Business and Professions Code section 19857(b).

15 58. An application for a license will be denied if the Commission finds that the applicant
16 has not satisfied the requirements of Business and Professions Code section 19857. CCR section
17 12040(a)(1).

18 59. The Commission shall deny a license to any applicant who is disqualified for failure of
19 the applicant to provide information, documentation, and assurances required by this chapter or
20 requested by the chief, or failure of the applicant to reveal any fact material to qualification, or the
21 supplying of information that is untrue or misleading as to a material fact pertaining to the
22 qualification criteria. Business and Professions Code section 19859(b).

23 60. An application for a license will be denied if the Commission finds that any of the
24 provisions of Business and Professions Code section 19859 apply to the applicant. CCR section
25 12040(a)(2).

26 61. Wang failed to demonstrate good character, honesty, and integrity by omitting
27 pertinent derogatory information, and providing misleading, inconsistent, unsupported, and not
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1 credible responses in response to Bureau inquiries, and while testifying the evidentiary hearing.
2 Additionally, Wang provided untrue and misleading information on a rental application and to
3 law enforcement. Therefore, Wang is not suitable for licensure pursuant to Business and
4 Professions Code section 19857(a) and his Application must be denied pursuant to CCR section
5 12040(a)(1).

6 62. Wang transferred a utility account into his name at the Lake Elsinore Property, and
7 maintained it even after he learned that the property was used for the cultivation of cannabis.
8 Wang also rented the Hesperia Property to a tenant whom planned to use it for the purpose of
9 cultivating cannabis. This reflects a readiness on Wang's part to be associated with and enable
10 criminal endeavors which poses a threat to the effect regulation of controlled gambling and
11 enhances the dangers of illegal practices occurring in the conduct of controlled gambling.
12 Therefore, Wang is not suitable for licensure pursuant to Business and Professions Code sections
13 19857(a) and (b) and his Application must be denied pursuant to CCR section 12040(a)(1).

14 63. Wang failed to reveal facts material to qualification when he omitted from his written
15 statement to the Bureau that he owned the Hesperia Property and knowingly rented it for the
16 purpose of allowing the tenant to grow cannabis. Wang admitted that he failed to provide this
17 information because he was worried that his license application would be denied if he disclosed
18 the information to the Bureau. Therefore, Wang is disqualified from licensure pursuant to
19 Business and Professions Code section 19859(b) and his Application must be denied pursuant to
20 CCR section 12040(a)(2).

21 64. Wang also provided untrue and misleading information to the Bureau when he
22 provided a written statement claiming that he did not know that Kenny was using the Hesperia
23 Property to grow cannabis. Wang admitted that he provided untrue and misleading information to
24 the Bureau because he was worried that his license would be denied if he told the truth. This is an
25 additional basis for finding that Wang is disqualified from licensure pursuant to Business and
26 Professions Code section 19859(b). Therefore, Wang's Application must be denied pursuant to
27 CCR section 12040(a)(2).

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NOTICE OF APPLICANT’S APPEAL RIGHTS

Wang has the following appeal rights available under state law:

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

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

A decision of the commission after an evidentiary hearing, 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 held to consider that petition, 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 (f). 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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ORDER

1. Steven Yu Wang’s Application for Third-Party Proposition Player Services License is DENIED.

2. No costs are awarded.

3. Each side to pay its own attorneys’ fees.

This Order is effective on March 28, 2022.

Dated: 2/24/2022 Signature: 
DocuSigned by:
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Paula LaBrie, Chair

Dated: 2/24/2022 Signature: 
DocuSigned by:
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Cathleen Galgiani, Commissioner

Dated: 2/24/2022 Signature: 
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Eric Heins, Commissioner

Dated: 2/24/2022 Signature: 
DocuSigned by:
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William Liu, Commissioner

Dated: 2/24/2022 Signature: 
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Edward Yee, Commissioner