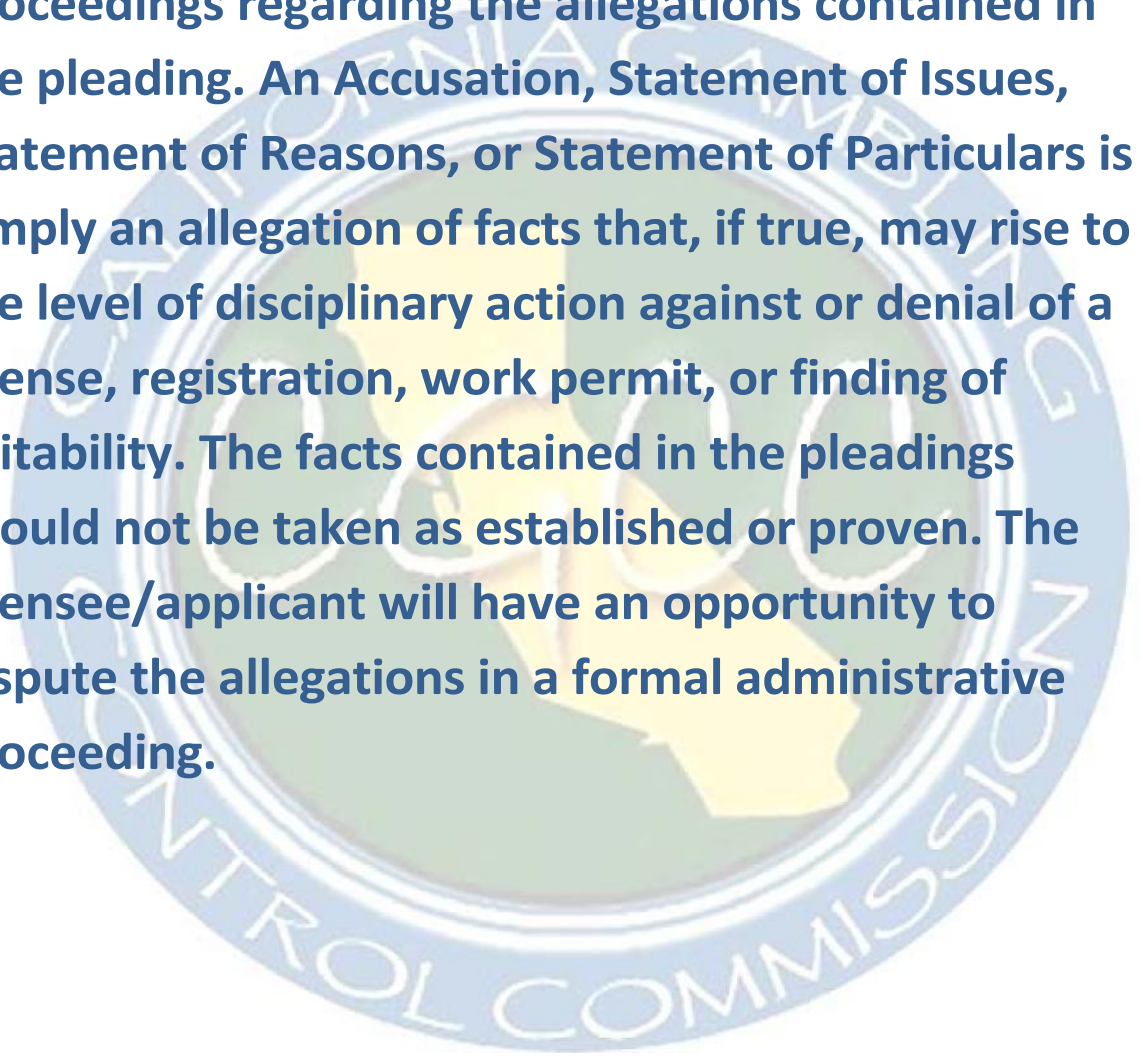


The Commission is providing a copy of this pleading (Accusation, or Statement of Reasons, Statement of Particulars, or Statement of Issues) so the public is as informed as possible of pending administrative proceedings regarding the allegations contained in the pleading. An Accusation, Statement of Issues, 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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11 **BEFORE THE**
12 **GAMBLING CONTROL COMMISSION**
13 **STATE OF CALIFORNIA**

