

1 XAVIER BECERRA
Attorney General of California
2 SARA J. DRAKE
Senior Assistant Attorney General
3 RONALD L. DIEDRICH
Deputy Attorney General, SBN 95146
4 1300 I Street, Suite 125
P.O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 210-7834
6 Fax: (916) 327-2319
E-mail: Ronald.Diedrich@doj.ca.gov
7 *Attorneys for Complainant*



8
9 **BEFORE THE**
10 **CALIFORNIA GAMBLING CONTROL COMMISSION**
11 **STATE OF CALIFORNIA**

13 In the Matter of the Statement of Reasons for
14 Denial of Application for a Third-Party
Proposition Player Services License for:

15 **CLAUDIA LUCERO CARMONA**



16
17
18 **Respondent.**

BGC Case No. BGC-HQ2018-00015SL

CGCC Case No: CGCC-2018-0208-5D

STATEMENT OF REASONS

19
20 Complainant alleges as follows:

21 **PARTIES**

22 1. Stephanie K. Shimazu (Complainant) brings this Statement of Reasons solely in her
23 official capacity as Director of the California Department of Justice, Bureau of Gambling Control
24 (Bureau).

25 2. On November 13, 2015, the Bureau received an Application for Third-Party
26 Proposition Player Services License for Supervisor, Player or Other Employee, dated November
27 7, 2015, and a Level I Supplemental Information, dated October 25, 2015 (collectively,
28 Application), from Claudia Lucero Carmona (Respondent), to allow for her employment as a

1 third-party proposition player (prop-player) for Qualified Player Services, LLC (Qualified), a
2 licensed third-party proposition player services provider, license number TPPP-000080.¹

3 3. Respondent has been employed as a prop-player by Qualified since October 2015.
4 On or about October 16, 2015, the California Gambling Control Commission (Commission)
5 issued Respondent a registration, number TPPL-016124, as a prop-player for this employment.
6 Respondent's registration currently expires on October 13, 2019.

7 4. On or about December 27, 2017, the Bureau submitted a Third-Party Player
8 Background Investigation Report to the Commission, in which it recommended that Respondent's
9 Application be denied.

10 5. At its February 8, 2018, meeting, the Commission referred consideration of
11 Respondent's Application to an evidentiary hearing, which is to be held pursuant to California
12 Code of Regulations, title 4, section 12060.²

13 6. On or about February 28, 2018, Respondent submitted a Notice of Defense, which is
14 dated February 26, 2018.

15 **BURDEN OF PROOF**

16 7. Respondent has the burden of proving her qualifications to receive a license.
17 (Bus. & Prof. Code, § 19856, subd. (a).)

18 **FIRST CAUSE FOR DENIAL**

19 **(Misdemeanor Convictions)**

20 8. Respondent's Application is subject to denial and her registration is subject to
21 revocation or cancellation in that Respondent has suffered the following convictions:

22 a. On or about February 27, 2013, Respondent was convicted of violating Vehicle Code,
23 section 23152, subdivision (b), driving while having a blood alcohol of .08% or higher, a

24 ¹ Respondent is required to convert her registration to a license and submit an application
25 for such licensure pursuant to California Code of Regulations, title 4, sections 12205.1 and
26 12218, because Qualified was summoned on October 5, 2009, to submit an application to convert
its registration to a license. Qualified's registration was converted to a license on December 8,
2011.

27 ² The statutes and regulations applicable to this Statement of Reasons are quoted in
28 pertinent part in Appendix A.

1 misdemeanor, in the case of *People v. Claudia Lucero Carmona* (Sup. Ct. San Joaquin County,
2 2013, No. ST060724A). Respondent driver's license was suspended, and she was sentenced to
3 two days in jail, three years on probation, to complete an alcohol recovery program, and to pay a
4 fine and restitution.

