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BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Approval
of Employee Category License: Third-Party
Proposition Player Service Worker License
Regarding:

CRYSTAL VAZQUEZ

Respondent.

BGC Case No. BGC-HQ2023-00002SL

CGCC Case No. CGCC-2023-0309-5B

DECISION AND ORDER

Hearing Date: November 9, 2023

Time: 10:00 a.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, via Zoom video conference, on November 9, 2023.

Crystal Vazquez (Vazquez) appeared on her own behalf during the evidentiary hearing.

Bart Hightower, Deputy Attorney General, State of California (DAG Hightower), represented complainant Yolanda Morrow, Director of the Bureau of Gambling Control (Bureau), Department of Justice, State of California.

During the evidentiary hearing, Presiding Officer Kate Patterson (PO Patterson), Attorney III of the Commission, took official notice and admitted into the administrative record the following documents: the Commission’s Notice and Agenda of Commission Hearing; the Commission’s Conclusion of Prehearing Conference letter; the Commission’s Notice of Hearing and Prehearing Conference with attachments (A) Vazquez’s Application, and (B) the Bureau’s Background Investigation Report; the Bureau’s Statement of Reasons; and Vazquez’s signed Notice of Defense form.

During the evidentiary hearing, PO Patterson accepted into evidence Exhibits 1-21, Bates Nos. Complainant 0001-0106, offered by the Bureau and identified on the Bureau’s Evidentiary Exhibit Index, pursuant to a stipulation between the parties.

PO Patterson closed the administrative record and the matter was submitted for decision on November 9, 2023.

1 FINDINGS OF FACT

2 **Procedural History**

3 1. In August 2022, Vazquez started working as a third-party proposition player for
4 Players Edge Services (Players Edge), a licensed third-party provider of proposition player
5 services.

6 2. On or about August 24, 2022, the Bureau received an Application for Employee
7 Category License: TPPPS Worker License and Supplemental Information form (Supplemental)
8 (collectively, Application) from Vazquez to continue work as a third-party proposition player for
9 Players Edge.

10 3. On or about September 1, 2022, the Commission issued temporary third-party
11 proposition player worker license number TPWK-004886 to Vazquez for her employment as a
12 third-party proposition player for Players Edge. Vazquez's temporary third-party proposition
13 player worker license expires on August 31, 2024.

14 4. On or about January 10, 2023, the Commission received a Level III Third-Party
15 Worker Initial Background Investigation Report (Background Report) on Vazquez from the
16 Bureau. In its Background Report, the Bureau alleges that Vazquez has an outstanding Failure to
17 Appear (FTA) stemming from a Vehicle Code infraction on April 22, 2020. The Bureau also
18 alleges that Vazquez failed to disclose her termination from Stones Gambling Hall (Stones)¹ and
19 provided untrue and misleading information to the Bureau regarding the circumstances leading to
20 her termination from Stones.² Based on the foregoing, the Bureau recommends that the
21 Commission deny Vazquez's Application.

22 5. On or about March 9, 2023, the Commission voted to refer the consideration of
23 Vazquez's Application to a Gambling Control Act (GCA) evidentiary hearing pursuant to CCR
24 sections 12054(a)(4) and 12060. On or about March 10, 2023, the Commission sent a notice of its
25 referral of Vazquez's Application to a GCA hearing via certified and regular mail to Vazquez and
26

27 ¹ Technically, Vazquez was not employed by Stones. Vazquez worked for Kings Casino Management
28 Corp., a third-party provider of proposition player services, which provided third-party proposition player services to
Stones.

² See footnote 1.

1 her Designated Agent David Shindle (DA Shindle).

2 6. On or about April 3, 2023, the Commission received a signed Notice of Defense form
3 from Vazquez requesting an evidentiary hearing on the consideration of her Application.

4 7. On or about September 6, 2023, the Commission sent a Notice of Hearing and
5 Prehearing Conference, via email, to Vazquez and DAG Hightower. The hearing was set for
6 November 9, 2023, at 10:00 a.m. The Prehearing Conference was set for September 28, 2023, at
7 10:00 a.m.

