

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BEFORE THE  
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Gambling  
Establishment Key Employee License  
Regarding:  
  
CHRISTOPHER STIGERS  
  
Respondent.

BGC Case No. BGC-HQ2018-00049SL  
CGCC Case No. CGCC-2018-0823-8A

**DECISION AND ORDER**

Hearing Date: March 20, 2019  
Time: 1:30 p.m.

This matter was heard by the California Gambling Control Commission (Commission) pursuant to Business and Professions Code sections 19870 and 19871 and Title 4, California Code of Regulations (CCR) section 12060, in Sacramento, California, on March 20, 2019.

James Waian, Deputy Attorney General, State of California (DAG Waian), represented complainant Stephanie Shimazu, Director of the Bureau of Gambling Control (Bureau), Department of Justice, State of California.

Respondent Christopher Stigers (Stigers) appeared on his own behalf.

During the evidentiary hearing, Presiding Officer Jason Pope took official notice of the Notice of Hearing, with enclosures, sent by the Commission to Stigers, Designated Agent Ardath Hyer (DA Hyer), and DAG Waian, via certified mail, on November 28, 2018.

Presiding Officer Jason Pope also took official notice of the Commission’s Conclusion of Prehearing Conference letter, the Bureau’s Statement of Reasons, and Stigers’s signed Notice of Defense.

During the evidentiary hearing, Presiding Officer Jason Pope accepted into evidence the following exhibits offered by the Bureau:

- (1) Statement to Respondent; Statement of Reasons; copies of Business & Professions Code sections 19870 & 19871; copy of California Code of Regulations., title 4, section 12060; and January 30, 2019 Certificate of Service by Overnight Mail Service, Bates Nos. 0001-0024;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- (2) August 31, 2018 Executed Notice of Defense form for Christopher James Stigers, Bates Nos. 0025-0027;
- (3) Notices and Documents from the California Gambling Control Commission:
  - a. August 25, 2016 Interim Key Employee License notification for Christopher James Stigers (without enclosures), Bates Nos. 0028-0030;
  - b. July 17, 2018 Notice of Cancellation of Interim Portable Personal Key Employee License for Christopher James Stigers (without enclosures), Bates No. 0031;
  - c. August 23, 2018 Commission Licensing Division Memorandum (without attachments), Bates Nos. 0032-0037;
  - d. August 24, 2018 Referral of Initial Key Employee Application to an Evidentiary Hearing for Christopher James Stigers (without enclosures), Bates Nos. 0038-0039; and
  - e. November 28, 2018 Notice of Hearing for Christopher James Stigers (without enclosures), Bates Nos. 0040-0042;
- (4) July 18, 2016 Application for Interim Key Employee License for Christopher James Stigers, September 27, 2016 Application for Key Employee License for Christopher James Stigers (including Supplemental Background Investigation Information form), and related correspondence, Bates Nos. 0043-0076;
- (5) July 10, 2018 Cardroom Key Employee Background Investigation Report, Level III, Bureau of Gambling Control (with attachments), Bates Nos. 0077-0106;
- (6) License history for Christopher James Stigers, Bates Nos. 0107-0108;
- (7) September 6, 2018 certification of license history for Christopher James Stigers, Bates Nos. 0109-0110;

- 1 (8) Documents regarding San Bernardino County Assessor's Office tax lien  
2 and San Bernardino County Superior Court civil judgment, Bates Nos.  
3 0111-0189;
- 4 (9) Correspondence regarding and between the Bureau of Gambling Control  
5 and Christopher James Stigers, Bates Nos. 0190-0403; and
- 6 (10) Appointment of designated agent, and related correspondence, Bates Nos.  
7 0404-0423.

8 The record was closed and the matter was submitted on March 20, 2019.

9 FINDINGS OF FACT

10 **Procedural History**

11 1. On or about June 28, 2016, Stigers, who was employed as a dealer with Casino Club, a  
12 licensed gambling establishment located in Redding, California, was promoted to the position of  
13 floor manager, a key employee position.

