

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

**RANDY LARKIN,
CASINO GAMING EMPLOYEE LICENSEE**

Licensee.

:
:
:
:
:
:

Case No. 2015-LIC-006

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On December 11, 2012, Randy Larkin filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. Thereafter, the Commission conducted a suitability investigation of Larkin to determine his eligibility for such a license. Having found Larkin suitable for licensure, the Commission issued a Casino Gaming Employee License to Larkin on February 25, 2013.

During an administrative investigation of Larkin, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated June 19, 2015. (Exhibit A.) Larkin received the Notice, sent via certified mail, on June 23, 2015. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Larkin had the right to a hearing if requested within 30 days of the Notice’s mailing. Larkin failed to do so. Accordingly, no hearing was held, and the matter was brought before the Commission on August 19, 2015, 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** and **CONCLUDES** as follows:

- 1) Based on the results of the Commission’s administrative investigation Larkin failed to notify the Commission that:
 - A) On December 30, 2014, he was arrested for and charged with violating R.C. 2923.12(B) – Carrying Concealed Weapons, a first-degree misdemeanor, R.C. 2925.14 – Illegal Use or Possession of Drug Paraphernalia, a fourth-degree misdemeanor, and R.C. 2923.12(B)(3) – Carrying Concealed Weapons, a fifth-degree felony, in Hamilton County, Ohio;
 - B) On May 14, 2015, he pled guilty or no contest to R.C. 2923.12(B) – Carrying Concealed Weapons, a first-degree misdemeanor, in the Hamilton County Municipal Court; and/or
 - C) On May 14, 2015, as a result of his plea, the Court sentenced him to a \$110.00 fine,

in violation of Ohio Adm. Code 3772-8-04(A)(5), (8) and/or (B).

- 2) Based on the above allegations, which resulted from the Commission's administrative investigation, Larkin is no longer suitable to maintain or otherwise eligible to hold a license issued under R.C. Chapter 3772, as required by R.C. 3772.10(D)(1). In addition, Larkin is no longer suitable for licensure as a Casino Gaming Employee in this state, as required by R.C. 3772.10(D)(1), because:

A) Aggravated Menacing Conviction

- i. On October 18, 2006, he was charged with violating R.C. 2903.21 – Aggravated Menacing, a first-degree misdemeanor, in the Hamilton County Municipal Court;
- ii. On December 18, 2006, he was found guilty of violating R.C. 2903.21 – Aggravated Menacing, a first-degree misdemeanor, in the Hamilton County Municipal Court; and
- iii. On December 18, 2006, as a result of the Court's finding of guilt, he was sentenced to:
 - a) 180 days of confinement with 163 days suspended, and credit for 7 days, for a total of 10 days of Community Control;
 - b) A probation term of 1 year, to end on December 17, 2007;
 - c) A \$100.00 fine plus court costs; and
 - d) Completion of an Anger Management Program;
- iv. On August 27, 2007, a warrant was ordered for his arrest for failure to complete the Anger Management Program as part of his probation;
- v. On August 28, 2007, he was charged with violating R.C. 2951.08 – Failure to Attend Treatment and R.C. 2951.09 – Failure to Report, in the Hamilton County Municipal Court;
- vi. On November 1, 2007, he was found guilty of violating his probation by the Hamilton County Municipal Court; and

- vii. On November 1, 2007, as a result of the Court's finding of guilt, his original probation was extended to January 19, 2008;

B) Violation of Protection Order Conviction

- i. On October 25, 2006, he was charged with violating R.C. 2919.27 – Violating Protection Order, a first-degree misdemeanor, in the Hamilton County Municipal Court;
- ii. On December 18, 2006, he pled no contest to violating R.C. 2919.27 – Violating Protection Order, a first-degree misdemeanor, in the Hamilton County Municipal Court;
- iii. On December 18, 2006, as a result of his plea, the Court sentenced him to:
 - a) 180 days of confinement with 163 days suspended, and credit for 7 days, for a total of 10 days of Community Control;
 - b) A probation term of 1 year, to end on December 17, 2007;
 - c) A \$100.00 fine plus court costs; and/or
 - d) Completion of an Anger Management Program;
- iv. On August 27, 2007, a warrant was ordered for his arrest for failure to complete the Anger Management Program as part of his probation;
- v. On August 28, 2007, he was charged with violating R.C. 2951.08 – Failure to Attend Treatment and R.C. 2951.09 – Failure to Report, in the Hamilton County Municipal Court;
- vi. On November 1, 2007, he was found guilty of violating his probation by the Hamilton County Municipal Court; and
- vii. On November 1, 2007, as a result of the Court's finding of guilt, his original probation was extended to January 19, 2008;

C) Soliciting Conviction

- i. On May 6, 2014, he was arrested for and charged with violating R.C. 2907.24 – Loitering to Solicit, a third-degree misdemeanor; R.C. 2907.24 – Soliciting, a third-degree misdemeanor; and R.C. 2921.31 – Obstructing Official Business, a second-degree misdemeanor, in Hamilton County, Ohio;
- ii. On June 2, 2014, he pled no contest to violating R.C. 2907.24 – Soliciting, a third-degree misdemeanor, in the Hamilton County Municipal Court;
- iii. On June 2, 2014, as a result of his plea, the Court sentenced him to:
 - a) A \$250.00 fine;
 - b) 30 days of confinement with 30 days suspended; and
 - c) Community Control for a term of 2 years.

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

- 1) Larkin's Casino Gaming Employee License is **REVOKED**.
- 2) Larkin shall immediately **SURRENDER** his license credential to the Commission.
- 3) Larkin is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 4) Larkin 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.
- 5) A certified copy of this Order shall be served upon Larkin, 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

The Party 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 the Party 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.