

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2015-LIC-015
DAVID MONDAY, :
CASINO GAMING EMPLOYEE LICENSEE :
 :
 :
 Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On October 21, 2014, David Monday filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. Thereafter, the Commission conducted a suitability investigation of Monday to determine his eligibility for such a license. Having found Monday suitable for licensure, the Commission issued a Casino Gaming Employee License to Monday on December 8, 2014.

During an administrative investigation of Monday, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated September 29, 2015. (Exhibit A.) The Notice was sent via certified mail, return receipt requested, but was returned to the Commission marked “Unclaimed” on November 4, 2015. (Exhibit B.) The Commission re-sent the Notice on November 5, 2015, via ordinary mail with a certificate of mailing. (Exhibit C.) The Notice was not returned to the Commission for failure of delivery.

Pursuant to R.C. 119.07 and 3772.04, Monday had the right to a hearing if requested within 30 days of the Notice’s mailing. Monday failed to do so. Accordingly, no hearing was held, and the matter was brought before the Commission on December 16, 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) Monday was convicted of or pled guilty or no contest to one or more “disqualifying offenses” as defined by R.C. 3772.07 and in contravention of R.C. 3772.10(D)(1), to wit, he was convicted of or pled guilty or no contest to “R.C. 2913.51 – Receiving Stolen Property,” a theft offense, as defined by R.C. 2913.01(K)(1), and a first-degree misdemeanor, on August 25, 2015, in the Hamilton County Municipal Court.
- 2) Monday failed to notify the Commission that:
 - A) On July 14, 2015, a complaint was filed, and a warrant for his arrest was issued against him for violating R.C. 2913.51 – Receiving Stolen Property, a first-degree misdemeanor, in the Hamilton County Municipal Court;

- B) On August 8, 2015, he was arrested for and charged with violating R.C. 2913.51 – Receiving Stolen Property, a first-degree misdemeanor, in the Hamilton County Municipal Court;
- C) On August 25, 2015, he pled guilty or no contest to one count of R.C. 2913.51 – Receiving Stolen Property, a first-degree misdemeanor, in the Hamilton County Municipal Court; and
- D) As a result of the Court’s finding of guilt, on August 25, 2015, he was sentenced to:
 - i.) A fine in the amount of \$100.00, plus court costs;
 - ii.) Confinement in jail for 180 days, with 180 days suspended;
 - iii.) Community Control for one year; and
 - iv.) Restitution in the amount of \$90,


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

- 3) Based on his disqualifying offense conviction, his failure to notify the Commission, and the underlying conduct described above, Monday is no longer suitable to maintain or otherwise eligible to hold a license issued under R.C. Chapter 3772, as required by R.C. 3772.07 and R.C. 3772.10(D)(1).

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

- 1) Monday’s Casino Gaming Employee License is **REVOKED**.
- 2) Monday shall immediately **SURRENDER** his license credential to the Commission.
- 3) Monday is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 4) Monday 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 Monday, 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.