15 **In the Matter of the Statement of Issues**
16 **Against:**

17 **CHAD WENDELL BENSON**
18 **(GEKE-002431)**

20 **Respondent.**

BGC Case No.: BGC-HQ2020-00029SL

STATEMENT OF ISSUES

21
22 Complainant alleges as follows:

23 **PARTIES**

24 1. Yolanda Morrow (Complainant) brings this statement of issues solely in her
25 official capacity as the acting Director of the California Department of Justice, Bureau of
26 Gambling Control (Bureau).

27 2. Respondent Chad Benson (Respondent) has been employed by the Lake Elsinore
28 Hotel & Casino (Casino) in various capacities since approximately October 2015.

1 **THE LICENSE APPLICATION AND THIS PROCEEDING**

2 3. On or about April 19, 2016, the Bureau received an Application for Gambling
3 Establishment Key Employee and Key Employee Supplemental Background Investigation
4 Information from Respondent.

5 4. On or about July 7, 2020, the Bureau issued a Gambling Establishment Key
6 Employee Initial Background and Investigation Report, Level III, for Respondent’s application.
7 In that report, the Bureau recommended that the California Gambling Control Commission
8 (Commission) deny Respondent’s application.

9 5. At its regular meeting on October 15, 2020, the Commission referred consideration
10 of Respondent’s application to an evidentiary hearing to be heard by an administrative law judge
11 pursuant to the Administrative Procedure Act (APA) (Gov. Code, § 11500 et seq.). (Bus. & Prof.
12 Code, § 19825; Cal. Code. Regs, tit. 4, §§ 12056, 12058.)

13 **JURISDICTION, BURDEN OF PROOF, AND COST RECOVERY**

14 6. The Gambling Control Act (Act) (Bus. & Prof. Code, § 19800 et seq.)¹ gives the
15 Commission jurisdiction over the operation and concentration of gambling establishments and all
16 persons and things having to do with the operation of gambling establishments. (Bus. & Prof.
17 Code, § 19811, subd. (b).) The Commission has all powers necessary and proper to enable it
18 fully and effectually to carry out the policies and purposes of the Act including denying any
19 application for a license. (Bus. & Prof. Code, § 19824, subd. (b).) The Commission may require
20 matters to be heard and determined in an administrative proceeding under the APA. (Bus. &
21 Prof. Code, § 19825.)

22 7. Applicants, such as Respondent, have the burden to prove they are qualified for a
23 state license. (Bus. & Prof. Code, § 19856, subd. (a); see also Gov. Code, § 11504.)

24 8. In a matter involving denial of a license application, the Bureau may recover its
25 costs of investigation and prosecuting the proceeding. (Bus. & Prof. Code, § 19930, subd. (d).)

26
27 _____
28 ¹ The statutes and regulations from the Act and the regulations adopted thereunder,
specifically applicable to this statement of issues, are quoted in pertinent part in Appendix A.

THE ACT’S PUBLIC PROTECTION PURPOSES

1
2 9. The Act is an exercise of the police power of the State of California intended to
3 protect the public’s health, safety and welfare. It is to be liberally interpreted to effectuate that
4 purpose. (Bus. & Prof. Code, § 19971.) The Act requires strict and comprehensive regulation of
5 all persons, associations, and activities related to the operation of gambling establishments. (Bus.
6 & Prof. Code, § 19801, subd. (h).) The Legislature has declared that the public trust requires
7 comprehensive measures to ensure that gambling is free from criminal and corruptive elements.
8 (Bus. & Prof. Code, § 19801, subs. (g) & (j).) To effectuate this state policy, unsuitable persons
9 are not permitted to associate with gambling establishments. (Bus. & Prof. Code, § 19801, subd.
10 (k).) The Commission’s responsibilities include, without limitation: “Assuring that there is no
11 material involvement, directly or indirectly, with a licensed gambling operation, or the ownership
12 or management thereof, by unqualified or disqualified persons” (Bus. & Prof. Code, §
13 19823, subd. (a)(2).)

