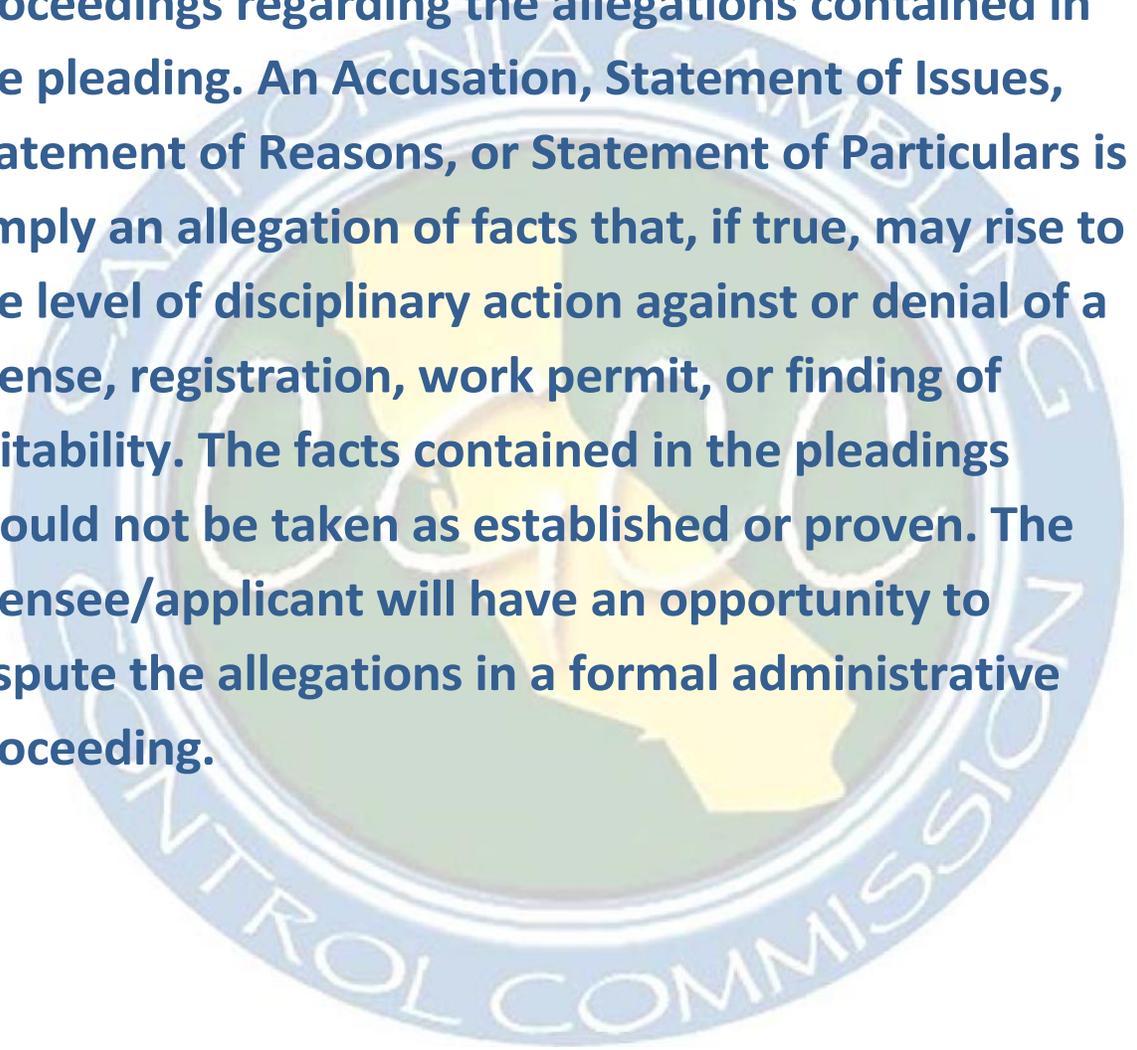


The Commission is providing a copy of this pleading (Accusation, or Statement of Reasons, Statement of Particulars, or Statement of Issues) so the public is as informed as possible of pending administrative proceedings regarding the allegations contained in the pleading. An Accusation, Statement of Issues, Statement of Reasons, or Statement of Particulars is simply an allegation of facts that, if true, may rise to the level of disciplinary action against or denial of a license, registration, work permit, or finding of suitability. The facts contained in the pleadings should not be taken as established or proven. The licensee/applicant will have an opportunity to dispute the allegations in a formal administrative proceeding.