8 8. On or about September 12, 2023, the Bureau sent a Statement of Reasons to Vazquez
9 and DA Shindle, via email, and to the Commission. In the Statement of Reasons, the Bureau
10 alleges one cause for denial of Vazquez's Application: Vazquez failed to accurately and honestly
11 disclose required material information on her Application. In support of the cause for denial, the
12 Bureau alleges that Vazquez did not disclose her FTA and the related outstanding fine on her
13 Application. The Bureau also alleges that Vazquez failed to disclose her involuntary termination
14 and the reasons for her termination with Kings Casino Management Corp. (Kings), which was
15 based upon her errors in following company policies and procedures. The Bureau alleges that
16 Vazquez failed to disclose that she did not follow Title 31 procedures by neglecting to record, as
17 required by FinCEN, that a cardroom guest had crossed the \$10,000-in-a-day gaming threshold.
18 The Bureau alleges that instead of disclosing her termination, Vazquez stated on her Application
19 that she left employment with Kings "seeking new opportunities." Based on the foregoing, the
20 Bureau requests that the Commission deny Vazquez's Application and void her temporary third-
21 party proposition player worker license number TPWK-004886.

22 9. On or about September 29, 2023, the noticed Prehearing Conference was held before
23 PO Patterson. Vazquez and DA Shindle attended on Vazquez's behalf. DAG Hightower attended
24 on behalf of the Bureau.

25 10. On or about September 29, 2023, PO Patterson sent a Conclusion of Prehearing
26 Conference letter, via email, to Vazquez, DA Shindle, and DAG Hightower.

27 11. The Commission heard this matter via Zoom video conference on November 9, 2023.
28 PO Patterson closed the administrative record on November 9, 2023.

1 **Vazquez’s Criminal History**

2 12. Vazquez had an FTA stemming from a Vehicle Code infraction on April 22, 2020.

3 **Vazquez’s Employment History in Controlled Gambling**

4 13. Vazquez worked as a third-party proposition player for L.E. Gaming, Inc. from
5 February 2016 to December 2018.

6 14. Vazquez worked as a “GBC³/Cage/Cage lead” for Kings from February 2019 to May
7 2022. According to an Employment Verification form from Kings, Vazquez was involuntary
8 terminated due to “multiple errors in following company policies and procedures.” Vazquez is not
9 eligible for rehire. The Employment Verification also includes the following derogatory
10 information related to Vazquez’s employment:

11 Since April 7, 2022, [Vazquez] incurred variances totaling approximately \$1500.
12 On 4/13/2022 [Vazquez] failed to follow Title 31 procedures by neglecting to
13 record that a guest had crossed the \$10,000 in a gaming day limit as set for by
FinCEN.

14 15. Vazquez has worked as a third-party proposition player for Players Edge from August
15 2022 to the present.

16 **Vazquez’s Application**

17 16. Vazquez’s Application consists of two parts. The first part is three pages and contains
18 five sections, including applicant information. The instructions provide that “all responses must
19 be truthful and complete” and that “any misrepresentation or failure to disclose required
20 information or documentation may constitute cause for denial of the application.” (Emphasis in
21 original). Vazquez signed the first part of the Application on or about August 17, 2022.

22 17. The second part of the Application is the Supplemental, which is eight pages and
23 contains nine sections. The instructions on the Supplemental also provide that “all responses must
24 be truthful and complete” and that “any misrepresentation or failure to disclose required
25 information or documentation may constitute cause for denial of the application.” (Emphasis in
26 original). The Supplemental requires that the applicant disclose, among other things, their
27 criminal convictions and work history information.

28 ³ According to Kings, “GBC” means “Greeter/Board Ops/Chip Runner.”

1 18. Section (4) of the Supplemental requires an applicant to disclose any and all criminal
2 convictions other than “infractions, i.e. speeding or parking tickets,” and any conviction sealed
3 pursuant to a court order.