14 10. The Act requires full and true disclosure by applicants “as necessary to carry out
15 the policies of this state relating to licensing, registration, and control of gambling.” (Bus. &
16 Prof. Code, § 19866.) Without disclosure, the Commission cannot assure that “there is no
17 material involvement, directly or indirectly, with a licensed gambling operation, or the ownership
18 or management thereof, by unqualified or disqualified persons.” (Bus. & Prof. Code, § 19823,
19 subd. (a)(2).) Likewise, if disclosure is lacking, the Commission cannot make determinations
20 regarding whether to require a person to register, apply for a finding of suitability, or be licensed.
21 (Bus. & Prof. Code, §§ 19852, subd. (i), 19853, subd. (a).) An applicant’s failure to submit
22 information, documentation and/or assurances required by the Act or requested by the Bureau, or
23 to reveal information material to qualification for licensure, or an applicant’s supplying of untrue
24 or misleading information pertaining to the qualification for licensure, likewise renders an
25 applicant disqualified for licensure. (Bus. & Prof. Code, § 19859, subd. (b).) These failures also
26 make an applicant unqualified for licensure. (Bus. & Prof. Code, § 19857.)

1 **FACTUAL BACKGROUND**

2 **A. Related Persons and Entities**

3 11. Respondent works at the Casino. The Casino’s owner Sahara Dunes Casino, L.P.
4 (Partnership) presently is a respondent in a pending administrative matter concerning its license
5 application and suitability for licensure under the Act. The Partnership’s owners are: general
6 partner Sahara Dunes Management, Inc. (Corporation), which has not applied for licensing under
7 the Act; Ted Kingston, who has applied for licensure under the Act only as an officer of the
8 Corporation and as a limited partner of the Partnership; and Joseph Kingston, who is now
9 deceased and refused to submit updated license applications or other information when requested
10 by the Bureau. Ted Kingston is Respondent’s half-brother. In addition to Joseph Kingston, the
11 Partnership, and the Corporation, the following persons and entities are implicated in both this
12 and the pending administrative matter:

- 13 a. Fidelity Funding, LLC
- 14 b. World Enterprises
- 15 c. JTI Inc.
- 16 d. R.O Young, also known as Rachel O. Young and Rachel Orlean Young
17 Kingston
- 18 e. Clyde Elden Kingston
- 19 f. Grace E. Mitchell
- 20 g. Kyle Kingston
- 21 h. Mitchell & Associates

22 12. The persons and entities listed in the previous paragraph are familially related to
23 Respondent. Additional entities that are familially related to Respondent and implicated in this
24 proceeding are: Safeco Investments, Inc.; Alliance Investment, L.L.C.; and Equitable Funding,
25 Inc. Each of these entities is an unregistered lender. In combination, they provided more than
26 \$800,000 in purported loans regarding which Respondent could not provide sufficient
27 documentation or any documentation to the Bureau.
28

1 **B. Respondent’s “Ownership” Submission**

2 13. In April 2016, Respondent submitted a Gambling Establishment Owner Applicant
3 - Individual Supplemental Background Investigation Information (BGC-APP. 015A) and
4 additional documents (Owner Supplemental Package). There, he reported notes payable to
5 Fidelity Funding of approximately \$475,000.

6 14. On April 20, 2016, the Bureau returned the Owner Supplemental Package. In its
7 cover letter, the Bureau wrote: “It is not clear why this was sent, as the Bureau has not received
8 an Application for a State Gambling License.”

9 15. Respondent did not submit an Application for a State Gambling License, re-submit
10 the Owner Supplemental Package, or otherwise respond to the Bureau’s April 20, 2016 cover
11 letter.