5 b. On or about March 24, 2014, Respondent was convicted of violating Vehicle Code,
6 section 23103, reckless driving, a misdemeanor, in the case of *People v. Claudia Lucero*
7 *Carmona* (Sup. Ct. San Joaquin County, 2016, No. SF127133A). Respondent's conviction was
8 as a result of a plea bargain, in which the district attorney dropped the charges of violating (1)
9 Health and Safety Code, section 11350, subdivision (a), possession of a controlled substance, a
10 felony, (2) Vehicle Code, section 23152, subdivision (a), driving under the influence, a
11 misdemeanor, with a prior, (3) Vehicle Code, section 23151, subdivision (b), driving while
12 having a blood alcohol of .08% or higher, a misdemeanor with a prior, and (4) Vehicle Code,
13 section 14601.2, subdivision (a), driving on a suspended or revoked license, a misdemeanor. In
14 exchange, Respondent was convicted of violating Vehicle Code, section 23103. Respondent was
15 on probation at the time from her above-noted 2013 conviction. Respondent's driver's license
16 was suspended and she was sentenced to three years on probation, to complete an alcohol
17 recovery program, and to pay and fine a restitution.

18 (Bus. & Prof. Code, §§ 19856 & 19857 subs. (a) & (b); Cal. Code. Regs., tit. 4, §§ 12200.18,
19 subd. (a), 12205 & 12218.11, subs. (e) [mandatory denial] & (j) [mandatory denial].)

20 **SECOND CAUSE FOR DENIAL**

21 **(Conscious Disregard of the Law)**

22 9. Respondent's Application is subject to denial and her registration subject to
23 revocation or cancellation, in that Respondent lacks the requisite character, honesty and integrity,
24 as well as poses a threat to the effective regulation and control of controlled gambling.
25 Respondent has demonstrated a recent pattern and practice of consciously disregarding the laws
26 and regulations of the State of California. In addition to her 2013 and 2014 criminal convictions
27 alleged in paragraph 8 above, Respondent knowingly continued to drive after her driving
28

1 privileges were revoked and her driver's license suspended as a result of those criminal
2 convictions.

3 (Bus. & Prof. Code, §§ 19856, & 19857, subds. (a) & (b); Cal. Code. Regs., tit. 4, §§ 12200.18,
4 subd. (a), 12205 & 12218.11, subds. (e) [mandatory denial] & (j) [mandatory denial].)

5 **THIRD CAUSE FOR DENIAL**

6 **(Failure to Establish Eligibility and Provide Information)**

7 10. Respondent's Application is subject to denial and her registration subject to
8 revocation or cancellation, in that Respondent failed to provide information requested by the
9 Bureau or provided misleading information as to a fact material to licensure. When asked by the
10 Bureau to explain the circumstances that led to her 2013 and 2014 criminal convictions alleged in
11 paragraph 8 above, on or about September 26, 2017, Respondent claimed that she did not recall
12 the circumstances that lead to either of those convictions. At the time Respondent provided that
13 answer, it had been about four and one-half years since the date of the 2013 conviction and only
14 three and one-half years since the date of the 2014 conviction. Additionally, Respondent's
15 probation was completed for the 2014 conviction on or about March 2017, just about six months
16 prior to her denial of any knowledge of the circumstances that lead to her conviction.

17 (Bus. & Prof. Code, §§ 19856, 19857, subds. (a) & (b), 19859, subds. (a) [mandatory denial] &
18 (b) [mandatory denial] & 19866; Cal. Code. Regs., tit. 4, §§ 12200.18, subds. (a), (b) & (f), 12205
19 & 12218.11, subds. (e) [mandatory denial], (f) [mandatory denial] & (j) [mandatory denial].)

20 **PRAYER**

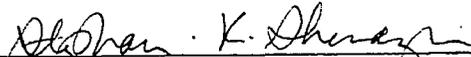
21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing the Commission issue a decision:

- 23 1. Denying Respondent's Application for a third-party proposition player license;
24 2. Revoking or cancelling Respondent's registration, number TPPL-016124; and

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3. Taking such other and further action as the Commission may deem appropriate.

Dated: April 20, 2018


STEPHANIE K. SHIMAZU, Director
Bureau of Gambling Control
California Department of Justice
Complainant

1 commission may condition, restrict, discipline, or take action
2 against the license of an individual owner endorsed on the license
3 certificate of the gambling enterprise whether or not the
4 commission takes action against the license of the gambling
5 enterprise.