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**BEFORE THE**  
**CALIFORNIA GAMBLING CONTROL COMMISSION**  
**STATE OF CALIFORNIA**

**In the Matter of the Accusation Against:**  
**DORA C. BROWN (GEOW-002950), doing**  
**business as Outlaws Card Parlour (GEGE-**  
**001176),**  
**9850 East Front Street, Atascadero, CA**  
**93422**  
**Respondent.**

**BGC Case No. BGC-HQ2020-00003AC**  
**OAH Case No.**  
**ACCUSATION**

Complainant alleges as follows:

**PARTIES**

1. Stephanie Shimazu (Complainant) brings this Accusation solely in her official capacity as the Director of the California Department of Justice, Bureau of Gambling Control (Bureau).

1           2.       Respondent Dora C. Brown (Respondent), State Gambling License Number  
2 GEOW-002950, as a sole proprietor owns and operates, and does business as, Outlaws Card  
3 Parlour (Card Room). The Card Room is a five-table card room located at 9850 East Front  
4 Street, Atascadero, California.

5           3.       The California Gambling Control Commission (Commission) issued the above-  
6 described license to Respondent pursuant to the Gambling Control Act (Act) (Bus. & Prof.  
7 Code, § 19800 et seq.).

8                           **JURISDICTION, STANDARD OF PROOF, AND COST RECOVERY**

9           4.       The Commission has jurisdiction over the operation and concentration of  
10 gambling establishments and all persons and things having to do with the operation of gambling  
11 establishments. (Bus. & Prof. Code, § 19811, subd. (b).)<sup>1</sup> The Commission has all powers  
12 necessary and proper to allow it fully and effectually to carry out the policies and procedures of  
13 the Act. (Bus. & Prof. Code, § 19824.) The Commission's responsibilities include assuring  
14 that no unqualified person, or any person whose operations are conducted in a manner that is  
15 inimical to the public health, safety, and welfare, has any direct or indirect material involvement  
16 with a licensed gambling operation. (Bus. & Prof. Code, § 19823, subd. (a)(2).)

17           5.       The Act tasks the Bureau with, among other responsibilities, monitoring the  
18 conduct of licensees, investigating suspected violations of the Act, and initiating disciplinary  
19 actions. (Bus. & Prof. Code, §§ 19826, subds. (b), (c), (e), 19930, subd. (b).) Upon the Bureau  
20 filing an accusation, the Commission proceeds under Government Code section 11500 et seq.  
21 (Bus. & Prof Code, § 19930, subd. (b); see Cal. Code Regs., tit. 4, § 12554, subd. (a).) The  
22 Commission's disciplinary powers include, among other things, license revocation, license  
23 suspension, imposing a condition on a license, and requiring payment of a fine or monetary  
24 penalty. (Bus. & Prof. Code, § 19930, subd. (c); Cal. Code Regs., tit. 4, § 12554, subd. (d).)

25           6.       In an accusation brought under the Act, the standard of proof is the  
26 preponderance of the evidence. (Cal. Code Regs., tit. 4, § 12554, subd. (c).)

27 \_\_\_\_\_  
28 <sup>1</sup> The statutes and regulations applicable to this Accusation are quoted in pertinent part  
in Appendix A.