12 **C. Respondent-Joseph Kingston Potential Transactions**

13 16. On April 19, 2016, Respondent and Joseph Kingston signed a Purchase and Sale
14 Agreement relating to a 47.5-percent interest in the Partnership. The purchase price was
15 assumption of \$3 million of Joseph Kingston’s “liabilities of” the Partnership. Joseph Kingston
16 agreed to contribute capital to the Partnership in the amount of his share of the Partnership’s
17 liabilities exceeding \$3 million. “Final sale [was] contingent upon approval by the California
18 Bureau of Gambling Control.”

19 17. On April 19, 2016, Respondent and Joseph Kingston signed a Purchase and Sale
20 Agreement relating to a 50-percent ownership interest in “JTI Inc. dba Sahara Dunes
21 Management, Inc.” The purchase price was Respondent’s assumption of Joseph Kingston’s “debt
22 responsibilities in JTI, Inc.” in the amount of \$8,645.58. “Final sale [was] contingent upon
23 approval by the California Bureau of Gambling Control.”

24 18. On April 20, 2016, Respondent emailed copies of the agreements described in
25 paragraphs 16 and 17 above, along with a valuation, to the Partnership’s designated agent and
26 Ted Kingston. The valuation was dated March 26, 2016, and was submitted by Kyle Kingston,
27 CPA. The valuation purportedly was prepared for the Partnership’s “management to be used . . .
28 in succession planning.”

1 19. Respondent did not submit the agreements described in paragraphs 16 and 17
2 above or the valuation to the Bureau for review or to the Commission for approval.

3 20. On or about May 24, 2020, Joseph Kingston passed away. On June 1, 2020, the
4 Commission and the Bureau were notified of the death. At the same time, they were advised:
5 “We will provide information and documents regarding potential disposition of Mr. Kingston’s
6 ownership interests in the Casino as soon as they become available.” No further information
7 other than Joseph Kingston’s Certificate of Death was provided to the Commission or the Bureau.

8 **D. Respondent’s Financial Dealings and Associations**

9 21. Despite an annual income of less than \$80,000 and non-substantial net worth,
10 Respondent obtained more than \$1 million in business loans from the unregistered, familiarly
11 related entities identified in paragraphs 11 and 12 above. Those lenders did not provide
12 Respondent with account statements and did not notify him of, or penalize him for, any defaults.
13 Respondent failed to provide loan documentation requested by the Bureau. Additionally, the
14 Bureau was unable to satisfactorily verify information provided by Respondent with the lenders
15 themselves.

16 **FIRST CAUSE FOR DENIAL OF APPLICATION**

17 **(Failure or Refusal To Submit Requested Information)**

18 22. Respondent cannot be issued a license because, despite repeated requests by the
19 Bureau, he failed to provide sufficient information or provide requested information at all. This
20 makes him unsuitable for and/or disqualified from licensure. Consequently, Respondent is not
21 eligible for licensure.

22 (Bus. & Prof. Code §§ 19854, subd. (b), 19856, subd. (c), 19857, subds. (a) & (b), & 19859,
23 subds. (a) & (b).)

24 **SECOND CAUSE FOR DENIAL OF APPLICATION**

25 **(Failure To Make Full and True Disclosure)**

26 23. Respondent cannot be issued a license he has failed to make full and true
27 disclosure of information as necessary to carry out the state’s policies relating to licensing,
28 registration, and control of gambling. That information included, among other things, loan

1 documentation, information to satisfactorily verify transactions with unregistered, familially
2 related entities or persons, explanations for unconventional transactions, and the timely disclosure
3 of his agreements with Joseph Kingston. Respondent has failed to reveal facts material to
4 qualification.

5 (Bus. & Prof. Code §§ 19854, subd. (b), 19856, subd. (c), 19857, subds. (a) & (b), & 19859,
6 subds. (a) & (b), 19866.)

