

1 ROB BONTA  
Attorney General of California  
2 CARL W. SONNE  
Senior Assistant Attorney General  
3 THOMAS L. RINALDI  
Supervising Deputy Attorney General SBN 206911  
4 300 S. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 269-6310  
Fax: (916) 731-2126  
6 E-mail: Thomas.Rinaldi@doj.ca.gov  
*Attorneys for Complainant*  
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8  
9 **BEFORE THE**  
10 **CALIFORNIA GAMBLING CONTROL COMMISSION**  
11 **STATE OF CALIFORNIA**

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

15 **NATASHA JOHNSON**  
16 

18 **Respondent.**

**BGC Case No. BGC-HQ2023-00007AL**

**CGCC Case No: CGCC-2023-0810-4**

**STATEMENT OF REASONS**

Hearing Date: August 27, 2024  
Hearing Time: 10:00 a.m.  
Hearing Place: 2399 Gateway Oaks, Ste. 100,  
Sacramento, CA 95833

**This hearing will be conducted by means of  
video conferencing on Zoom. The Zoom  
meeting code is 285 757 8614**

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23 Complainant alleges as follows:

24 **PARTIES**

25 1. Yolanda Morrow (“Complainant”) brings this Statement of Reasons solely in her  
26 official capacity as Director of the California Department of Justice, Bureau of Gambling Control  
27 (“Bureau”).  
28

1           2.     On or about September 9, 2022, the California Gambling Control Commission  
2 (Commission) issued third-party proposition player services worker temporary license (number  
3 TPWK-004733) to Natasha Linette Johnson (Respondent) which expires on August 31, 2024.  
4 Respondent has been employed by L.E. Gaming, Inc. since July 2022 as a Third Party Worker.

5                                   **THE APPLICATION AND THIS PROCEEDING**

6           3.     On or about August 1, 2022, the Bureau received an initial Application for Employee  
7 Category License and Commission Work Permit or TPPPS Worker: Supplemental Information  
8 (collectively, Application) from Respondent. The Application is to allow for Respondent's  
9 employment as a third-party worker for L.E. Gaming. (BGC-APP. 129583.)

10          4.     The Bureau conducted an initial background investigation with respect to  
11 Respondent's Application. Respondent's Supplemental Information Form disclosed that she had  
12 sustained a single criminal conviction on June 23, 2014 for one misdemeanor count of violating  
13 Vehicle Code section 23152, subdivision (b) (Driving with a Blood Alcohol Level of .08% or  
14 Higher) in *People of the State of California v. Natasha Linette Johnson*. As a result, Respondent  
15 was sentenced to five years of probation, and ordered to serve 165 days in jail and to complete a  
16 work program.

17          5.     During the course of its investigation, the Bureau learned that Respondent had, in  
18 fact, sustained convictions of additional offenses as follows: On or around January 9, 2009,  
19 Respondent was convicted of one misdemeanor count of violating Vehicle Code section 23152,  
20 subdivision (b) (Driving with a Blood Alcohol Level of .08% or Higher) in the *People of the State*  
21 *of California v. Natasha Linette Johnson*, Case No. CR-TR-08-0003050 which resulted in  
22 Respondent being sentenced to three years of probation and ordered to serve two days in jail as  
23 well as pay a fine. In addition, on or around January 4, 2010, Respondent was convicted of one  
24 misdemeanor count of violating Vehicle Code sections 23152, subdivision (b) (Driving with a  
25 Blood Alcohol Level of .08% or Higher) and 14601.2 (Driving with a Suspended License) in  
26 *People v. State of California v. Natasha Linette Johnson*, Case No. CR-TR-09-0002951, which  
27 resulted in Respondent being sentenced to five years of probation and ordered to serve twelve  
28 days in jail as well as pay a fine.

