

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2016-LIC-030
Shi-re Fairbanks :
CASINO GAMING EMPLOYEE LICENSE :
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 :
 Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On May 21, 2014, Shi-re Fairbanks filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. Thereafter, the Commission conducted a suitability investigation of Fairbanks to determine her eligibility for such a license. Having found Fairbanks suitable for licensure, the Commission issued a Casino Gaming Employee License to Fairbanks on June 9, 2014.

During an administrative investigation of Fairbanks, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated November 1, 2016. (Exhibit A.) The Notice was sent via certified mail, return receipt requested, but was returned to the Commission marked “Unclaimed” on November 28, 2016. (Exhibit B.) The Commission re-sent the Notice on December 6, 2016, 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, Fairbanks had the right to a hearing if requested within 30 days of the Notice’s mailing. Fairbanks failed to do so. Accordingly, no hearing was held, and the matter was brought before the Commission on February 15, 2017, 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. Fairbanks was convicted of, or pled guilty or no contest to, one or more “disqualifying offenses,” as defined by R.C. 3772.07 and in violation of R.C. 3772.10, including:
 - a. A July 13, 2016 conviction for, or plea of guilty or no contest to, Unauthorized Use of a Vehicle, a theft offense, in the Hamilton County Municipal Court.
2. Fairbanks failed to notify the Commission of information impacting her suitability to maintain a casino gaming employee license, in violation of R.C. 3772.10 and Ohio Adm. Code 3772-8-04, including:
 - a. Her July 18, 2014 termination from employment at Horseshoe Cincinnati Casino;

- b. Her arrest or charge for one count of Driving Under OVI Suspension, one count of Refusal of Chemical Test, and one count of Operating Vehicle Under the Influence of Alcohol or Drugs – OVI, and she was convicted of, or pled guilty or no contest to one count of Driving Under OVI Suspension and Refusal of Chemical Test, on September 2, 2015 in the Hamilton County Municipal Court;
 - c. Her arrest or charge for Possession of Controlled Substances, which she was convicted of, or pled guilty or no contest to, on June 3, 2016 in the Hamilton County Municipal Court; or
 - d. Her arrest or charge for Unauthorized Use of a Motor Vehicle, which she was convicted of, or pled guilty or no contest to, on July 13, 2016 in the Hamilton County Municipal Court.
3. Fairbanks is not suitable or otherwise eligible to be granted or to maintain a casino gaming employee license, as required by R.C. 3772.10 and Ohio Adm. Code 3772-8-05, based on the above allegations, including the underlying conduct, and the following:
- a. She was arrested or charged with Operating Vehicle Under the Influence of Alcohol or Drugs – OVI, and Operating Vehicle Under the Influence of Alcohol or Drugs – OVI (Breath .17+), and she was convicted of, or pled guilty or no contest to, Operating Vehicle Under the Influence of Alcohol or Drugs – OVI, on January 23, 2013 in the Fairfield Municipal Court; or
 - b. She was arrested or charged with two counts of Operating Vehicle Under the Influence of Alcohol or Drugs – OVI, and one count of Driving Under OVI Suspension, and she was convicted of, or pled guilty or no contest to one count of Operating Vehicle Under the Influence of Alcohol or Drugs – OVI, on March 4, 2014 in the Butler County Area Court 3.
4. Based on the above allegations, Fairbanks has failed to establish, by clear and convincing evidence, her suitability for licensure as a casino gaming employee, as required by R.C. 3772.10 and Ohio Adm. Code 3772-8-05.

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

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

- 4) Fairbanks is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from the date the Order is served upon her, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04.
- 5) A certified copy of the Order shall be served upon Fairbanks, via certified mail, return receipt requested, and her 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, the 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 Franklin County 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 the Commission Order.