6 * * *

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

10 4. Business and Professions Code, section 19853, subdivision (a), provides:

11 The commission, by regulation or order, may require that the
12 following persons register with the commission, apply for a finding of
13 suitability as defined in subdivision (i) of 19805, or apply for a
14 gambling license:

15 * * *

16 (3) Any person who does business on the premises of a
17 licensed gambling establishment.

18 5. Business and Professions Code, section 19870 provides:

19 (a) The commission, after considering the recommendation of the
20 chief⁽⁴⁾ and any other testimony and written comments as may be
21 presented at the meeting, or as may have been submitted in writing to
22 the commission prior to the meeting, may either deny the application or
23 grant a license to an applicant who it determines to be qualified to hold
24 the license.

25 (b) When the commission grants an application for a license or
26 approval, the commission may limit or place restrictions thereon as it
27 may deem necessary in the public interest, consistent with the policies
28 described in this chapter.

(c) When an application is denied, the commission shall prepare
and file a detailed statement of its reasons for the denial.

(d) All proceedings at a meeting of the commission relating to a
license application shall be recorded stenographically or by audio or
video recording.

(e) A decision of the commission denying a license or approval,
or imposing any condition or restriction on the grant of a license or
approval may be reviewed by petition pursuant to Section 1085 of the
Code of Civil Procedure. Section 1094.5 of the Code of Civil
Procedure shall not apply to any judicial proceeding described in the
foregoing sentence, and the court may grant the petition only if the

⁴ "Chief" refers to the Director of the Bureau. (Bus. & Prof. Code, § 19805, subd. (d).)

1 court finds that the action of the commission was arbitrary and
2 capricious, or that the action exceeded the commission's jurisdiction.

3 6. Business and Professions Code, section 19871 provides:

4 (a) The commission meeting described in Section 19870 shall be
5 conducted in accordance with regulations of the commission and as
6 follows:

7 (1) Oral evidence shall be taken only upon oath or
8 affirmation.

9 (2) Each party shall have all of the following rights:

10 (A) To call and examine witnesses.

11 (B) To introduce exhibits relevant to the issues
12 of the case.

13 (C) To cross-examine opposing witnesses on
14 any matters relevant to the issues, even though the
15 matter was not covered on direct examination.

16 (D) To impeach any witness, regardless of
17 which party first called the witness to testify.

18 (E) To offer rebuttal evidence.

19 (3) If the applicant does not testify in his or her own behalf,
20 he or she may be called and examined as if under cross-
21 examination.

22 (4) The meeting need not be conducted according to
23 technical rules relating to evidence and witnesses. Any relevant
24 evidence may be considered, and is sufficient in itself to support a
25 finding, if it is the sort of evidence on which responsible persons
26 are accustomed to rely in the conduct of serious affairs, regardless
27 of the existence of any common law or statutory rule that might
28 make improper the admission of that evidence over objection in a
civil action.

(b) Nothing in this section confers upon an applicant a right to
discovery of the department's⁵ investigative reports or to require
disclosure of any document or information the disclosure of which is
otherwise prohibited by any other provision of this chapter.

27 ⁵ "Department" refers to the Department of Justice. (Bus. & Prof. Code, § 19805, subd.
28 (h).)

1 7. Business and Professions Code section 19984, subdivision (b), provides, in part:

2 The commission shall establish reasonable criteria for, and require
3 the licensure and registration of, any person or entity that provides
4 proposition player services to gambling establishments pursuant to this
5 section, including owners, supervisors, and players The
6 commission may impose licensing requirements, disclosures,
7 approvals, conditions, or limitations as it deems necessary to protect
8 the integrity of controlled gambling in this state

9 8. California Code of Regulations, title 4, section 12056, subdivision (a) provides, in
10 part:

11 If the Commission elects to hold an evidentiary hearing, the
12 hearing will be conducted as a GCA hearing under Section 12060,
13 unless the Executive Director or the Commission determines the
14 hearing should be conducted as an APA hearing under Section
15 12058

16 9. California Code of Regulations, title 4, section 12060 subdivision (g), provides:

17 (a) If the Executive Director determines it is appropriate, he or she
18 may set an application for consideration at a GCA hearing in advance
19 of a meeting pursuant to Section 12054. The Executive Director shall
20 give notice to the applicant, pursuant to paragraph (2) subsection (c) of
21 Section 12052, to the Office of the Attorney General, and to the Bureau
22 no later than 90 calendar days in advance of the GCA hearing. The
23 Executive Director's determination will be based on information
24 contained in the Bureau's report or other appropriate sources including,
25 without limitation, a request from the Bureau or applicant as well as the
26 Commission's operational considerations. The Commission retains the
27 authority to refer the matter to an APA hearing pursuant to subsection
28 (a) of Section 12056 or hear the matter at a Section 12054 meeting if
the Commission deems it appropriate.