1 unlicensed persons engaging in activities related to the Card Room's operations. The  
2 unlicensed persons included, among others, persons, who have agreed to purchase the Card  
3 Room (Pending Owners), and the Card Room's landlord, who also owns the restaurant  
4 adjoining the Card Room (Landlord). Respondent's prior activities and associations thus pose a  
5 threat to the effective regulation and control of controlled gambling, and create or enhance the  
6 dangers of unsuitable, unfair, or illegal practices, methods, and activities in carrying on the  
7 business and financial arrangements incidental to the conduct of controlled gambling. The  
8 conduct of unlicensed persons includes, but is not necessarily limited to, the following:

- 9 a. The Landlord on multiple occasions entered the Card Room's cage without a key  
10 employee or Respondent being present.
- 11 b. The Landlord on multiple occasions directed Card Room employees in their  
12 duties and acted as the Card Room's owner or manager.
- 13 c. One or both of the Pending Owners acted as the Card Room's owner or key  
14 employee by stopping a chip transaction between a Card Room patron and one  
15 of the Card Room's key employees.
- 16 d. One or both of the Pending Owners, on one or more occasions, entered the Card  
17 Room's cage.
- 18 e. Respondent turned management, in whole or in part, of the Card Room over to  
19 the Landlord and the Pending Owners. The Landlord and the Pending Owners  
20 made employment decisions and directed the Card Room's operations. These  
21 individuals thus exercised significant influence over the gambling operation.

22 (Bus. & Prof. Code, §§ 19823, 19850, 19857, 19920, 19922, 19924; Cal. Code Regs., tit. 4, §  
23 12568, subd. (c)(3); Atascadero Mun. Code, tit. 3, ch. 5, § 3-5.105, subds. (c)(1) & (e)(1).)

24 **SECOND CAUSE FOR REVOCATION**  
25 **(Routine Violations of Minimum Internal Control Standards)**

26 11. Respondent's license is subject to revocation or suspension because on numerous  
27 occasions from November 2018 through at least early 2019, and possibly other dates and times  
28 presently unknown to the Bureau, she routinely violated the Commission's Minimum Internal

1 Control Standards (MICS) related to the security of the Card Room s cage, chips, and cash.  
2 (Cal. Code Regs., tit. 4, §§ 12386, 12395.) These violations include, but are not necessarily  
3 limited to, the following acts and omissions:

- 4 a. Unaccompanied access to the Card Room’s cage by the Landlord, the Pending  
5 Owners, the Card Room’s contracted third-party provider of proposition player  
6 services, and various unlicensed employees of the adjoining restaurant;
- 7 b. Failure to document all individuals who enter the Card Room’s cage on the cage  
8 log;
- 9 c. Unauthorized individuals, including the Landlord, handling the Card Room’s  
10 chips; and
- 11 d. Leaving cash and chips unattended on gambling tables.

12 (Bus. & Prof. Code, §§ 19857, 19920, 19922, 19924; Cal. Code. Regs., tit. 4, §§ 12386, subd.  
13 (a), 12395, subd. (a).)

14 **THIRD CAUSE FOR REVOCATION**  
15 **(Routine Failure to Ensure That Employees At All Times**  
16 **Wear Badges or Display Work Permits)**

17 12. Respondent’s license is subject to revocation or suspension because on numerous  
18 occasions from November 2018 through at least early 2019, and possibly other dates and times  
19 presently unknown to the Bureau, Respondent allowed, permitted, or turned a blind eye to, Card  
20 Room employees and non-permitted restaurant employees working on the gambling floor  
21 without wearing badges or displaying their work permits in violation of Commission  
22 regulations and the Atascadero Municipal Code.

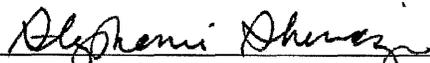
23 (Bus. & Prof. Code, §§ 19857, 19920, 19922, 19923, 19924; Cal. Code. Regs., tit. 4, § 12220.3;  
24 Atascadero Mun. Code, tit. 3, ch. 5, § 3-5.105, subd. (e)(1) & (4).)



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- 2. Imposing fines or monetary penalties against Respondent according to proof and to the maximum extent allowed by law;
- 3. Awarding the Bureau the costs of investigation and costs of bringing this Accusation before the Commission, pursuant to Business and Professions Code section 19930, subdivisions (d) and (f), in a sum according to proof; and
- 4. Taking such other and further action as the Commission may deem appropriate.