14 2. On or about August 25, 2016, the Commission issued Stigers Interim Key Employee  
15 License number GEKE-002226.

16 3. On or about September 27, 2016, the Bureau received an Application for Gambling  
17 Establishment Key Employee License and Key Employee Supplemental Background Information  
18 form (Supplemental) (collectively, Application) from Stigers.

19 4. On or about July 10, 2018, the Bureau submitted a Cardroom Key Employee  
20 Background Investigation Report on Stigers to the Commission. In this report, the Bureau  
21 recommends that the Commission deny Stigers's Application.

22 5. On or about July 17, 2018, Stigers's Interim Key Employee License number GEKE-  
23 002226 was cancelled pursuant to CCR section 12354(e)(5) as a result of the Bureau's  
24 recommendation of the denial of Stigers's Application.

25 6. At its August 23, 2018 meeting, the Commission voted to refer the consideration of  
26 Stigers's Application to a Gambling Control Act evidentiary hearing pursuant to CCR section  
27 12060.

1           7. On or about August 31, 2018, the Commission received a signed notice of defense  
2 from Stigers requesting an evidentiary hearing on the consideration of his Application.

3           8. On or about November 28, 2018, the Commission sent a Notice of Hearing, via  
4 certified mail, to Stigers, DA Hyer, and DAG Waian.

5           9. On or about January 31, 2019, the Commission received a Statement of Reasons from  
6 the Bureau. In the Statement of Reasons, the Bureau requests that the Commission deny Stigers's  
7 Application.

8           10. On or about February 5, 2019, the noticed Prehearing Conference was held before  
9 Presiding Officer Jason Pope, Attorney III of the Commission. DAG Waian attended on behalf of  
10 the Bureau. DA Hyer and cardroom owner Ileana Harris attended on behalf of Stigers, who also  
11 attended.

12           11. On or about February 6, 2019, the Commission sent a Conclusion of Prehearing  
13 Conference letter to Stigers, DA Hyer, and DAG Waian.

14           12. The Commission heard this matter on March 20, 2019. The Bureau was represented  
15 throughout the hearing by DAG Waian. Stigers appeared on his own behalf.

16 **Stigers's Application**

17           13. Applications for licensure by the Commission are submitted on forms furnished by the  
18 Bureau. An applicant for licensing shall make full and true disclosure of all information to the  
19 Bureau and Commission as necessary to carry out the policies of this state relating to licensing,  
20 registration, and control of gambling.

21           14. An application consists of two parts. The first part is two pages and consists of four  
22 sections, including applicant information. The second part of an application is the Supplemental,  
23 which consists of 14 pages. The Supplemental contains 12 sections and requires that the applicant  
24 disclose, among other things, his or her experience and employment history, criminal convictions,  
25 litigation and arbitration history, and personal financial history. All of the information requested  
26 on the Application and Supplemental has been considered through the legislative and regulatory  
27 processes and determined necessary in order for the Commission to discharge its duties properly.  
28

1           15. The Bureau relies, in large part, on the applicant’s disclosures while conducting a  
2 background investigation. The failure to honestly and accurately disclose information on an  
3 application subverts the Bureau’s efforts to conduct a thorough and complete investigation.

4           16. Both the substance of an applicant’s disclosures, and the truthfulness and  
5 thoroughness of an applicant’s disclosures, are considered by the Bureau in making a  
6 recommendation as to the applicant’s suitability for licensure, and by the Commission in making  
7 a determination whether to approve or disapprove a license application.

8           17. Section 12 of the Supplemental is a Declaration to be signed under the penalty of  
9 perjury that all of the information contained in the Supplemental is “true, accurate, and  
10 complete.” Stigers signed the Declaration on September 16, 2016.

11 *Experience and Employment History*

12           18. Section (4) of the Supplemental requires that the applicant disclose his or her  
13 experience and employment history, including periods of unemployment, for the past 10 years.