(b) When the Commission has elected to hold a GCA hearing, the
Executive Director shall give notice to the applicant, pursuant to
paragraph (2) subsection (c) of Section 12052, to the Office of the
Attorney General, and to the Bureau no later than 60 calendar days in
advance of the GCA hearing.

(c) The presiding officer shall have no communication with the
Commission or Commission staff upon the merits, or upon information
or documents related to the application prior to the evidentiary hearing.
The Executive Director shall designate a presiding officer which shall
be:

(1) A member of the Commission's legal staff; or,

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(2) An Administrative Law Judge.

(d) The applicant or the complainant, or the applicant and the complainant, may request a continuance in writing to the Executive Director stating the reason for the continuance and any proposed future hearing dates. The Executive Director or Commission may approve the request.

(e) The complainant shall provide to the applicant, at least 45 calendar days prior to the GCA hearing, and the applicant shall provide to the complainant, at least 30 calendar days prior to the GCA hearing, the following items:

(1) A list of potential witnesses with the general subject of the testimony of each witness;

(2) Copies of all documentary evidence intended to be introduced at the hearing and not previously provided;

(3) Reports or statements of parties and witnesses, if available; and

(4) All other written comments or writings containing relevant evidence.

(f) A presiding officer shall rule on the admissibility of evidence and on any objections raised except for objections raised under subsection (g). A ruling by the presiding officer shall be final.

(1) In advance of the GCA hearing, upon a motion of a party or by order of the presiding officer, the presiding officer may conduct a pre-hearing conference, either in person, via teleconference, or by email exchange, subject to the presiding officer's availability and shall issue a pre-hearing order if appropriate or requested by either party. The pre-hearing conference and order may address the following:

(A) Evidentiary issues;

(B) Witness and exhibit lists;

(C) Alterations in the Bureau recommendation;

(D) Stipulation for undisputed facts including the admission of the Bureau's report; and

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2 (E) Other issues that may be deemed appropriate to
3 promote the orderly and prompt conduct of the hearing.

4 (2) The GCA hearing need not be conducted according to
5 technical rules of evidence. Any relevant evidence may be
6 considered, and is sufficient in itself to support findings if it is the
7 sort of evidence on which reasonable persons are accustomed to
8 rely in the conduct of serious affairs, regardless of the existence of
9 any common law or statutory rule that might make improper the
10 admission of that evidence over objection in a civil action.

11 (g) The Commission may, at any time upon a showing of
12 prejudice by the objecting party:

13 (1) Prohibit the testimony of any witness or the
14 introduction of any documentary evidence that has not been
15 disclosed pursuant to subsection (e); or

16 (2) Continue any meeting or hearing as necessary to
17 mitigate any prejudice.

18 (h) The complainant shall present all facts and information in the
19 Bureau report, if any, and the results of the Bureau's background
20 investigation, and the basis for any recommendation, if the Bureau filed
21 one with the Commission according to Business and Professions Code
22 section 19868, to enable the Commission to make an informed decision
23 on whether the applicant has met his, her, or its burden of proof. The
24 complainant may but is not required to recommend or seek any
25 particular outcome during the evidentiary hearing, unless it so chooses.

26 (i) The burden of proof is on the applicant at all times to prove his,
27 her, or its qualifications to receive any license or other approval under
28 the Act.

(j) The applicant may choose to represent himself, herself, or
itself, or may retain an attorney or lay representative.

(k) Except as otherwise provided in subsection (g), the
complainant and applicant shall have the right to call and examine
witnesses under oath; to introduce relevant exhibits and documentary
evidence; to cross-examine opposing witnesses on any relevant matter,
even if the matter was not covered in direct examination; to impeach
any witness, regardless of which party first called the witness to testify;
and to offer rebuttal evidence. If the applicant does not testify on his,

1 her or its own behalf, the applicant may be called and examined, under
2 oath, as if under cross-examination.