Dated: June 19, 2020

  
Stephanie Shimazu, Director  
Bureau of Gambling Control  
California Department of Justice



1 (d) Take actions deemed to be reasonable to ensure that no ineligible,  
2 unqualified, disqualified, or unsuitable persons are associated with  
3 controlled gambling activities.

4 4. Business and Professions Code section 19826 provides, in part:

5 The department<sup>[2]</sup> . . . shall have all of the following responsibilities:

6 \* \* \*

7 (b) To monitor the conduct of all licensee and other persons having a  
8 material involvement, directly or indirectly, with a gambling operation or  
9 its holding company, for the purpose of ensuring that licenses are not  
10 issued or held by, and that there is no direct or indirect material  
11 involvement with, a gambling operation or holding company by ineligible,  
12 unqualified, disqualified, or unsuitable persons, or persons whose  
13 operations are conducted in a manner that is inimical to the public health,  
14 safety, or welfare.

15 (c) To investigate suspected violations of this chapter or laws of this  
16 state relating to gambling . . . .

17 \* \* \*

18 (e) To initiate, where appropriate, disciplinary actions as provided in  
19 this chapter. In connection with any disciplinary action, the department  
20 may seek restriction, limitation, suspension, or revocation of any license or  
21 approval, or the imposition of any fine upon any person licensed or  
22 approved.

23 5. California Code of Regulations, title 4, section 12554 provides, in part:

24 (a) Upon the filing with the Commission of an accusation by the  
25 Bureau recommending revocation, suspension, or other discipline of a  
26 holder of a license, registration, permit, finding of suitability, or approval,  
27 the Commission shall proceed under Chapter 5 (commencing with section  
28 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

\* \* \*

(c) The Administrative Law Judge and Commission shall base their  
decisions on written finding of fact, including findings concerning any  
relevant aggravating or mitigating factors. Findings of fact shall be based  
upon a preponderance of the evidence standard. The “preponderance of  
the evidence standard” is such evidence as when considered and compared  
with that opposed to it, has more convincing force, and produces a belief in  
the mind of the fact-finder that what is sought to be proved is more likely  
true than not true.

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<sup>2</sup> “Department” refers to the Department of Justice. (Bus. & Prof. Code, § 19805, subd. (h).)

1 \* \* \*

2 (d) Upon a finding of a violation of the Act, any regulations adopted  
3 pursuant thereto, any law related to gambling or gambling establishments,  
4 violation of a previously imposed disciplinary or license condition, or laws  
5 whose violation is materially related to suitability for a license,  
6 registration, permit, or approval, the Commission may do any one or more  
7 of the following:

8 (1) Revoke the license, registration, permit, finding of  
9 suitability, or approval;

10 (2) Suspend the license, registration, or permit;

11 \* \* \*

12 (5) Impose any fine or monetary penalty consistent with  
13 Business and Professions Code sections 19930, subdivision (c), and  
14 19943, subdivision (b)

15 **Cost Recovery Provisions**

16 6. Business and Professions Code section 19930 provides, in part:

17 (b) If, after any investigation, the department is satisfied that a license,  
18 permit, finding of suitability, or approval should be suspended or revoked, it  
19 shall file an accusation with the commission in accordance with Chapter 5  
20 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the  
21 Government Code.

22 (c) In addition to any action that the commission may take against a  
23 license, permit, finding of suitability, or approval, the commission may also  
24 require the payment of fines or penalties. However no fine imposed shall  
25 exceed twenty thousand dollars (\$20,000) for each separate violation of any  
26 provision of this chapter or any regulation adopted thereunder.

27 (d) In any case in which the administrative law judge recommends that  
28 the commission revoke, suspend, or deny a license, the administrative law  
judge may, upon presentation of suitable proof, order the licensee or  
applicant for a license to pay the department the reasonable costs of the  
investigation and prosecution of the case.