4 19. Section (6) of the Supplemental requires an applicant to disclose their work history
5 information. For each employer in the last ten years, the applicant is required to provide the
6 reason for leaving employment. If the applicant was terminated, the applicant is required to
7 explain the circumstances for the termination.

8 20. On the Supplemental, Vazquez checked the box marked “no” to the question “have
9 you **ever** been convicted or pled guilty or nolo contendere (no contest) to a misdemeanor or
10 felony?” (Emphasis in original). The Supplemental does not ask applicants to disclose infractions
11 or FTAs. Therefore, Vazquez’s response in Section (4) of the Supplemental regarding criminal
12 convictions was accurate.

13 21. On the Supplemental, Vazquez disclosed that she worked for Kings from February
14 2019 to May 2022, and that her reason for leaving was “seeking new opportunities.” Vazquez’s
15 reason for leaving was inaccurate because she had been involuntarily terminated by Kings due to
16 “multiple errors in following company policies and procedures.” Given that Vazquez was
17 terminated by Kings, she was required to provide the circumstances for the termination. However,
18 by failing to disclose that she had been terminated, Vazquez did not provide the circumstances for
19 her termination. The fact of, and circumstances regarding, Vazquez’s termination by Kings were
20 discovered by the Bureau during its background investigation.

21 22. Section (9) of the Supplemental is a Declaration, signed by Vazquez on or about
22 August 27, 2022, in which Vazquez declared under penalty of perjury that the information
23 provided in the Supplemental was “true, accurate, and complete.” However, the Supplemental
24 contained information that was not true or accurate because Vazquez was involuntarily
25 terminated and her stated reason for leaving employment with Kings was “seeking new
26 opportunities.” Additionally, the Supplemental was not complete because Vazquez did not
27 disclose her termination and explain the circumstances regarding her termination by Kings.
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Vazquez's Communications with the Bureau

23. On or about September 29, 2022, the Bureau sent a letter via email to Vazquez and DA Shindle requesting that Vazquez explain the steps being taken to clear her outstanding FTA.

24. In response, on or about October 10, 2022, Vazquez sent an email to the Bureau providing that she has not contacted anyone about fixing her FTA and that no payments have been made. Vazquez also stated that once she gets financially situated, she will make payments to remove the FTA.

25. On or about October 25, 2022, the Bureau sent a letter via email to Vazquez and DA Shindle providing that the Bureau verified Vazquez's employment with Kings and found that she was terminated for errors in following company policies and procedures. The Bureau requested that Vazquez explain the circumstances that led to the termination and the reason for non-disclosure.

26. In response, on or about November 9, 2022, Vazquez sent an email to the Bureau providing the following statement regarding her termination from Kings⁴:

...I was fired from stones⁵ due to policies and procedures. It's the first time I've been fired especially how it all happened I was just embarrassed and it's not an excuse but my pride was too big to say I was fired. Stones had accuse me of stealing. They suspended me for two weeks like they did their investigation. After reviewing cameras they realized I was not stealing but made a trainee of mine made a mistake they still decided to let me go and deemed me untrustworthy and I had broken policies for a title 31 procedure. After 6 years of dedication to a company I truly enjoyed working at, they completely devastated me and put me through and emotional roller coaster for two weeks. It was easier for me to say I left then saying they fired me. I apologize for the inconveniences I have caused.

Vazquez's Testimony During the Evidentiary Hearing

The FTA

27. During the evidentiary hearing, Vazquez testified that her FTA stemmed from a speeding ticket in 2020. Vazquez testified that she had not taken any steps to resolve it at the time she submitted her Application. However, Vazquez testified that she paid the fine and resolved the

⁴ Vazquez's statement is included verbatim, including any spelling and grammatical errors.

⁵ See footnote 1.

1 FTA in October 2022.

2 *The Application and Work History*

3 28. During the evidentiary hearing, Vazquez testified that she read and understood the
4 instructions and other sections of the Application and was aware that her responses had to be true
5 and complete. Vazquez testified that she filled out the Application on her own. Vazquez also
6 testified that she understood the questions on the Application requesting her work history.