14           19. Stigers disclosed on his Supplemental that he worked for Gamestop from August 2009  
15 to June 2013 as an Assistant Manager. Stigers wrote “resigned” as his reason for leaving  
16 Gamestop.

17           20. During its background investigation, the Bureau was informed by a Gamestop  
18 representative that Stigers was terminated and not eligible for re-hire because of “involuntary—  
19 misconduct/loss prevention.”

20           21. On September 6, 2017, in response to a Bureau inquiry, Stigers wrote: “I was working  
21 for Gamestop in Southern California getting a transfer up to Redding, as I was in the process of  
22 moving the District Manager who I was working under was terminated. I was transferred with the  
23 agreement I would get promoted to store manager in a timely period. After two years working for  
24 the new District Manager and being passed up for the position 3 times I finally decided I no  
25 longer wanted to work for the company.”

26           22. During the evidentiary hearing, Stigers testified that his September 6, 2017 written  
27 statement to the Bureau regarding his reason for leaving Gamestop was accurate.  
28

1           23. On March 28, 2018, Stigers wrote to the Bureau: “I was unaware that I was not  
2 eligible for rehire at Gamestop nor am I aware of any ‘involuntary—misconduct/loss prevention’  
3 or what it would pertain to. It was not a failure on my part to disclose this information to the  
4 Bureau for I (sic) unaware that I was anything other than ‘eligible’ for rehire.”

5 *Litigation and Arbitration History*

6           24. Section (6) of the Supplemental requires that the applicant disclose his or her litigation  
7 and arbitration history. On his Supplemental, Stigers checked the box marked “no” to the  
8 question “Have you ever been a party to any litigation or arbitration?” Stigers’s response was  
9 inaccurate because he was a defendant in an unlawful detainer action.

10           25. On or about November 8, 2008, Stigers and his girlfriend (Defendants) entered into a  
11 month-to-month lease agreement with Esteban Guillen (Guillen) for the purposes of renting an  
12 apartment.

13           26. Defendants failed to pay rent in the amount of \$2,960 for the months January through  
14 March, 2009.

15           27. Guillen served Defendants with a 3-Day Notice to Pay Rent or Quit on or about March  
16 20, 2009. Guillen was unable to effectuate service on Defendants personally or on a person of  
17 suitable age at the residence. As a result, Guillen served the Notice by posting it in a conspicuous  
18 place at the residence of Defendants and by depositing a true copy in the U.S. mail.

19           28. Guillen then filed an unlawful detainer action against Defendants in San Bernardino  
20 County Superior Court on March 24, 2009, Case No. UDDS901492.

21           29. Guillen filed multiple proofs of service of the summons on Defendants on April 7,  
22 2009. Two proofs of service provide that personal service was made on each Defendant on March  
23 24, 2009. Another proof of service provides that substituted service was made on a competent  
24 member of the household (at least 18 years old) and served by U.S. mail on March 24, 2009.

25           30. Stigers disputes that he ever received notice of the summons. On May 18, 2018 Stigers  
26 wrote to the Bureau that “I have never been served an eviction notice or have been made aware of  
27 any such judgments for an eviction. Had I known of any I would have disclosed the information.”  
28

1           31. On August 8, 2018, Stigers wrote to the Bureau that he had “never [been] served any  
2 papers” regarding the eviction and subsequent litigation.

3           32. During the evidentiary hearing, Stigers testified that he no longer resided in San  
4 Bernardino at the time of the alleged service of the summons.

5           33. In support of his written statements and testimony, Stigers produced a signed letter,  
6 dated September 5, 2018, from his cousin, Dylan J. McGinn (McGinn). In the letter, McGinn  
7 states that “on March 20<sup>th</sup>, 2009, Christopher Stigers and his family moved in with me at my  
8 residence of 718 Delta Street, Redding, California 96002. They stayed with me until June 25<sup>th</sup>  
9 2009.”