(1) The costs assessed pursuant to this subdivision shall be fixed  
by the administrative law judge and may not be increased by the  
commission. When the commission does not adopt a proposed decision  
and remands the case to the administrative law judge, the administrative  
law judge may not increase the amount of any costs assessed in the  
proposed decision.

1 (2) The department may enforce the order for payment in the  
2 superior court in the county in which the administrative hearing was  
3 held. The right of enforcement shall be in addition to any other rights  
4 that the division may have as to any licensee to pay costs.

5 (3) In any judicial action for the recovery of costs, proof of the  
6 commission's decision shall be conclusive proof of the validity of the  
7 order of payment and the terms for payment.

8 \* \* \*

9 (f) For purposes of this section, "costs" include costs incurred for any  
10 of the following:

11 (1) The investigation of the case by the department.

12 (2) The preparation and prosecution of the case by the Office of  
13 the Attorney General.

#### 14 Specific Statutory and Regulatory Provisions

15 7. Business and Professions Code, section 19801 provides, in part:

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

21 (i) All gambling operations, all persons having a significant  
22 involvement in gambling operations, all establishments where gambling  
23 is conducted, and all manufacturers, sellers, and distributors of gambling  
24 equipment must be licensed and regulated to protect the public health,  
25 safety, and general welfare of the residents of this state as an exercise of  
26 the police powers of the state.

27 \* \* \*

28 (k) In order to effectuate state policy as declared herein, it is  
29 necessary that gambling establishments, activities, and equipment be  
30 licensed, that persons participating in those activities be licensed or  
31 registered, that certain transactions, events, and processes involving  
32 gambling establishments and owners of gambling establishments be  
33 subject to prior approval or permission, that unsuitable persons not be  
34 permitted to associate with gambling activities or gambling  
35 establishments . . . . Any license or permit issued, or other approval  
36 granted pursuant to this chapter, is declared to be a revocable privilege,  
37 and no holder acquires any vested right therein or thereunder.

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8. Business and Professions Code section 19850 provides, in part:

Every person who, either as owner, lessee, or employee, whether for hire or not, either solely or in conjunction with others, deals, operates, carries on, conducts, maintains, or exposes for play any controlled game in this state, or who receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, or carrying on any controlled game in this state, shall apply for and obtain from the commission, and shall thereafter maintain, a valid state gambling license, key employee license, or work permit, as specified in this chapter.

9. Business and Professions Code section 19855 provides, in part:

[E]very person who, by statute or regulation, is required to hold a state license shall obtain the license prior to engaging in the activity or occupying the position with respect to which the license is required.

10. Business and Professions Code section 19857 provides:

No gambling license shall be issued unless, based on all the information and documents submitted, the commission is satisfied that the applicant is all of the following:

- (a) A person of good character, honesty and integrity.
- (b) A person whose prior activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the public interest of this state, or to the effective regulation and control of controlled gambling, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of controlled gambling or in the carrying on of the business and financial arrangements incidental thereto.
- (c) A person that is in all other respects qualified to be licensed as provided in this chapter.

11. Business and Professions Code section 19920 provides:

It is the policy of the State of California to require that all establishments wherein controlled gambling is conducted in this state be operated in a manner suitable to protect the public health, safety, and general welfare of the residents of the state. The responsibility for the employment and maintenance of suitable methods of operation rests with the owner licensee, and willful or persistent use or toleration of methods of operation deemed unsuitable by the commission or by local government shall constitute grounds for license revocation or other disciplinary action.

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12. Business and Professions Code section 19921 provides:

(a) A person under 21 years of age is not permitted to enter upon the premises of a licensed gambling establishment, or any part thereof, except for the following areas:

(1) An area separated from a gambling area, used for a nongaming purpose, including for maintenance, parking, or business offices, or for the purpose of dining or food or beverage service or preparation. For purposes of this subdivision, a place where food or beverages are dispensed primarily by a vending machine is not a place for dining.

(2) Restrooms.