7 **THIRD CAUSE FOR DENIAL OF APPLICATION**

8 **(Unqualified for Licensure)**

9 24. Respondent cannot be issued a license because he cannot satisfy the Commission
10 that he is qualified for licensure. His association with, involvement in, and use of unregistered,
11 familially related entities that operate unconventionally, do not employ conventional processes
12 and documentation, and are not satisfactorily verifiable poses a threat to the public interest of this
13 state or to effective regulation and control of controlled gambling.

14 (Bus. & Prof. Code §§ 19854, subd. (b), 19856, subd. (c), 19857, subds. (a) & (b), & 19859,
15 subds. (a) & (b), 19866.)

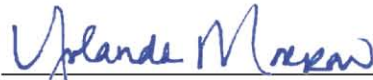
16 **PRAYER**

17 WHEREFORE, Complainant requests that following the hearing to be held on the matters
18 herein alleged a decision be issued:

- 19 1. Denying Respondent's application for state gambling licenses;
- 20 2. Requiring Respondent to reimburse the Bureau the reasonable costs of
21 investigating and prosecuting this case, pursuant to Business and Professions Code, section
22 19930, subdivision (d); and
- 23 3. Taking such other and further action as the Commission may deem appropriate.
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Dated: May 27, 2022



YOLANDA MORROW, Acting Director
Bureau of Gambling Control
California Department of Justice

1 **APPENDIX A**

2 1. Business and Professions Code, section 19801, provides, in pertinent part:

3 * * *

4 (g) Public trust that permissible gambling will not endanger public
5 health, safety, or welfare requires comprehensive measures be enacted to
6 ensure that gambling is free from criminal and corruptive elements, that it
is conducted honestly and competitively, and that it is conducted in suitable
locations.

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

10 * * *

11 (j) To ensure that gambling is conducted honestly, competitively,
12 and free of criminal and corruptive elements, all licensed gambling
13 establishments in this state must remain open to the general public and the
14 access of the general public to licensed gambling activities must not be
restricted in any manner, except as provided by the Legislature. However,
subject to state and federal prohibitions against discrimination, nothing
herein shall be construed to preclude exclusion of unsuitable persons from
licensed gambling establishments in the exercise of reasonable business
judgment.

15 (k) In order to effectuate state policy as declared herein, it is
16 necessary that gambling establishments, activities, and equipment be
17 licensed, that persons participating in those activities be licensed or
18 registered, that certain transactions, events, and processes involving
19 gambling establishments and owners of gambling establishments be subject
20 to prior approval or permission, that unsuitable persons not be permitted to
associate with gambling activities or gambling establishments, and that
21 gambling activities take place only in suitable locations. Any license or
22 permit issued, or other approval granted pursuant to this chapter, is
23 declared to be a revocable privilege, and no holder acquires any vested
24 right therein or thereunder.

25 * * *

26 (n) Records and reports of cash and credit transactions involving
27 gambling establishments may have a high degree of usefulness in criminal
28 and regulatory investigations and, therefore, licensed gambling operators
may be required to keep records and make reports concerning significant
cash and credit transactions.

29 2. Business and Professions Code, section 19811, subdivision (b), provides:

30 Jurisdiction, including jurisdiction over operation and concentration,
31 and supervision over gambling establishments in this state and over all
32 persons or things having to do with the operation of gambling
33 establishments is vested in the commission.

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3. Business and Professions Code, section 19823, provides:

(a) The responsibilities of the commission include, without limitation, all of the following:

(1) Assuring that licenses, approvals, and permits are not issued to, or held by, unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.

(2) Assuring that there is no material involvement, directly or indirectly, with a licensed gambling operation, or the ownership or management thereof, by unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.

(b) For the purposes of this section, "unqualified person" means a person who is found to be unqualified pursuant to the criteria set forth in Section 19857, and "disqualified person" means a person who is found to be disqualified pursuant to the criteria set forth in Section 19859.