1           6.     On September 26, 2022, the Bureau requested that Respondent provide information  
2 explaining why she failed to disclose the 2009 and 2010 convictions on her application. On  
3 October 11, 2022, Respondent informed the Bureau that the reason she did not disclose them was  
4 “because it has been so long and I wasn’t quite sure of the exact dates.” On October 14, 2022, the  
5 Bureau requested an additional statement from Respondent explaining why she thought she did  
6 not need to disclose the 2009 and 2010 convictions when the supplemental information form  
7 states the following: “You are required to disclose any and all criminal convictions regardless of:  
8 a.) The date of conviction, i.e., it must be disclosed no matter how old the conviction is.” On  
9 November 14, 2022, Respondent responded to the Bureau’s inquiry as follows: “The reason I did  
10 not disclose the 2009 and 2010 convictions was because I honestly did not know the exact dates.  
11 Also it has been so long and I completed what I needed to do to move beyond those situations.”

12           7.     On June 14, 2023, Assistant Director Lisa Wardall and Manager II Brian Gilleland  
13 met by telephone with Respondent and her Designated Agent Melissa Ezaki and informed them  
14 generally of the basis for the Bureau’s recommendation to deny her Application.

15           8.     On June 14, 2023, the Bureau issued its Third-Party Worker Initial Background  
16 Investigation Report in this matter, recommending that the Commission deny the Application on  
17 the ground that Respondent had failed to disclose her 2009 and 2010 misdemeanor convictions.

18           9.     On July 26, 2023, the Commission notified Respondent that her Application would be  
19 considered at its August 10, 2023 meeting. At its August 10, 2023 meeting, the Commission  
20 considered the Application and voted to refer the matter of Respondent’s Application to an  
21 evidentiary hearing pursuant to California Code of Regulations, title 4, section 12054, subdivision  
22 (a)(4), to be conducted as a hearing under the Gambling Control Act, Government Code section  
23 19800 et seq. (GCA), pursuant to California Code of Regulations, title 4, section 12060.<sup>1</sup> On  
24 August 16, 2023, the Commission notified Respondent of its action upon the Application and  
25 provided Respondent with a Notice of Defense form (CGCC-CH1-03).

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27           <sup>1</sup> The statutes and regulations applicable to this Statement of Reasons are quoted in  
28 pertinent part in Appendix A.

1 10. On or around August 29, 2023, the Commission received Respondent's Notice of  
2 Defense dated August 25, 2023.

3 11. On May 8, 2024, Respondent was notified that the evidentiary hearing would be held  
4 before the Commission starting at 10:00 a.m., on August 27, 2024, which will be conducted via  
5 Zoom.

### 6 **JURISDICTION AND BURDEN OF PROOF**

7 12. The Commission has jurisdiction over the licensing of all persons and things having  
8 to do with the operation of gambling establishments. (Bus. & Prof. Code, §§ 19811, subd. (b),  
9 19850.) The Commission's responsibilities include assuring that licenses are not issued to  
10 unqualified or disqualified persons and that no unqualified or disqualified person is materially  
11 involved with a licensed gambling operation. (Bus. & Prof. Code, § 19823, subd. (a).) The  
12 Commission has all powers necessary and proper to carry out the Act's policies and purposes,  
13 including the powers to take actions to ensure that no ineligible, unqualified, disqualified, or  
14 unsuitable persons are associated with controlled gambling activities. (Bus. & Prof. Code, §  
15 19824, subs. (b) & (d).)

16 13. Respondent has the burden of proving that she is qualified to receive a license. (Bus.  
17 & Prof. Code, § 19856, subd. (a).)