10           34. Judgment was entered by default in favor of Guillen and against Defendants in the  
11 amount of \$4,913.26 on October 15, 2009. A money judgment was issued on December 21, 2011  
12 in the amount of \$6,004.48. A Writ of Execution was filed in the Superior Court of San  
13 Bernardino County on December 22, 2011. Stigers’s last known address in the Writ of Execution  
14 is the same address as the apartment that Defendants rented from Guillen.

15           35. During the evidentiary hearing, Stigers admitted that he left the apartment while owing  
16 a couple of months’ rent and did not provide a forwarding address to Guillen. Stigers admitted  
17 that he made no effort to pay off the debts he owed to Guillen.

18           36. Stigers further testified that he was not aware of a judgment against him until he  
19 reviewed the Bureau’s background investigation report. Stigers testified that he wants to pay off  
20 the judgment but that he does not make enough money and that they do not accept payments.

21 *Personal Financial History*

22           37. Section (10) of the Supplemental requires that the applicant disclose his or her  
23 personal financial history. On his Supplemental, Stigers checked the box marked “no” to the  
24 question “Have you had a judgment or lien filed against you within the last 10 years?” Stigers’s  
25 response was inaccurate because he has had a judgment and lien filed against him within the last  
26 10 years.

27           38. During its background investigation, the Bureau discovered that a tax lien was filed  
28

1 against Stigers by the San Bernardino County Treasurer in 2006. The tax lien originated from  
2 Stigers's failure to submit a Preliminary Change of Ownership form with his deed submission on  
3 a single family residence located in San Bernardino County on December 22, 2004.

4 39. The tax lien was forwarded to the San Bernardino County Treasurer-Tax Collector's  
5 Office. According to a Certificate of Lien dated November 19, 2007, there is an outstanding  
6 balance of the tax lien in the amount of \$355.95.

7 40. On or about July 24, 2017, in response to Bureau inquiries, Stigers wrote to the  
8 Bureau "I have no knowledge of a tax lien filed against me. I did not own any property after the  
9 sale of the house on Comanche Street which was sold in 2006." On May 20, 2018, Stigers wrote  
10 to the Bureau "I am unaware of any such leins (sic) against me, I did not own any property in  
11 2007. Had I know (sic) of any such leins (sic) I would have disclosed them."

12 41. During the evidentiary hearing, Stigers testified that he was not aware of the lien at the  
13 time he filled out his Application and only became aware after the Bureau had informed him  
14 about the lien during its background investigation process.

15 42. On his Supplemental, Stigers checked the box marked "yes" to the question of "Have  
16 you had any purchase repossessed or had an unpaid debt/loan turned over to collection agency or  
17 deemed uncollectable (charged-off) for any reason within the last 10 years?" Stigers disclosed  
18 several collection accounts on his Supplemental, most of which he has since paid off.

### 19 **Current Financial Obligations**

20 43. Stigers has the following current financial obligations:

- 21 a. Judgment in the Superior Court of San Bernardino County in favor of Guillen  
22 arising out of the failure to pay rent;
- 23 b. Tax lien in the San Bernardino County Treasurer-Tax Collector's Office  
24 arising out of the failure to submit a Preliminary Change of Ownership form  
25 with his deed submission on a single family residence located in San  
26 Bernardino County on December 22, 2004;
- 27 c. A collection account with Capital Accounts, LLC; and



1 d. A loan received from Schools First Credit Union to pay off other collection  
2 accounts.

3 **Employment History in Controlled Gambling**

4 44. Stigers has worked for Casino Club since April 2014 as a poker dealer. There was no  
5 evidence presented of any disciplinary action or other issues while Stigers was working in  
6 controlled gambling.

7 **Assessment of Stigers's Suitability for Licensure**

8 45. As part of his Application, Stigers signed a Declaration under the penalty of perjury  
9 that the statements contained therein are true, accurate, and complete.

10 46. Stigers's Application contains two inaccuracies and information regarding his  
11 employment history with Gamestop that differs from the information the Bureau obtained during  
12 its background investigation.