4. Business and Professions Code, section 19824, provides in part:

The commission shall have all powers necessary and proper to enable it fully and effectually to carry out the policies and purposes of this chapter, including, without limitation, the power to do all of the following:

* * *

(b) For any cause deemed reasonable by the commission, deny any application for a license, permit, or approval provided for in this chapter or regulations adopted pursuant to this chapter, limit, condition, or restrict any license, permit, or approval, or impose any fine upon any person licensed or approved. The commission may condition, restrict, discipline, or take action against the license of an individual owner endorsed on the license certificate of the gambling enterprise whether or not the commission takes action against the license of the gambling enterprise.

* * *

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

5. Business and Professions Code, section 19825, provides:

The commission may require that any matter that the commission is authorized or required to consider in a hearing or meeting of an adjudicative nature regarding the denial, suspension, or revocation of a license, permit, or finding of suitability, be heard and determined in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 or Title 2 of the Government Code.

1 6. Business and Professions Code, section 19850, provides, in pertinent part:

2 Every person who, . . . as owner . . . , either solely or in conjunction
3 with others, deals, operates, carries on, conducts, maintains, or exposes for
4 play and controlled game in this state, or who receives directly or
5 indirectly, any compensation or reward, or any percentage or share of the
6 money or property played, for keeping, running, carrying on any controlled
7 game in this state, shall apply for and obtain from the commission, and
8 shall thereafter maintain, a valid state gambling license, . . . as specified in
9 this chapter^[2]. . .

7 7. Business and Professions Code, section 19851, provides:

8 (a) The owner of a gambling enterprise^[3] shall apply for and obtain
9 a state gambling license. The owner of a gambling enterprise shall be
10 known as the owner-licensee.

11 (b) Other persons who also obtain a state gambling license, as
12 required by this chapter, shall not receive a separate license certificate, but
13 the license of every such person shall be endorsed on the license certificate
14 that is issued to the owner of the gambling enterprise.

13 8. Business and Professions Code section 19852, provides, in pertinent part:

14 Except as provided in Section 19852.2, an owner of a gambling
15 enterprise that is not a natural person shall not be eligible for a state
16 gambling license unless each of the following persons individually applies
17 for and obtains a state gambling license:

18 (a) If the owner is a corporation, then each officer, director, and
19 shareholder, other than a holding or intermediary company, of the owner.
20 The foregoing does not apply to an owner that is either a publicly traded
21 racing association or a qualified racing association.

22 * * *

23 (d) If the owner is a partnership, then every general and limited
24 partner of, and every trustee or person, other than a holding or intermediary
25 company, having or acquiring a direct or beneficial interest in, that
26 partnership owner.

27 * * *

28 ² Chapter refers to Chapter 5 of the Business and Professions Code, commencing with
 section 19800. It is also known as the California Gambling Control Act.

³ Business and Professions Code, section 19805, subdivision (m), defines “gambling
 enterprise” to mean “a natural person or an entity, whether individual, corporate, or otherwise,
 that conducts a gambling operation and that by virtue thereof is required to hold a state gambling
 license under this chapter.” A “gambling operation” is defined to mean “exposing for play one or
 more controlled games that are dealt, operated, carried on, conducted or maintained for
 commercial gain.” (Bus. & Prof. Code, § 19805, subd. (q).)

1 (i) Every employee, agent, guardian, personal representative,
2 lender, or holder of indebtedness of the owner who, in the judgment of the
3 commission, has the power to exercise a significant influence over the
4 gambling operation.

5 9. Business and Professions Code section 19854, subdivisions (a) and (b), provide:

6 (a) Every key employee shall apply for and obtain a key employee
7 license.

8 (b) No person may be issued a key employee license unless the
9 person would qualify for a state gambling license.

10 10. Business and Professions Code section 19856, subdivisions (a) and (c), provide in
11 part:

12 (a) . . . The burden of proving his or her qualifications to receive
13 any license is on the applicant.