### 18 **FIRST CAUSE FOR DENIAL**

#### 19 **(Disqualified for Licensure)**

20 14. In the Application's Supplemental Information Form, Respondent affirmatively  
21 represented that she had only sustained a single conviction as further described in paragraph no. 4  
22 above. In fact, Respondent sustained additional convictions that she failed to disclose in the  
23 Application as follows: On or around January 9, 2009, Respondent was convicted of one  
24 misdemeanor count of violating Vehicle Code section 23152, subdivision (b) in the *People of the*  
25 *State of California v. Natasha Linette Johnson*, Case No. CR-TR-08-0003050 and on or around  
26 January 4, 2010, she was convicted of one misdemeanor count of violating Vehicle Code sections  
27 23152, subdivision (b) and 14601.2 in *People v. State of California v. Natasha Linette Johnson*,  
28 Case No. CR-TR-09-0002951. Respondent's Application is therefore subject to mandatory denial

1 under Business and Professions Code section 19859, subdivision (b), for supplying information  
2 that is untrue or misleading as to a material fact pertaining to the qualification criteria.  
3 (Bus. & Prof. Code, §§ 19859, subd. (b); Cal. Code Regs., tit. 4, § 12040 (a) (2).)

4 **SECOND CAUSE FOR DENIAL**

5 **(Failure to Establish Qualification for Licensure)**

6 15. As described in paragraph 14 above, Respondent supplied information that is untrue  
7 or misleading as to a material fact pertaining to the qualification criteria. By doing so,  
8 Respondent also failed to make full and true disclosure as required by the Act. By acting in the  
9 manner described herein, Respondent has failed to establish that she is a person of good character,  
10 honesty, and integrity, and has further failed to establish that her prior activities, criminal record,  
11 and habits do not pose a threat to the public interest of this state, or to the effective regulation and  
12 control of controlled gambling. The Application is therefore subject to discretionary denial under  
13 Business and Professions Code section 19857.

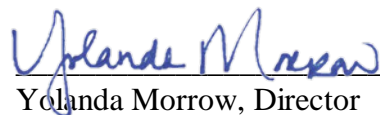
14 (Bus. & Prof. Code, §§ 19856, 19857, subds. (a) & (b), 19859, subd. (a), 19866; Cal. Code Regs.,  
15 tit. 4, §12040 (a) (1).)

16 **PRAYER**

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

- 19 1. Denying Respondent’s Application for Approval of a Third-Party Proposition Player  
20 Services Worker License; and  
21 2. Taking such other and further action as the Commission may deem appropriate.

22  
23 Dated: July 8, 2024



Yolanda Morrow, Director  
Bureau of Gambling Control  
California Department of Justice  
Complainant

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**APPENDIX A**

**BUSINESS AND PROFESSIONS CODE**

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

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

2. 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.

3. 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,<sup>[2]</sup> 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

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<sup>2</sup> “Chapter” refers to Business and Professions Code, division 8, chapter 5, (commencing with section 19800), also known as the Gambling Control Act.

1 fine upon any person licensed or approved. The commission may  
2 condition, restrict, discipline, or take action against the license of an  
3 individual owner endorsed on the license certificate of the gambling  
4 enterprise whether or not the commission takes action against the  
5 license of the gambling 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 19850 provides, in part:

11 Every person who, either as owner, lessee, or employee, whether  
12 for hire or not, either solely or in conjunction with others, deals,  
13 operates, carries on, conducts, maintains, or exposes for play any  
14 controlled game in this state, or who receives, directly or indirectly,  
15 any compensation or reward, or any percentage or share of the money  
16 or property played, for keeping, running, or carrying on any controlled  
17 game in this state, shall apply for and obtain from the commission, and  
18 shall thereafter maintain, a valid state gambling license, key employee  
19 license, or work permit, as specified in this chapter. In any criminal  
20 prosecution for violation of this section, the punishment shall be as  
21 provided in Section 337j of the Penal Code.

22 5. Business and Professions Code section 19853, subdivision (a), provides in part:

23 The commission, by regulation or order, may require that the  
24 following persons register with the commission, apply for a finding of  
25 suitability as defined in subdivision (j) of Section 19805, or apply for a  
26 gambling license:

27 \* \* \*

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

6. 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  
the State of California and the declared policy of this state, may be  
issued a license. The burden of proving his or her qualifications to  
receive any license is on the applicant.

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

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

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7. Business and Professions Code section 19857 provides:

No gambling license shall be issued unless, based on all of 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.

8. Business and Professions Code section 19859 provides, in part:

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.