(3) A supervised room that is physically separated from a gambling area and used primarily for the putpoers of entertainment or recreation.

(4) Those areas authorized in connection with employment in accordance with subdivision (b) of Section 19911.

(b) A person who is under 21 years of age and not a gambling enterprise employee may enter upon or pass through a gambling area on a designated pathway to reach any of the areas described in paragraphs (1) to (3), inclusive, of subdivision (a) only if accompanied by a person or gambling enterprise employee who is 21 years of age or over.

(c) A person under 21 years of age shall not be permitted to loiter in a gaming area.

13. Business and Professions Code section 19922 provides:

No owner licensee shall operate a gambling enterprise in violation of any provision of this chapter or any regulation adopted pursuant to this chapter.

14. Business and Professions Code section 19923 provides:

No owner licensee shall operate a gambling enterprise in violation of any governing local ordinance.

15. Business and Professions Code section 19924 provides:

Each owner licensee shall maintain security controls over the gambling premises and all operations therein related to gambling, and those security controls are subject to the approval of the commission.

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16. Penal Code section 330.11 provides:

“Banking game” or “banked game” does not include a controlled game if the published rules of the game feature a player-dealer position and provide that this position must be continuously and systematically rotated amongst each of the participants during the play of the game, ensure that the player-dealer is able to win or lose only a fixed and limited wager during the play of the game, and preclude the house, another entity, a player, or an observer from maintaining or operating as a bank during the course of the game. For purposes of this section it is not the intent of the Legislature to mandate acceptance of the deal by every player if the division finds that the rules of the game render the maintenance of or operation of a bank impossible by other means. The house shall not occupy the player-dealer position..

17. California Code of Regulations, title 4, section 12220.3 provides, in part:

(a) All individuals registered or licensed as primary owners, owners, supervisors, players, or other employees of the primary owner shall wear in a prominently visible location a numbered badge issued by the Commission when present in a gambling establishment during the operation of the gambling business.

18. California Code of Regulations, title 4, section 12290 provides, in part:

(a) A registrant or licensee under Chapter 2.1 or Chapter 2 must comply with game rules approved by the Bureau, including but not limited to the rules regarding player-dealer rotation and table wagering.

19. California Code of Regulations, title 4, section 12386, subdivision (a) provides, in part:

The policies and procedures for all tiers shall meet or exceed the following standards for cages:

(1) The licensee shall maintain within the gambling establishment at least one separate and secure area at a fixed location that is designated as a cage. A cage shall be located, designed, constructed and operated to provide convenience for patron transactions while maintaining appropriate security and accountability for all monetary transactions occurring at the cage and all cage contents.

(2) The licensee shall assign at least one gambling enterprise employee to process monetary transactions at a cage. The titles,

1 classifications, or positions of all employees assigned to process  
2 monetary transactions at a cage shall be listed on the gambling  
3 enterprise's organizational chart. The assigned employees' duties may  
include any or all of the following:

4 (A) Custody of the cage inventory or individual cashiers'  
5 banks, which is comprised of currency, coin, patron checks,  
6 gambling chips, forms, documents and records consistent with the  
operation of a cage or an individual cashier's bank.

7 (B) Receipt and distribution of gambling chips through  
8 internal operations.

9 (C) Sale and redemption of chips through patron  
10 transactions.

11 (D) Deposits to and withdrawals from players' banks and  
dealers' banks, if applicable.

12 (E) Check cashing and extensions of credit for patrons, as  
13 permitted by the licensee's policies and procedures.

14 (F) Preparation of cage accountability reconciliations and  
15 records necessary to document compliance with the requirements  
of this chapter.

16 (G) Recording patron information that is necessary for  
17 compliance with the requirements of sections 5313 and 5314 of  
18 Title 31 of the United States Code, applicable regulations in  
19 Chapter X (effective as of July 1, 2011) of Title 31 of the Code of  
Federal Regulations and any successor provisions, and subsection  
(a) of Section 12315.

20 (H) The proper accounting and safeguarding of any cage  
21 bank or cashier's bank, and gambling equipment or confidential  
documents when kept in a cage.