13 47. The first inaccuracy on his Application was that Stigers checked the box marked "no"  
14 to the question of whether he had ever been a party to any litigation or arbitration. Stigers's  
15 response was inaccurate because he was a defendant in an unlawful detainer action.

16 48. However, the failure of Stigers to disclose that he had been a party to any litigation or  
17 arbitration is excused because Stigers's testimony that he did not receive notice of the litigation is  
18 credible and supported by the evidence.

19 49. First, Guillen was unable to personally serve Defendants or a person of suitable age at  
20 the apartment with the 3-Day Notice to Pay Rent or Quit. As a result, Guillen served the Notice  
21 by posting it in a conspicuous place at the residence of Defendants and by depositing a true copy  
22 in the U.S. mail. Second, Guillen filed multiple proofs of service of the summons with the court.  
23 Two proofs of service provide that personal service was made on each Defendant on March 24,  
24 2009. Another proof of service provides that substituted service was made on a competent  
25 member of the household (at least 18 years old) and served by U.S. mail on March 24, 2009.  
26 The filing of the third proof of service (for substituted service and by U.S. mail) does not make  
27 sense if both Defendants were actually personally served.  
28

1           50. Stigers disputes that he ever received notice of the summons. Stigers testified that he  
2 no longer resided in San Bernardino at the time of the alleged service of the summons. Stigers  
3 also produced a signed letter from his cousin that he was living with them from March 20, 2009  
4 until June 25, 2009, which includes the time period in which personal service was allegedly  
5 effectuated on Stigers. Stigers's last known address in the December 22, 2011 Writ of Execution  
6 is the same address as the apartment that Defendants rented from Guillen, which supports  
7 Stigers's testimony that he never provided a forwarding address to Guillen and that Guillen did  
8 not have an updated residence for Stigers. Overall, Stigers's testimony that he never received  
9 notice of the litigation is credible and explains his failure to disclose the litigation on his  
10 Supplemental.

11           51. Although Stigers's failure to disclose that he was a party to litigation is excused,  
12 Stigers still demonstrated a lack of responsibility by failing to pay rent for multiple months,  
13 abandoning the apartment without providing a forwarding address, and making no effort to pay  
14 off the debt until the present.

15           52. The second inaccuracy on his Application was that Stigers checked the box marked  
16 "no" to the question of whether he had a judgment or lien filed against him within the last 10  
17 years. Stigers's response was inaccurate because he had a judgment and lien filed against him  
18 within the last 10 years.

19           53. During its background investigation, the Bureau discovered that a tax lien was filed  
20 against Stigers by the San Bernardino County Treasurer. The tax lien originated from Stigers's  
21 failure to submit a Preliminary Change of Ownership form with his deed submission on a single  
22 family residence located in San Bernardino County on December 22, 2004. Stigers testified that  
23 he sold the property in 2006.

24           54. Stigers wrote to the Bureau and testified that he had no knowledge of the tax lien at  
25 the time he filled out his Application. There was no evidence produced during the hearing that  
26 notice of the lien was served on Stigers. The fact that Stigers disclosed multiple collection  
27 accounts on his Application resulting from unpaid debts that had been turned over to a collection  
28

1 agency or deemed uncollectable supports Stigers’s testimony that he would have disclosed the  
2 lien if he had known about it. Stigers’s testimony regarding the circumstances surrounding the tax  
3 lien is credible. As a result, Stigers’s testimony explains his failure to disclose the tax lien on his  
4 Supplemental. In addition, for the reasons provided in paragraphs 48-50 of this Decision and  
5 Order, Stigers’s failure to disclose the judgment in favor of Guillen and against Defendants  
6 resulting from the failure to pay rent is also excused.

7 55. Based on the foregoing, Stigers’s failures to disclose the litigation and lien on his  
8 Supplemental do not reflect poorly on his character, honesty, or integrity, or pose a threat to the  
9 public interest of this state or to the effective regulation and control of controlled gambling.