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

9. Business and Professions Code section 19866 provides:

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



1  
2 10. Business and Professions Code section 19870 provides:

3 (a) The commission, after considering the recommendation of the  
4 chief and any other testimony and written comments as may be  
5 presented at the meeting, or as may have been submitted in writing to  
6 the commission prior to the meeting, may deny the application, grant a  
7 license to an applicant who it determines to be qualified to hold the  
8 license, or refer the application to an evidentiary hearing.

9 (b) When the commission grants an application for a license or  
10 approval, the commission may limit or place restrictions on the license  
11 or approval as it may deem necessary in the public interest, consistent  
12 with the policies described in this chapter.

13 (c) If, during a meeting, the commission denies an application,  
14 denies approval, or approves with limits, restrictions, or conditions,  
15 the action shall be stayed for a period of 30 days after the meeting,  
16 during which the applicant may request an evidentiary hearing. If the  
17 applicant does not file a request for an evidentiary hearing within 30  
18 days, the action of the commission taken at the meeting is final. If the  
19 applicant waives the right to hearing and assents to the action of the  
20 commission in writing, upon receipt of the waiver by the commission,  
21 the action shall no longer be stayed. If the applicant files a timely  
22 request for an evidentiary hearing, the action shall be vacated and the  
23 application shall be reviewed de novo at the evidentiary hearing.

24 (d) When an application is denied after an evidentiary hearing,  
25 the commission shall prepare and file a detailed statement of its  
26 reasons for the denial.

27 (e) All proceedings relating to an application at a meeting of the  
28 commission or at an evidentiary hearing shall be recorded  
stenographically or by audio or video recording.

(f) A decision of the commission after an evidentiary hearing,  
denying a license or approval, or imposing any condition or restriction  
on the grant of a license or approval may be reviewed by petition  
pursuant to Section 1085 of the Code of Civil Procedure. Section  
1094.5 of the Code of Civil Procedure does not apply to any judicial  
proceeding held to consider that petition, and the court may grant the  
petition only if the court finds that the action of the commission was  
arbitrary and capricious, or that the action exceeded the commission's  
jurisdiction.

11. Business and Professions Code section 19871 provides:

(a) An evidentiary hearing described in Section 19870 shall be  
conducted in accordance with regulations of the commission and as  
follows:

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

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

(A) To call and examine witnesses.

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

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

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

(E) To offer rebuttal evidence.

(3) If the applicant does not testify on their own behalf, the applicant may be called and examined as if under cross-examination.

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

(b) This section does not confer upon an applicant a right to discovery of the department's 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.

**CALIFORNIA CODE OF REGULATIONS**

12. California Code of Regulations, title 4, section 12040, provides, in part:

(a) An application for an initial or renewal license:

(1) Will be denied if the Commission finds that the applicant has not satisfied the requirements of Business and Professions Code section 19857; or,

(2) Will be denied if the Commission finds that any of the provisions of Business and Professions Code section 19859 apply to the applicant.

\* \* \*

1 13. California Code of Regulations, title 4, section 12054, provides, in pertinent part:

2 (a) At a Commission meeting, the Commission may take, but is  
3 not limited to taking, one of the following actions:

4 \* \* \*

5 (4) Elect to hold or retract an evidentiary hearing in  
6 accordance with Section 12056 and, for a renewal application,  
7 issue an interim renewal license pursuant to Section 12035. The  
8 Commission will identify those issues for which it requires  
9 additional information or consideration related to the applicant's  
10 suitability.

11 14. California Code of Regulations, title 4, section 12056, provides, in part:

12 (a) If the Commission elects to hold an evidentiary hearing, or an  
13 applicant has elected to request an evidentiary hearing following a  
14 Commission approval with conditions, restrictions, or limitations  
15 pursuant to paragraph (2) of subsection (a) of Section 12054 or a  
16 denial pursuant to paragraph (3) of subsection (a) of Section 12054,  
17 the hearing will be conducted as a GCA hearing under Section 12060,  
18 unless the Executive Director or the Commission determines the  
19 hearing should be conducted as an APA hearing under Section 12058.  
20 . . .