7 29. Vazquez admitted that she did not disclose that she had been terminated and the
8 circumstances for her termination by Kings on her Application. Vazquez testified that she was
9 hurt and embarrassed from being fired by Kings, did not know how to handle it, and did not want
10 to provide details regarding why she was terminated. Vazquez also testified that she understood
11 that her termination by Kings was relevant information. Vazquez admitted that she chose not to
12 provide accurate information on her Application because she felt that it would hurt her
13 opportunity to receive a third-party proposition player service worker license.

14 30. Vazquez testified that the circumstances for her termination by Kings were
15 accurately provided in her November 9, 2022, email to the Bureau. Vazquez also testified that she
16 was untruthful on her Application, that she should have been honest, and that lying was a one-
17 time situation.

18 **DA Shindle's Testimony During the Evidentiary Hearing**

19 31. DA Shindle is the Chief Operating Officer and principal owner of Players Edge.
20 During the evidentiary hearing, DA Shindle testified that Vazquez mentioned her previous work
21 experience at Kings when she applied for employment with Players Edge. However, DA Shindle
22 also testified that he did not know that Vazquez had been terminated by Kings prior to beginning
23 her employment with Players Edge and that he had only learned the full details about her
24 employment and termination by Kings after the Bureau notified them about discrepancies in her
25 Application.

26 32. DA Shindle also testified that Vazquez performs her job very well and follows through
27 on policies and regulations. DA Shindle testified that Vazquez is a very good employee, that her
28 work behavior is good, and that there have been no issues with her work performance. DA

1 Shindle also testified that he would like to retain Vazquez as an employee of Players Edge.

2 Assessment of Vazquez's Suitability for Licensure

3 33. For the reasons provided below, the Commission finds that Vazquez is disqualified
4 from licensure. The Commission also finds that Vazquez has failed to meet her burden of proving
5 her qualifications for licensure. Therefore, cause exists to deny Vazquez's Application.

6 *Vazquez Failed to Provide Information Required by the GCA*

7 34. All of the information requested on the application has been considered through the
8 legislative and regulatory processes and determined necessary in order for the Commission to
9 discharge its duties properly. An applicant is neither expected, nor permitted, to determine the
10 importance of the information requested, and instead is required to provide true, accurate, and
11 complete information. To address any issues in completing the application, and to ensure that the
12 information disclosed on an application is "true, accurate, and complete," the burden is on the
13 applicant to carefully and thoroughly read the application, and to seek assistance with filling out
14 the application if necessary. The applicant is responsible for both the information they disclose,
15 and for failing to disclose required information, on the application.

16 35. Vazquez was required to disclose the reason she left employment with Kings on the
17 Supplemental. Since Vazquez was terminated by Kings, Vazquez was also required to explain the
18 circumstances for the termination. The Bureau only determined that Vazquez had been terminated
19 by Kings through conducting its background investigation. On her Supplemental, Vazquez
20 disclosed that her reason for leaving Kings was "seeking new opportunities." By failing to
21 disclose her termination and the circumstances for the termination by Kings, Vazquez failed to
22 provide information required by the GCA. By failing to provide information required by the GCA
23 on her Supplemental, Vazquez's Application is subject to denial pursuant to Business and
24 Professions Code section 19859(b) and CCR section 12040(a)(2).

25 36. Vazquez was not required to disclose her FTA or the resulting fine on her Application.
26 Therefore, Vazquez's non-disclosure of her FTA and the resulting fine on her Application is not a
27 basis for finding that Vazquez failed to provide information required by the GCA.
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1 *Vazquez Failed to Reveal Facts Material to Qualification*

2 37. The existence of, and details regarding, an applicant’s work history, and particularly
3 their work history in controlled gambling, are facts material to the qualification for licensure of an
4 applicant. For instance, they may affect the assessment of the applicant’s general character,
5 honesty, integrity, and/or ability to participate in controlled gambling. They may lead to a finding
6 that the issuance of a license to such an applicant would be inimical to public health, safety, or
7 welfare, or undermine public trust that the gambling operations with respect to which the license
8 would be issued are free from criminal and dishonest elements, and would be conducted honestly.
9 An applicant’s work history, and particularly their work history in controlled gambling, may be
10 sufficient to support a factual finding and legal conclusion that the applicant poses a threat to the
11 public interest of this state, to the effective regulation and control of controlled gambling, or
12 creates or enhances the dangers of unsuitable, unfair, or illegal practices, methods, and activities
13 in the conduct of controlled gambling or in the carrying on of the business and financial
14 arrangements thereto.