3 (l) Oral evidence shall be taken upon oath or affirmation, which
4 may be administered by the Executive Director, a member of the
5 Commission, or the presiding officer, if an Administrative Law Judge.

6 (m) At the conclusion of the evidentiary hearing, the members of
7 the Commission shall take the matter under submission, may discuss
8 the matter in a closed session meeting, and may schedule future closed
9 session meetings for deliberation.

10 10. California Code of Regulations, title 4, section 12200.3, subdivision (g), provides:

11 Registrations, licenses, and badges are specific to the primary
12 owner. Third party proposition player services cannot be provided
13 without first applying for and obtaining a registration, license, or
14 badge.

15 11. California Code of Regulations, title 4, section 12205 provides:

16 (a) Any regular registration issued in accordance with this
17 chapter⁶ shall be subject to cancellation pursuant to this section. A
18 registration shall be cancelled if the Commission determines after a
19 noticed hearing that the registrant is ineligible for registration, has
20 failed in the application for registration to reveal any fact material to
21 the holder's qualification for registration, or has supplied information
22 in the registration application that is untrue or misleading as to a
23 material fact pertaining to the criteria for issuance of registration.

24 (b) If the Commission finds that any of the circumstances set
25 forth in subsection (a) apply, then the Executive Director shall
26 immediately do all of the following:

27 (1) Provide written notice to the registrant and the Bureau of
28 the cancellation of the registration and the grounds thereof, and
provide written notice of the cancellation to the owner, if the
registrant is a supervisor, player, or other employee and to any
gambling establishment in which the registrant provides
proposition player services.

(2) Notify the registrant, if an individual, that he or she is
required to surrender the registrant's badge to the Commission not
more than ten days following the date that the notice of the
cancellation was mailed or such greater time as is authorized by
the Executive Director.

27 ⁶ "Chapter" refers to California Code of Regulations, title 4, division 18, chapter 2.1,
28 section 12200 et seq.

1 12. California Code of Regulations, title 4, section 12205.1, provides:

2 (a) As expeditiously as possible in light of available program
3 resources, the Bureau shall summon persons registered as primary
4 owners, owners, supervisors, players, and other employees for the
5 purpose of applying for licenses under this chapter. The registration of
6 any registrant that fails or refuses to submit the applicable Application
7 for Third Party Proposition Player Services License for Business
8 Entities and Owners (BGC-433 (Rev. 10/17)) or Application for Third-
9 Party Proposition Player Services License for Supervisors, Players or
10 Other Employees (BGC-434 (Rev. 10/17)), which are hereby
11 incorporated by reference, including any fees to the Bureau within 30
12 days of receiving a summons shall expire by operation of law on the
13 following day. Prior to and during review of a request to convert a
14 registration to a license, a registration shall remain valid and may be
15 renewed by the registrant as necessary, upon application and approval
16 of renewal of registration as provided in Section 12203A.

17 (b) Any person who became affiliated with a primary owner
18 following receipt of a summons from the Bureau shall apply for
19 registration pursuant to this chapter and shall be called forward by the
20 Bureau expeditiously.

21 (c) If the registration expires by operation of law, the former
22 registrant shall submit a new Application for Third Party Proposition
23 Player Services License for Business Entities and Owners (BGC-433)
24 or Application for Third-Party Proposition Player Services License for
25 Supervisors, Players or Other Employees (BGC-434), which are
26 referenced in subsection (a), and a new nonrefundable application fee
27 as specified in paragraph (1), and the applicable additional fee specified
28 in paragraph (3), (4), or (5) of subsection (d) of Section 12008.

13. California Code of Regulations, title 4, section 12218 provides:

21 (a) A request to convert a registration to a license shall be
22 submitted to the Bureau only in response to a written summons to a
23 primary owner pursuant to Section 12205.1. Each primary owner's
24 request shall be accompanied by the requests of all affiliated owners,
25 supervisors, players, and other employees.