21 15. California Code of Regulations, title 4, section 12060, provides:

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

(b) When a GCA hearing is elected pursuant to Section 12056,  
subsection (a), the Executive Director will 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) An applicant may request that his, her, or its GCA hearing be  
held at a Southern California location instead of the Commission's  
principal office in Sacramento, by completing the appropriate section on  
the Notice of Defense, CGCC-CH1-03 (Rev. 08/21). The request must be  
made on the initial Notice of Defense form submitted to the Commission  
and Bureau within the timeframes specified on the form.

(1) The Executive Director will approve a Southern  
California GCA hearing, if the request is timely made on the initial

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Notice of Defense form and meets all of the following criteria:

(A) The GCA hearing is estimated by Commission staff to last no longer than four hours.

(B) The primary residence of the applicant is located in one of the following counties: Imperial, Kern, Los Angeles, Orange, Riverside, San Diego, San Luis Obispo, San Bernardino, Santa Barbara, or Ventura.

(C) A GCA hearing will be noticed for a Southern California location only when it is in the best public interest, promotes judicial economy, and comports with the Commission's availability.

(2) If at any time before the hearing, the Executive Director determines that the criteria in subparagraphs (A) through (C) of paragraph (1) are no longer met, Commission staff may cancel the Southern California GCA hearing and issue a new notice for a hearing at the Commission's principal office in Sacramento.

(d) The presiding officer and her or his support staff will have no communication with the Commission or Commission staff upon the merits of an application prior to the evidentiary hearing. The Executive Director will designate a presiding officer which will be:

- (1) A member of the Commission's legal staff; or,
- (2) An Administrative Law Judge.

(e) 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. For a Southern California GCA hearing, if a continuance is granted, the hearing may be scheduled in Sacramento or Southern California based on the criteria specified in subparagraphs (A) through (C) of paragraph (1) of subsection (c).

(f) The complainant will provide to the applicant, subject to subsection (b) of Section 12056, at least 45 calendar days prior to the GCA hearing, and the applicant must 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 statement of parties and witnesses, if available; and
- (4) All other written comments, writings, or other items containing relevant evidence.

1 (g) The provisions of subsection (f) of this section provide the  
2 exclusive right to and method of discovery between the applicant and  
3 complainant to a GCA hearing. Discovery is not permitted upon a  
4 Commission member or an advisor of the Commission unless a showing  
5 is made that they have direct personal factual information pertaining to  
6 material issues related to the application at issue and the information to  
7 be gained from the Commission member or advisor of the Commission is  
8 not available through any other sources.

9 (h) A presiding officer will rule on the admissibility of evidence and  
10 on any objections raised except for objections raised under subsection  
11 (h). A ruling by the presiding officer is final.

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

19 (A) Evidentiary issues;

20 (B) Witness and exhibit lists;

21 (C) Alterations in the Bureau recommendation;

22 (D) Stipulations for undisputed facts and/or the  
23 admission of evidence including without limitation the  
24 Bureau's report;

25 (E) Authorizing offsite livestreaming appearances for  
26 parties or witnesses if good cause has been presented and  
27 only if the process for offsite livestreaming has been  
28 approved by the Executive Director; and,

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

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

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

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

(2) Continue any meeting or hearing as necessary to mitigate

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any prejudice.

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

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

(l) The applicant may choose to represent himself, herself, or itself, or may retain an attorney or lay representative. Lay representatives may assist the applicant but are not authorized to serve as an attorney as otherwise defined and regulated by state law.

(m) Except as otherwise provided in subsection (i), the complainant and applicant will 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, her or its behalf, the applicant may be called and examined, under oath, as if under cross-examination.

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

(o) At the conclusion of the evidentiary hearing, the members of the Commission will take the matter under submission, may discuss the matter in a closed session meeting, and may schedule future closed session meetings for deliberation.