10 56. Regarding his employment at Gamestop, Stigers wrote on his Supplemental that he  
11 resigned from Gamestop. In written statements to the Bureau and during the evidentiary hearing,  
12 Stigers consistently stated that he resigned from Gamestop. During its background investigation,  
13 the Bureau discovered that Stigers was terminated from Gamestop and not eligible for re-hire  
14 because of “involuntary—misconduct/loss prevention.” In response to the Bureau’s investigation  
15 results, Stigers wrote to the Bureau and testified that he was unaware of any “involuntary—  
16 misconduct/loss prevention” and unaware that he was not eligible for rehire.

17 57. GameStop does not release derogatory information regarding its former  
18 employees, including any details regarding why an employee was terminated. As a result, it is  
19 unclear what was involved in Stigers’s termination for “involuntary—misconduct/loss  
20 prevention.” There was also no evidence provided that demonstrates that Stigers received notice  
21 of his termination.

22 58. It is troubling that there is a significant conflict between Gamestop’s termination of  
23 Stigers for “involuntary—misconduct/loss prevention” and Stigers’s testimony that he resigned  
24 and was unaware of any “involuntary—misconduct/loss prevention” or his ineligibility for rehire.  
25 However, Stigers’s testimony never wavered, and given the credibility of his testimony on other  
26 matters, the discrepancy regarding the cessation of his employment with Gamestop does not  
27 reflect poorly on his character, honesty, or integrity, and is insufficient to demonstrate that Stigers  
28

1 poses a threat to the public interest of this state or to the effective regulation and control of  
2 controlled gambling.

3 59. Given the credibility of Stigers's testimony, his responsiveness to the Bureau's  
4 inquiries, and his positive work history in controlled gambling, Stigers met his burden of  
5 demonstrating that he is a person of good character, honesty, and integrity.

6 60. Stigers still has a number of significant outstanding debts and has demonstrated a lack  
7 of responsibility in the past by leaving his apartment while owing a couple of months' rent and  
8 failing to provide a forwarding address to Guillen. Stigers also admitted that he made no effort to  
9 pay off the debts he owed to Guillen. To demonstrate that his prior activities and habits of failing  
10 to pay rent and incurring significant financial obligations do not pose a threat to the public  
11 interest or to the effective regulation of controlled gambling, Stigers must take responsibility for  
12 his financial obligations and make a concerted and sustained effort to resolve these debts.

13 61. As a result, Stigers has met his burden of demonstrating that he is a person whose  
14 prior activities, criminal record, if any, reputation, habits, and associations do not pose a threat to  
15 the public interest of this state, or to the effective regulation and control of controlled gambling,  
16 or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities  
17 in the conduct of controlled gambling or in the carrying on of the business and financial  
18 arrangements incidental thereto, but only through strict compliance with the following condition,  
19 which is necessary to protect the public and ensure the effective regulation and control of  
20 controlled gambling:

21 License Condition:

- 22 1. Beginning 30 days after the effective date of this decision and every 90 days  
23 thereafter, Christopher Stigers must provide the Bureau of Gambling Control  
24 with documentation evidencing proof of payments or efforts to resolve his  
25 outstanding debts as follows until resolved:

- 26 a. Judgment in the Superior Court of San Bernardino County in favor of  
27 Guillen arising out of the failure to pay rent;  
28

- b. Tax lien in the San Bernardino County Treasurer-Tax Collector's Office arising out of the failure to submit a Preliminary Change of Ownership form with his deed submission on a single family residence located in San Bernardino County on December 22, 2004;
- c. A collection account with Capital Accounts, LLC; and
- d. A loan received from Schools First Credit Union to pay off other collection accounts.

62. All documentary and testimonial evidence submitted by the parties that is not specifically addressed in this Decision and Order was considered but not used by the Commission in making its determination on Stigers's Application.