15 38. Vazquez failed to disclose her termination by Kings on her Supplemental.
16 Additionally, and as a direct result of failing to disclose her termination, Vazquez failed to
17 explain the circumstances for her termination on her Supplemental. As provided above, these
18 details are facts material to Vazquez’s qualifications for licensure. By failing to disclose her
19 termination by Kings and the circumstances for the termination on her Supplemental, Vazquez
20 failed to reveal facts material to her qualifications for licensure. By failing to reveal facts material
21 to her qualifications for licensure, Vazquez’s Application is subject to denial pursuant to Business
22 and Professions Code section 19859(b) and CCR section 12040(a)(2).

23 39. Vazquez was not required to disclose her FTA on her Application. Therefore,
24 Vazquez’s non-disclosure of her FTA on her Application was not used as a basis for finding that
25 Vazquez failed to reveal facts material to her qualifications for licensure.

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1 *Vazquez Supplied Information that is Untrue or Misleading as to a Material Fact Pertaining to*
2 *the Qualification Criteria*

3 40. As stated previously, the existence of, and details regarding, an applicant's work
4 history, and particularly their work history in controlled gambling, are facts material to the
5 qualification for licensure of an applicant. On her Supplemental, Vazquez disclosed that her
6 reason for leaving her employment with Kings was "seeking new opportunities." Vazquez's
7 response was untrue because she had been involuntary terminated by Kings due to "multiple
8 errors in following company policies and procedures." By supplying untrue information on her
9 Supplemental regarding her reason for leaving her employment with Kings, Vazquez supplied
10 information that is untrue regarding a material fact pertaining to the qualification criteria for
11 licensure. As a result, Vazquez's Application is subject to denial pursuant to Business and
12 Professions Code section 19859(b) and CCR section 12040(a)(2).

13 *Vazquez Failed to Meet Her Burden of Demonstrating that She is a Person of Good Character,*
14 *Honesty, and Integrity*

15 41. An applicant demonstrates good character, honesty, and integrity by providing
16 truthful, accurate, and complete responses on their Application and Supplemental, in response to
17 Bureau inquiries during the Bureau's background investigation, and while testifying during the
18 evidentiary hearing. An applicant also demonstrates good character and integrity by accepting
19 responsibility for their actions.

20 42. Conversely, an applicant demonstrates a lack of good character, honesty, and integrity
21 by omitting pertinent information, and providing untrue, misleading, and/or contradictory
22 information on their Application and Supplemental, in response to Bureau inquiries, and while
23 testifying during the evidentiary hearing. An applicant also demonstrates a lack of good character
24 and integrity by failing to take responsibility for their actions.

25 43. Vazquez demonstrated a lack of good character, honesty, and integrity by disclosing
26 that her reason for leaving employment with Kings was "seeking new opportunities" and
27 deliberately omitting and concealing that she had been involuntarily terminated by Kings and the
28 circumstances for her termination. During the evidentiary hearing, Vazquez testified that she read

1 and understood the instructions on the Application, she was aware that her responses had to be
2 true and complete, she understood that her termination by Kings was relevant information, and
3 that she chose not to provide accurate information on her Application because she felt that it
4 would hurt her opportunity to receive a third-party proposition player services worker license.