22 (3) Routine access and entry into a cage, or an area designated as  
23 a cage pursuant to paragraph (1) of this subsection, shall be limited to  
24 on-duty cage personnel assigned pursuant to paragraph (2) of this  
25 subsection. Other employees of the gambling enterprise who hold a  
26 valid gambling license, key employee license, or work permit may be  
granted access to a cage or cage area for the purpose of performing  
their duties.

27 (4) A log shall be maintained, either in writing or electronically,  
28 to document entry into a cage by any person not authorized access

1 pursuant to paragraphs (2) and (3) of this subsection. The log must  
2 contain the person's name, title, date of entry, and time entering and  
3 exiting; or provide substantially equivalent information through an  
4 automated access control system. Any automated access control  
5 system must provide a secure, tamperproof means of recording and  
6 maintaining entry and exit information.

7 \* \* \*

8 (6) The purchase or redemption of gambling chips by a patron  
9 may only occur at a cage or from an authorized gambling enterprise  
10 employee on the gambling floor. Licensees shall not permit  
11 proposition player services providers to purchase or redeem gambling  
12 chips for cash or cash equivalents from a patron or to sell gambling  
13 chips to a patron. For the purposes of this article, the sale, purchase or  
14 redemption of gambling chips shall not include the exchange of a chip  
15 or chips of one total value for a chip or chips of an equal total value.

16 20. California Code of Regulations, title 4, section 12395, subdivision (a) provides, in  
17 part:

18 The policies and procedures for all tiers shall meet or exceed the  
19 following standards for security:

20 (1) Access to restricted areas of the gambling  
21 establishment, including but not limited to cages, count rooms,  
22 vaults, security offices and surveillance rooms, shall be limited to  
23 authorized personnel in the performance of their duties and shall  
24 be closely controlled.

25 (2) For the purpose of video surveillance recordings,  
26 gambling establishments shall provide adequate lighting of all  
27 public areas, entrances and exits, and for all adjoining parking  
28 areas owned, operated or otherwise controlled by the licensee for  
use by its patrons.

(3) Licensees shall file an incident report with the Bureau's  
Criminal Intelligence Unit within five business days of either of  
the following:

(A) Any owner or key employee contacting a local law  
enforcement agency, pursuant to the provisions of the  
licensee's security plan, regarding any reasonably suspected  
violation of the Act, this division, Division 3 of Title 11 of  
the California Code of Regulations, any statute set forth in  
sections 330 through 337z of the Penal Code that pertains to  
gambling, section 1916-3(b) of the Civil Code (loan-  
sharking), chapter 1 (commencing with section 11000) of  
division 10 of the Health and Safety Code (illegal possession

1 or distribution of controlled substances), section 4022 of the  
2 Business & Professions Code (illegal possession or  
3 distribution of dangerous drugs), or any violation of the  
4 following Penal Code sections: 186.10 (money laundering),  
5 211 (robbery), 245 (assault with deadly weapon), 266h  
6 (pimping), 266i (pandering), 459 (burglary), 470 (forgery),  
7 476 (fraud), 487 (grand theft), 488 (petty theft), 503  
8 (embezzlement), 518 (extortion), 641.3 (commercial  
9 bribery), 648 (counterfeit currency), 653.22 (loiter for  
10 prostitution), 653.23 (pimping), or 647(b) (prostitution).

11 (B) Any owner or key employee obtaining knowledge  
12 or notice of any reasonably suspected violation listed in  
13 subparagraph (A).

