

**STATE OF OHIO
CASINO CONTROL COMMISSION**

<i>In re:</i>	:	
	:	Case No. 2013-025
DONALD BROWN	:	
CASINO GAMING EMPLOYEE LICENSE	:	
APPLICANT	:	
Applicant.	:	

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On or about December 10, 2012, Applicant Donald Brown filed with the Ohio Casino Control Commission ("Commission") an application for a casino gaming employee license. Thereafter, the Commission conducted a suitability investigation of Brown to determine his eligibility for such a license.

A casino gaming employee license applicant is eligible for licensure upon meeting the following criteria: (1) being at least 21 years of age, R.C. 3772.131(C); (2) filing a true and complete Casino Gaming Employee License Application, R.C. 3772.131(D) and Ohio Adm. Code 3772-8-02(A); (3) submission of two sets of the applicant's fingerprints and a photograph, R.C. 3772.131(E); (4) payment of the nonrefundable application fee of \$250.00, R.C. 3772.131(E) and Ohio Adm. Code 3772-8-03(A), and all fees necessary to cover the cost of the background investigation in excess of the application fee, Ohio Adm. Code 3772-8-03(B); (5) reimbursement of the costs for the background check, including the criminal records check, R.C. 3772.07 and 3772.131(E); (6) not having been convicted of or pled guilty or no contest to a disqualifying offense, R.C. 3772.07; and (7) otherwise is suitable for licensure, R.C. 3772.10(B) and (C)(7).

During the suitability investigation, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Deny and Opportunity for Hearing ("Notice"), dated April 19, 2013. (Exhibit A.) Brown received the Notice, sent via certified mail, on or about April 23, 2013. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Brown had the right to a hearing if requested within 30 days of the Notice's mailing. Brown failed to do so. Accordingly, no hearing was held and the matter was brought before the Commission on June 19, 2013, for final adjudication. R.C. 119.07 and 3772.04(A).

WHEREFORE, in consideration of the foregoing and upon a quorum and majority vote of the members, the Commission **FINDS** as follows:

- 1) The results of the criminal records check obtained by the Commission pursuant to R.C. 3772.07 and the results of the Commission's licensing investigation revealed that Brown submitted a casino gaming employee license application that contained false information and that failed to set forth all of the information required by the Commission, to wit, Brown:
 - a. Failed to disclose in Question 8 of the casino gaming employee license application that on or about December 12, 1994, he was convicted of and/or pled

guilty or no contest to an “operating a vehicle under the influence of alcohol or drugs” violation in or around Hamilton County, Ohio;

- b. Failed to disclose in Question 8 of the casino gaming employee license application that on or about August 3, 1996, he was arrested for and/or charged with two counts of “child endangering,” which resulted in a conviction of and/or plea of guilty or no contest to two counts of “child endangering” on or about February 6, 1997 in or around Hamilton County, Ohio; and
- c. Answered “no” to Question 16B and failed to disclose in Question 16 of the casino gaming employee license application that he received a financial lien or judgment against him filed on behalf of Motorist Mutual Insurance in the amount of approximately \$9,543 on or about April 26, 2004 in the Hamilton County Municipal Court,

in violation of R.C. 3772.10(C)(2), (5) (F), R.C. 3772.131(D), and Ohio Adm. Code 3772-8-02(A); and

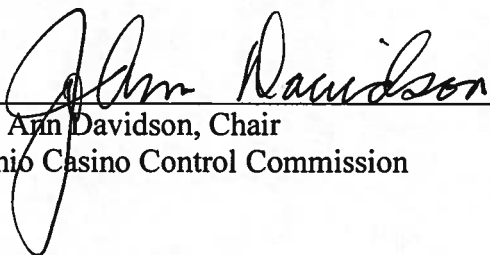
- 2) Brown failed to establish, by clear and convincing evidence, his suitability for licensure as a casino gaming employee, as required by R.C. 3772.10(B) and (C)(7). In addition to the findings outlined above, which resulted from the criminal records check obtained by the Commission pursuant to R.C. 3772.07 and the Commission’s licensing investigation, to wit, Brown:
 - a. Received a financial lien or judgment against him filed on behalf of Chris Uhlenbrock DDS, Inc. on or around June 15, 1989 in the amount of approximately \$227 in the Hamilton County Municipal Court;
 - b. Received a foreclosure judgment against him filed on behalf of Great Financial Bank in the amount of approximately \$51,151 on or about July 25, 1997 in the Hamilton County Court of Common Pleas;
 - c. Received a financial lien or judgment against him filed on behalf of Beneficial Mortgage Company of Ohio in the amount of approximately \$5,195 on or about April 22, 1998 in the Hamilton County Municipal Court;
 - d. Filed a 1998 Chapter 7 Bankruptcy petition on or about July 20, 1998, which was discharged on or about October 20, 1998 in the United States District Court, Southern District of Ohio; and
 - e. Was convicted of and/or pled guilty or no contest to an “open container” violation on or about April 18, 2011 in or around Fairfax, Ohio.

WHEREFORE, in consideration of the foregoing and upon a quorum and majority vote of the members, the Commission **ORDERS** as follows:

- 1) Brown’s Application is **DENIED**;

- 2) Brown is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Brown is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from the date this Order is served upon him, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04; and
- 4) A certified copy of this Order shall be served upon Brown, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.



Jo Ann Davidson, Chair
Ohio Casino Control Commission

NOTICE OF APPEAL RIGHTS

Applicant is hereby notified that pursuant to R.C. 119.12, this Commission Order may be appealed by filing a Notice of Appeal with the Commission setting forth the Order that Applicant is appealing from and stating that the Commission's Order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The Notice of Appeal may also include, but is not required to include, the specific grounds for the appeal. The Notice of Appeal must also be filed with the appropriate court of common pleas in accordance with R.C. 119.12. In filing the Notice of Appeal with the Commission or court, the notice that is filed may be either the original Notice of Appeal or a copy thereof. The Notice of Appeal must be filed within 15 days after the date of mailing of this Commission Order.