14 * * *

15 (c) In reviewing an application for any license, the commission
16 shall consider whether issuance of the license is inimical to public health,
17 safety, or welfare, and whether issuance of the license will undermine
18 public trust that the gambling operations with respect to which the license
19 would be issued are free from criminal and dishonest elements and would
20 be conducted honestly.

21 11. Business and Professions Code section 19857, subdivisions (a) and (b), provide:

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

25 (a) A person of good character, honesty and integrity.

26 (b) A person whose prior activities, criminal record, if any,
27 reputation, habits, and associations do not pose a threat to the public
28 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.

12. Business and Professions Code, section 19859, subdivisions (a) and (b), provide:

The commission shall deny a license to any applicant who is
disqualified for any of the following reasons:

(a) Failure of the applicant to clearly establish eligibility and
qualification in accordance with this chapter.

1 (b) Failure of the applicant to provide information, documentation,
2 and assurances required by this chapter or requested by the chief, or failure
3 of the applicant to reveal any fact material to qualification, or the supplying
4 of information that is untrue or misleading as to a material fact pertaining
5 to the qualification criteria.

6 13. Business and Professions Code section 19866, provides:

7 An applicant for licensing or for any approval or consent required by
8 this chapter, shall make full and true disclosure of all information to the
9 department and the commission as necessary to carry out the policies of
10 this state relating to licensing, registration, and control of gambling.

11 14. Business and Professions Code section 19892, subdivision (a), provides:

12 The purported sale, assignment, transfer, pledge, or other disposition
13 of any interest in a partnership or limited liability company that holds a
14 gambling license, or the grant of an option to purchase the interest, is void
15 unless approved in advance by the commission.

16 15. Business and Professions Code section 19920, provides:

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

25 16. Business and Professions Code section 19904, provides:

26 The purported sale, assignment, transfer, pledge, or other disposition
27 of any security issued by a corporation that holds a gambling license, or the
28 grant of an option to purchase that security, is void unless approved in
advance by the commission.

17. Business and Professions Code section 19930, subdivisions (b), (d) and (f), provide
in pertinent part:

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

* * *

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

6 * * *

7 (f) For purposes of this section, “costs” include costs incurred for
8 any of the following:

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

10 (2) The preparation and prosecution of the case by the Office
11 of the Attorney General.

12 18. Business and Professions Code section 19971 provides:

13 This act is an exercise of the police powers of the state for the
14 protection of the health, safety, and welfare of the people of the State of
15 California, and shall be liberally construed to effectuate those purposes.

16 19. Government Code, section 11504, provides in pertinent part:

17 A hearing to determine whether a right, authority, license, or
18 privilege should be granted, issued, or renewed shall be initiated by filing a
19 statement of issues. The statement of issues shall be a written statement
20 specifying the statutes and rules with which the respondent must show
21 compliance by producing proof at the hearing, and in addition, any
22 particular matters that have come to the initiating party and would
23 authorize a denial of the agency sought action. . . .

24 20. California Code of Regulations, title 4, section 12058, provides:

25 (a) When the Commission elects to hold an APA hearing the
26 Commission shall determine whether the APA hearing will be held before
27 an Administrative Law Judge sitting on behalf of the Commission or before
28 the Commission itself with an Administrative Law Judge presiding in
accordance with Government Code section 11512. Notice of the APA
hearing shall be provided to the applicant pursuant to Government Code
section 11500 et seq.

(b) The burden of proof is on the applicant to prove his, her, or its
qualifications to receive any license or other approval under the Act.

(c) A Statement of Issues shall be prepared and filed according to
Government Code section 11504 by the complainant.

(d) At the conclusion of the evidentiary hearing, when the
Commission is hearing the matter, the members of the Commission shall
take the matter under submission, may discuss the matter in a closed
session meeting, may leave the administrative record open in order to
receive additional evidence as specified by the Commission, and may
schedule future closed session meetings for deliberation.

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(e) The evidentiary hearing shall proceed as indicated in the notice, unless and until the Executive Director or Commission approves cancellation or a continuance.