14 \* \* \*

15 (5) Licensees shall maintain a list of all mechanical keys or  
16 electronic card keys to the locking devices used to secure the  
17 gambling establishment, restricted areas of the gambling  
18 establishment, or any fixtures, appurtenances and equipment used  
19 in the gambling operation, the names of all gambling  
20 establishment employees who have been issued, possess or have  
21 access to any of those keys, and the location where un-issued keys  
22 are stored. If any coded mechanical or electronic locking devices  
23 are used, the list shall include all access codes and combinations,  
24 as applicable, and the names of all gambling establishment  
25 employees who possess any code or combination, or who control  
26 the mechanism to open any of the locks. The licensee may  
27 maintain a master list or separate departmental lists. Each list  
28 shall be:

(A) Continuously maintained while current, at a  
minimum, in a permanent, written form and dated as of the  
date created or updated;

(B) Updated as changes in the information contained  
in the list changes;

(C) Kept in a secure, locked receptacle, such as a key  
control box, safe, locking file drawer or similar container;  
and

(D) Retained for a minimum of one year after the list  
has been updated.

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21. California Code of Regulations, title 4, section 12568, subdivision (c), provides, in part:

A state gambling license, finding of suitability, or approval granted by the Commission . . . and an owner license for a gambling establishment if the owner licensee has committed a separate violation from any violations committed by the gambling establishment shall be subject to revocation by the Commission on any of the following grounds:

\* \* \*

(3) If the Commission finds the holder no longer meets any criterion for eligibility, qualification, suitability or continued operation, including those set forth in Business and Professions Code section 19857, 19858, or 19880, as applicable, or

(4) If the Commission finds the holder currently meets any of the criteria for mandatory denial of an application set forth in Business and Professions Code sections 19859 or 19860.

22. California Code of Regulations, title 11, section 2070 provides, in part:

It shall be an unsuitable method of operation for a gambling establishment to:

(a) Offer for play any game that is prohibited or made unlawful by statute, local ordinance, regulation, or final judgment by a competent court of law[.]

23. Atascadero Municipal Code section 3-5.105 "Cardrooms" provides, in part:

It shall be an unsuitable method of operation for a gambling establishment to:

(a) License Required. It shall be unlawful for any person for him or herself, or for any other person, to engage in or carry on, maintain or conduct, or cause to be engaged in, carried on, maintained, or conducted, any cardroom in the City without first having secured a license from the City to do so according to each and every requirement of this section or without complying with each and every regulation set forth in this section pertaining to such cardroom. Each licensee and operator of a cardroom shall employ only those persons who have obtained a work permit as defined and set forth herein.

\* \* \*

1 (c) License—Application—Bond. To apply for a cardroom  
2 license, a person shall take the following steps:

3 (1) Every applicant for a license shall first obtain a State  
4 gambling license as required by the Gambling Control Act and the  
5 implementing regulations (California Code of Regulations, Title 11,  
6 Division 3, Chapter 1, Article 1, Section 2000 et seq.). Every  
7 applicant shall fully comply with the Act and the implementing  
8 regulations including, but not limited to, Section 2050 of Title 11 of  
9 the California Code of Regulations that requires an owner or a key  
10 employee, as defined by the Act, to be on the premises, at all times  
11 that the establishment is open to the public unless the Division of  
12 Gambling Control authorizes availability by telephone. Key  
13 employees must obtain a key employee license as required by the  
14 Act[.]

15 \* \* \*

16 (e) Cardroom Work Permit—Application and Denial.

17 (1) Cardroom employees must obtain a cardroom work  
18 permit from the Director of Administrative Services or designee of  
19 the City of Atascadero. For the purposes of this chapter, “cardroom  
20 enterprise employees” are defined as any natural person employed  
21 in the operation of a gambling enterprise, including without  
22 limitation, dealers, floor personnel, security employees, countroom  
23 personnel, cage personnel, collection personnel, surveillance  
24 personnel, data-processing personnel, appropriate maintenance  
25 personnel, waiters and waitresses, and secretaries, or any other  
26 natural person whose employment duties require or authorize access  
27 to restricted gambling establishment areas.

28 \* \* \*

(4) Cardroom work permits shall be prominently displayed in  
the cardrooms by any cardroom employees when they are working.

\* \* \*

(h) Attendance by Minors. No person under the age of twenty-one  
(21) shall be employed in or allowed to frequent, remain in or visit any  
room or premises wherein is conducted or operated any card table  
licensed under the provisions of this chapter.