

BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Third-Party
Proposition Player Services Employee Type
License for:

Jisela Lilliana Vasquez,

Applicant.

CGCC Case No. CGCC-2022-0922-11A

DEFAULT DECISION AND ORDER

Hearing Date: May 4, 2023
Time: 10:00 a.m.

1. This matter was scheduled for hearing before 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, and held via Zoom video conference, on May 4, 2023 at 10:00 a.m.

2. Jisela Lilliana Vasquez (Applicant) failed to appear and was not represented at the hearing.

FINDINGS OF FACT

3. On or about October 20, 2021, the Bureau of Gambling Control (Bureau) received an Application for Third-Party Proposition Player Services Employee Type License (Application) from Applicant.

4. Applicant was issued a temporary license, License No. TPWK-002589, which expires on October 31, 2023.

5. On or about July 26, 2022, the Commission received the Bureau’s Third-Party Worker Initial Background Investigation Report in which it concluded that Applicant is not qualified for licensure pursuant to Business and Professions Code sections 19857, subdivisions (a) and (b). The Bureau recommended that the Commission deny the Application.

6. On September 22, 2022, the Commission considered Applicant’s Application and elected to refer it to an evidentiary hearing pursuant to title 4, CCR section 12054, subdivision (a)(4).

1 Upon issuance or denial of an initial license by the Commission, the temporary license will
2 become void and cannot be used thereafter pursuant to title 4, CCR section 12122, subdivisions
3 (a) and (d).

4 20. Therefore, as the Applicant did not return a Notice of Defense form, did not attend
5 the default hearing, and did not submit any information or evidence in favor of granting the
6 Application, Applicant did not meet her burden of demonstrating why a license should be issued
7 pursuant to Business and Professions Code section 19856, subdivision (a), and title 4, CCR
8 section 12060, subdivision (j). By failing to meet Applicant's burden of proving her
9 qualifications for licensure, Applicant has failed to satisfy the Commission that she is a person
10 that is in all other respects qualified to be licensed pursuant to Business and Professions Code
11 section 19857, subdivision (c). As a result, the Commission finds that pursuant to title 4, CCR
12 sections 12040, subdivision (a)(1), 12052, subdivision (c)(2)(F), and 12057, Applicant's
13 Application is subject to denial.

14 21. In addition, as the Application is subject to denial, Applicant's temporary license
15 is void pursuant to title 4, CCR section 12122, subdivision (d) and cannot be used hereafter.

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NOTICE OF APPLICANT’S APPEAL RIGHTS

Applicant has the following appeal rights available under state law:

Title 4, CCR section 12064, subdivision (a) and (b) provide:

(a) After the Commission issues a decision following a GCA hearing conducted pursuant to Section 12060, an applicant denied a license, permit, registration, or finding of suitability, or whose license, permit, registration, or finding of suitability has had conditions, restrictions, or limitations imposed upon it, may request reconsideration by the Commission. A request for reconsideration must be:

(1) Made in writing to the Commission, copied to the complainant. The Bureau may provide a written response to the Commission within 10 calendar days of receipt of the request; and,

(2) Received by the Commission and complainant within 30 calendar days of service of the decision, or before the effective date specified in the decision, whichever is earlier.

(b) A request for reconsideration must state the reasons for the request, which must be based upon either:

(1) 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,

(2) Other good cause which the Commission may decide, in its sole discretion, merits reconsideration.

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

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

Title 4, CCR section 12066, subdivision (c) provides, in part:

Neither the right to petition for judicial review nor the time for filing the petition will be affected by failure to seek reconsideration.

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ORDER

1. JISELA LILLIANA VASQUEZ’S Application for Third-Party Proposition Player Services Employee Type License is DENIED.

2. JISELA LILLIANA VASQUEZ’S temporary license, Number TPWK-002589 is void and cannot be used hereafter.

3. JISELA LILLIANA VASQUEZ may not apply to the Commission or the Bureau for any type of license or work permit for one (1) year after the effective date of this Order.

This Order is effective on June 4, 2023.

Dated: 5/4/2023 Signature:  38D0AB38C651466...

Paula LaBrie, Chair

Dated: 5/4/2023 Signature:  3D1DB086E9274AA...

Cathleen Galgiani, Commissioner

Dated: 5/4/2023 Signature:  2B4CE9520F6845C...

Eric Heins, Commissioner

Dated: 5/4/2023 Signature:  7722F4571120449...

William Liu, Commissioner

Dated: 5/4/2023 Signature:  14B4AD3B90F6402...

Edward Yee, Commissioner

DECLARATION OF STEPHANIE CLARK

I, Stephanie Clark, declare as follows:

I am employed by the California Gambling Control Commission as an analyst in the Commission's Licensing Division. Jisela Vasquez's case has been assigned to me for processing.

On September 23, 2022, I mailed a Gambling Control Act hearing referral letter to Jisela Vasquez at [REDACTED] by regular mail and certified mail pursuant to California Code of Regulations (CCR) Title 4, Division 18, Chapter 1, section 12006. This letter provided notice to Jisela Vasquez that consideration of their application was being referred to a Gambling Control Act hearing pursuant to CCR, Title 4, Division 18, Chapter 1, section 12060(b). This letter included a Notice of Defense form (CGCC-CH1-03) with instructions to return the Notice of Defense to the Commission within 30 days of receipt in order to preserve their right to an administrative hearing.

Today is October 25, 2022, and I have not received the Notice of Defense form or any communication from Jisela Vasquez regarding a request for a Gambling Control Act hearing.

I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Executed on October 25, 2022 in Sacramento, California.



Stephanie Clark