5 44. Vazquez disclosed the circumstances for her termination in her November 9, 2022,
6 email to the Bureau, testified regarding the termination during the evidentiary hearing, admitted
7 to being untruthful on her Application, and testified that she should have been honest and that
8 lying on the Application was a one-time situation. Vazquez's disclosure in her November 9, 2022,
9 email to the Bureau and her testimony during the evidentiary hearing were honest and credible.
10 However, Vazquez's disclosure in her November 9, 2022, email to the Bureau and her honest and
11 credible testimony is insufficient to excuse her deliberate and dishonest failure to disclose her
12 termination and the circumstances for her termination by Kings on her Supplemental.

13 45. Overall, Vazquez failed to meet her burden of demonstrating that she is a person of
14 good character, honesty, and integrity. By failing to meet her burden of demonstrating that she is
15 a person of good character, honesty, and integrity, Vazquez's Application is subject to denial
16 pursuant to Business and Professions Code section 19857(a) and CCR section 12040(a)(1).

17 *The Testimony of DA Shindle is Insufficient to Establish that Vazquez is Qualified for Licensure*

18 46. DA Shindle's testimony during the evidentiary hearing in support of Vazquez was
19 credible. DA Shindle's testimony supports a finding that Vazquez is a good employee who
20 follows through on policies and regulations and that there have been no issues with her work
21 performance at Players Edge.

22 47. However, DA Shindle's testimony regarding Vazquez's favorable work performance
23 is insufficient to excuse Vazquez's deliberate and dishonest failure to disclose her termination and
24 the circumstances for her termination by Kings on her Supplemental, a termination that DA
25 Shindle testified he was not aware prior to Vazquez starting her employment with Players Edge,
26 or establish that Vazquez has met her burden of demonstrating her qualifications for licensure.

27 48. All documentary and testimonial evidence submitted by the parties that is not
28 specifically addressed in this Decision and Order was considered but not used by the Commission

1 in making its determination on Vazquez’s Application.

2 LEGAL CONCLUSIONS

3 *Applicable Statutes and Regulations*

4 49. Division 1.5 of the Business and Professions Code, the provisions of which govern the
5 denial of licenses on various grounds, does not apply to licensure decisions made by the
6 Commission under the GCA. Business and Professions Code section 476(a).

7 50. The GCA is an exercise of the police power of the state for the protection of the
8 health, safety, and welfare of the people of the State of California, and shall be liberally construed
9 to effectuate those purposes. Business and Professions Code section 19971.

10 51. Public trust that permissible gambling will not endanger public health, safety, or
11 welfare requires that comprehensive measures be enacted to ensure that gambling is free from
12 criminal and corruptive elements, that it is conducted honestly and competitively, and that it is
13 conducted in suitable locations. Business and Professions Code section 19801(g).

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

17 53. The Commission has the responsibility of assuring that licenses, approvals, and
18 permits are not issued to, or held by, unqualified or disqualified persons, or by persons whose
19 operations are conducted in a manner that is inimical to the public health, safety, or welfare.
20 Business and Professions Code section 19823(a)(1).

21 54. An “unqualified person” means a person who is found to be unqualified pursuant to
22 the criteria set forth in Section 19857, and “disqualified person” means a person who is found to
23 be disqualified pursuant to the criteria set forth in Section 19859. Business and Professions Code
24 section 19823(b).

25 55. The Commission shall have all powers necessary and proper to enable it fully and
26 effectually to carry out the policies and purposes of this chapter. Business and Professions Code
27 section 19824.

28 56. The Commission has the power to deny any application for a license, permit, or

1 approval for any cause deemed reasonable by the Commission. Business and Professions Code
2 section 19824(b).

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

6 58. The burden of proving his or her qualifications to receive any license from the
7 Commission is on the applicant. Business and Professions Code section 19856(a); CCR section
8 12060(k).

9 59. 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 60. In reviewing an application for any license, the commission shall consider whether
13 issuance of the license is inimical to public health, safety, or welfare, and whether issuance of the
14 license will undermine public trust that the gambling operations with respect to which the license
15 would be issued are free from criminal and dishonest elements and would be conducted honestly.
16 Business and Professions Code section 19856(c).