63. The matter was submitted for Commission consideration on March 20, 2019.

#### LEGAL CONCLUSIONS

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

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

66. The Commission has the responsibility of 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. Business and Professions Code section 19823(a)(1).

67. An "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. Business and Professions Code section 19823(b).

1           68. The Commission has the power to deny any application for a license, permit, or  
2 approval for any cause deemed reasonable by the Commission. Business and Professions Code  
3 section 19824(b).

4           69. The Commission has the power to take actions deemed to be reasonable to ensure that  
5 no ineligible, unqualified, disqualified, or unsuitable persons are associated with controlled  
6 gambling activities. Business and Professions Code section 19824(d).

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

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

12           72. At an evidentiary hearing pursuant to Business and Professions Code sections 19870  
13 and 19871 and CCR section 12060(b), the burden of proof rests with the applicant to prove his or  
14 her qualifications to receive any license under the Gambling Control Act. CCR section 12060(i).

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

18           74. No gambling license shall be issued unless, based on all of the information and  
19 documents submitted, the commission is satisfied that the applicant is a person whose prior  
20 activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the  
21 public interest of this state, or to the effective regulation and control of controlled gambling, or  
22 create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in  
23 the conduct of controlled gambling or in the carrying on of the business and financial  
24 arrangements incidental thereto. Business and Professions Code section 19857(b).

25           75. No gambling license shall be issued unless, based on all of the information and  
26 documents submitted, the commission is satisfied that the applicant is a person that is in all other  
27 respects qualified to be licensed as provided in this chapter. Business and Professions Code  
28

1 section 19857(c).

2 76. The commission shall deny a license to any applicant who is disqualified for the  
3 failure of the applicant to provide information, documentation, and assurances required by this  
4 chapter or requested by the chief, or failure of the applicant to reveal any fact material to  
5 qualification, or the supplying of information that is untrue or misleading as to a material fact  
6 pertaining to the qualification criteria. Business and Professions Code section 19859(b).

7 77. Application for a state license or other commission action shall be submitted to the  
8 department on forms furnished by the department. Business and Professions Code section  
9 19864(a).

10 78. The department shall furnish to the applicant supplemental forms, which the applicant  
11 shall complete and file with the department. These supplemental forms shall require, but shall not  
12 be limited to requiring, complete information and details with respect to the applicant's personal  
13 history, habits, character, criminal record, business activities, financial affairs, and business  
14 associates, covering at least a 10-year period immediately preceding the date of filing of the  
15 application. Business and Professions Code section 19865.

16 79. An applicant for licensing or for any approval or consent required by this chapter,  
17 shall make full and true disclosure of all information to the department and the commission as  
18 necessary to carry out the policies of this state relating to licensing, registration, and control of  
19 gambling. Business and Professions Code section 19866.

20 80. Stigers has met his burden of demonstrating that he is a person of good character,  
21 honesty, and integrity. Therefore, Stigers is qualified to receive a gambling establishment key  
22 employee license pursuant to Business and Professions Code section 19857(a).

23 81. Stigers has met his burden of proving that, with an appropriate condition, he is a  
24 person whose prior activities, criminal record, if any, reputation, habits, and associations do not  
25 pose a threat to the public interest of this state, or to the effective regulation and control of  
26 controlled gambling, or create or enhance the dangers of unsuitable, unfair, or illegal practices,  
27 methods, and activities in the conduct of controlled gambling or in the carrying on of the business  
28

1 and financial arrangements incidental thereto under the condition imposed by the Commission on  
2 his gambling establishment key employee license pursuant to this Decision and Order. Therefore,  
3 Stigers is qualified to receive a gambling establishment key employee license pursuant to  
4 Business and Professions Code section 19857(b), but only through strict compliance with the  
5 following condition:

6 1. Beginning 30 days after the effective date of this decision and every 90 days  
7 thereafter, Christopher Stigers must provide the Bureau of Gambling Control with  
8 documentation evidencing proof of efforts to resolve his outstanding debts as  
9 follows until resolved:

- 10 a. Judgment in the Superior Court of San Bernardino County in favor of Guillen  
11 arising out of the failure to pay rent;
- 12 b. Tax lien in the San Bernardino County Treasurer-Tax Collector's Office  
13 arising out of the failure to submit a Preliminary Change of Ownership form  
14 with his deed submission on a single family residence located in San  
15 Bernardino County on December 22, 2004;
- 16 c. A collection account with Capital Accounts, LLC; and
- 17 d. A loan received from Schools First Credit Union to pay off other collection  
18 accounts.