26 (b) The request to convert a registration to a license shall designate
27 whether the license is requested as a primary owner, owner, supervisor,
28 player, or other employee. The request shall be signed by the
individual requester or, if the requester is a business entity, by the chief
executive officer or other designated officer of the business entity.

1 (c) The request to convert a registration to a license shall include
2 all of the following:

3 (1) A completed Application for Third Party Proposition
4 Player Services License for Business Entities and Owners (BGC-
5 433) or Application for Third-Party Proposition Player Services
6 License for Supervisors, Players or Other Employees (BGC-
7 434), referenced in Section 12205.1.

8 (2) If applicable, the Trust Supplemental Background
9 Investigation Information, BGC-APP-143 (Rev. 05/08),
10 referenced in Section 12342 of this division.

11 (3) The applicable nonrefundable application fee in the
12 amount specified in subsection (d) of Section 12008.

13 (4) Two 2x2 inch color passport-style photographs of a
14 requester that is an individual taken no more than one year
15 before submission of the request to the Bureau.

16 (5) The supplemental information package as defined in
17 Section 12200(b).

18 (6) A sum of money that, in the judgment of the Chief of
19 the Bureau, will be adequate to pay the anticipated investigation
20 and processing costs, in accordance with Business and
21 Professions Code sections 19867 and 19984(c).

22 (7) A copy of the summons issued by the Bureau.

23 (d) Nothing in this chapter shall require the Commission or
24 Bureau to divulge to the requester any confidential information
25 received from any law enforcement agency or any information
26 received from any person with assurances that the information would
27 be maintained as confidential. Nothing in this chapter shall require the
28 Commission or Bureau to divulge any information that might reveal
the identity of any source of information or jeopardize the safety of
any person.

SPECIFIC STATUTORY PROVISIONS

14. Business and Professions Code section 19856 provides:

(a) Any person who the commission determines is qualified to
receive a state license, having due consideration for the proper
protection of the health, safety, and general welfare of the residents of

1 the State of California and the declared policy of this state, may be
2 issued a license. The burden of proving his or her qualifications to
receive any license is on the applicant.

3 (b) An application to receive a license constitutes a request for a
4 determination of the applicant's general character, integrity, and ability to
participate in, engage in, or be associated with, controlled gambling.

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

9
10 15. Business and Professions Code, section 19857 provides:

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

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

14 (b) A person whose prior activities, criminal record, if any,
15 reputation, habits, and associations do not pose a threat to the
16 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.

17 (c) A person that is in all other respects qualified to be
18 licensed as provided in this chapter.

19
20 16. Business and Professions Code section 19859 provides, in part:

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

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

24 (b) Failure of the applicant to provide information,
25 documentation, and assurances required by this chapter or
26 requested by the chief, or failure of the applicant to reveal any fact
27 material to qualification, or the supplying of information that is
28 untrue or misleading as to a material fact pertaining to the
qualification criteria.

1 17. Business and Professions Code section 19866 provides:

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

7 18. California Code of Regulations, title 4, section 12200.18, provides, in part:

8 The Commission may revoke a registration or license, upon any of
9 the following grounds, after a hearing conducted pursuant to the same
10 procedures applicable to the revocation of a gambling establishment
11 license:

12 (a) The registrant or licensee committed, attempted to
13 commit, or conspired to commit any acts prohibited by the Act⁷
14 or this chapter.

15 (b) Any act or omission by the registrant that would
16 disqualify the registrant from obtaining registration under this
17 chapter. Any act or omission by the licensee that would disqualify
18 the licensee from obtaining licensing under this chapter.

19 * * *

20 (f) The registrant or licensee concealed or refused to disclose
21 any material fact in any inquiry by the Bureau or the Commission.

22 19. California Code of Regulations, title 4, section 12218.11, provides, in part:

23 A requester shall be ineligible for licensing for any of the
24 following causes:

25 * * *

26 (e) The requester has failed to meet the requirements of
27 Business and Professions Code sections 19856 or 19857.

28 (f) The requester would be ineligible for a state gambling
license under any of the criteria set forth in Business and
Professions Code section 19859, subdivisions (b), (e), or (f).

* * *

(j) The applicant is ineligible based on any other provision
of law.

⁷ "Act" refers to the "Gambling Control Act." (Bus. & Prof. Code, § 19800 et seq.)