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

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

27 63. No gambling license shall be issued unless, based on all of the information and
28 documents submitted, the Commission is satisfied that the applicant is a person that is in all other

1 respects qualified to be licensed as provided in this chapter. Business and Professions Code
2 section 19857(c).

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

8 65. An application will be denied if the Commission finds that the applicant has not
9 satisfied the requirements of Business and Professions Code section 19857. CCR section
10 12040(a)(1).

11 66. An application will be denied if the Commission finds that any of the provisions of
12 Business and Professions Code section 19859 apply to the applicant. CCR section 12040(a)(2).

13 67. The hearing need not be conducted according to technical rules relating to evidence
14 and witnesses. Any relevant evidence may be considered, and is sufficient in itself to support a
15 finding, if it is the sort of evidence upon which reasonable persons are accustomed to rely upon in
16 the conduct of serious affairs, regardless of the existence of any common law or statutory rule that
17 might make improper the admission of the evidence over objection in a civil action. Business and
18 Professions Code section 19871(a)(4); CCR section 12060(h)(2).

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

23 69. The Bureau relies, in large part, on the applicant's disclosures while conducting a
24 background investigation. The failure to honestly, accurately, and completely disclose
25 information on an application subverts the Bureau's efforts to conduct a thorough and complete
26 investigation. Business and Professions Code sections 19826(a) and 19866.

27 70. Both the substance of an applicant's disclosures, and the truthfulness and
28 thoroughness of an applicant's disclosures, are considered by the Bureau in making a

1 recommendation as to the applicant’s suitability for licensure, and by the Commission in making
2 a determination whether to approve or deny a license application. Business and Professions Code
3 sections 19824(a) and (d), 19826(a), and 19866.

4 *Denial of Vazquez’s Application*

5 71. Vazquez failed to provide information required by the GCA. Therefore, Vazquez is
6 disqualified from licensure pursuant to Business and Professions Code section 19859(b) and her
7 Application must be denied pursuant to CCR section 12040(a)(2).

8 72. Vazquez failed to reveal facts material to her qualification for licensure. Therefore,
9 Vazquez is disqualified from licensure pursuant to Business and Professions Code section
10 19859(b) and her Application must be denied pursuant to CCR section 12040(a)(2).

11 73. Vazquez supplied information that is untrue regarding a material fact pertaining to the
12 qualification criteria for licensure. Therefore, Vazquez is disqualified from licensure pursuant to
13 Business and Professions Code section 19859(b) and her Application must be denied pursuant to
14 CCR section 12040(a)(2).

15 74. Vazquez failed to meet her burden of demonstrating that she is a person of good
16 character, honesty, and integrity. Therefore, Vazquez is unqualified for licensure pursuant to
17 Business and Professions Code section 19857(a) and her Application must be denied pursuant to
18 CCR section 12040(a)(1).

19 NOTICE OF APPLICANT’S APPEAL RIGHTS

20 Vazquez has the following appeal rights available under state law:

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

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

26 (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
27 of receipt of the request; and

28 (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,

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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 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 shall 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.

CCR section 12066, subsection (c) provides, in part:

A decision of the Commission denying an application or imposing conditions or restrictions on a license after an evidentiary hearing will be subject to judicial review as provided in Business and Professions Code section 19870, subdivision (f). 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. Crystal Vazquez’s Application for Employee Category License: Third-Party Proposition Player Service Worker License is DENIED.

2. Crystal Vazquez’s temporary third-party proposition player worker license number TPWK-004886 is void and cannot be used hereafter pursuant to CCR section 12122(d).

3. No costs are awarded.

4. Each side to pay its own attorneys’ fees.

This Order is effective on January 22, 2024.

Dated: 12/21/2023 Signature: 
DocuSigned by: 38D0AB38C651466...
Paula LaBrie, Chair

Dated: 12/21/2023 Signature: 
DocuSigned by: 2B4CE9520F8845C...
Eric Heins, Commissioner

Dated: 12/21/2023 Signature: 
DocuSigned by: 14B4AD3B90F0402...
Edward Yee, Commissioner