19 82. Stigers has met his burden of proving that he is a person that is in all other respects  
20 qualified to be licensed as provided in the Gambling Control Act. Therefore, Stigers is qualified  
21 to receive a gambling establishment key employee license pursuant to Business and Professions  
22 Code section 19857(c).

23 83. Stigers has met his burden of proving that he is not disqualified from licensure  
24 pursuant to Business and Professions Code section 19859.

#### 25 NOTICE OF APPLICANT'S APPEAL RIGHTS

26 Christopher Stigers has the following appeal rights available under state law:

27 CCR section 12064, subsections (a) and (b) provide, in part:  
28



1 An applicant denied a license, permit, registration, or finding of suitability,  
2 or whose license, permit, registration, or finding of suitability has had  
3 conditions, restrictions, or limitations imposed upon it, may request  
4 reconsideration by the Commission within 30 calendar days of service of the  
5 decision, or before the effective date specified in the decision, whichever is  
6 later. The request shall be made in writing to the Commission, copied to the  
Bureau, and shall state the reasons for the request, which must be based  
upon either newly discovered evidence or legal authorities that could not  
reasonably have been presented before the Commission's issuance of the  
decision or at the hearing on the matter, or upon other good cause which the  
Commission may decide, in its sole discretion, merits reconsideration.

7 Business and Professions Code section 19870, subdivision (e) provides:

8 A decision of the commission denying a license or approval, or imposing  
9 any condition or restriction on the grant of a license or approval may be  
10 reviewed by petition pursuant to Section 1085 of the Code of Civil  
11 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 court finds that the action of the  
commission was arbitrary and capricious, or that the action exceeded the  
commission's jurisdiction.

12 CCR section 12066, subsection (c) provides:

13 A decision of the Commission denying an application or imposing conditions on  
14 license shall be subject to judicial review as provided in Business and Professions  
15 Code section 19870, subdivision (e). Neither the right to petition for judicial  
16 review nor the time for filing the petition shall be affected by failure to seek  
reconsideration.

### 17 ORDER

18 1. Christopher Stigers's Application for Gambling Establishment Key Employee License  
19 is APPROVED with the following condition:

- 20 1. Beginning 30 days after the effective date of this decision and every 90 days  
21 thereafter, Christopher Stigers must provide the Bureau of Gambling Control  
22 with documentation evidencing proof of payments or efforts to resolve his  
23 outstanding debts as follows until resolved:
- 24 a. Judgment in the Superior Court of San Bernardino County in favor of  
Guillen arising out of the failure to pay rent;
  - 25 b. Tax lien in the San Bernardino County Treasurer-Tax Collector's  
26 Office arising out of the failure to submit a Preliminary Change of  
27 Ownership form with his deed submission on a single family residence  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

located in San Bernardino County on December 22, 2004;

- c. A collection account with Capital Accounts, LLC; and
- d. A loan received from Schools First Credit Union to pay off other collection accounts.

- 2. No costs are to be awarded.
- 3. Each side to pay its own attorneys' fees.

This Order is effective on May 16, 2019.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_  
Jim Evans, Chairman

Dated: 5/16/2019 Signature: Paula LaBrie  
Paula LaBrie, Commissioner

Dated: 5/16/2019 Signature: Gareth Lacy  
Gareth Lacy, Commissioner

Dated: 5/16/2019 Signature: Trang To  
Trang To, Commissioner