

OHIO CASINO CONTROL COMMISSION
RESOLUTION 2016-07

CONSIDERATION OF A KEY-EMPLOYEE LICENSE RENEWAL APPLICATION

WHEREAS, Article XV, Section 6(C)(4) of the Ohio Constitution created the Ohio Casino Control Commission (“Commission”) to ensure the integrity of casino gaming by, among other things, licensing and regulating all gaming authorized by Article XV, Section 6(C) of the Ohio Constitution;

WHEREAS, R.C. 3772.09(A) prohibits any key employee from conducting or participating in conducting casino gaming without first being licensed by the Commission;

WHEREAS, R.C. 3772.10(B) requires any key employee seeking licensure under R.C. Chapter 3772 to establish their suitability by clear and convincing evidence;

WHEREAS, R.C. 3772.13(C) and Ohio Adm. Code 3772-5-02(A) require any key employee seeking licensure to submit a Key Employee License Application (“Application”);

WHEREAS, R.C. 3772.13 and Ohio Adm. Code Chapter 3772-5 authorize the Commission to issue key-employee licenses to applicants, including renewal applicants, after the Commission determines that the applicants are eligible for licensure and have paid all applicable fees;

WHEREAS, a key-employee license applicant is eligible for renewal upon meeting the following criteria:

- (A) Being at least 21 years of age, as required by R.C. 3772.13(D);
- (B) Submission of a true and complete Application, as required by R.C. 3772.10(C) and 3772.13(E) and Ohio Adm. Code 3772-5-02(A);
- (C) Submission, on a form provided by the Commission, of two sets of the applicant’s fingerprints and a photograph, as required by R.C. 3772.13(F);
- (D) Payment of the nonrefundable application fee of \$2,000.00, as required by R.C. 3772.13(F) and 3772.17(E) and Ohio Adm. Code 3772-5-03(A), and all fees necessary to cover the cost of the background investigation in excess of the application fee set forth by Ohio Adm. Code 3772-5-03(A), if any, as permitted by Ohio Adm. Code 3772-5-03(B);
- (E) Reimbursement of the costs for the background check, including the criminal records check, as required by R.C. 3772.07 and 3772.13(F);
- (F) Not having been convicted of or pled guilty or no contest to a disqualifying offense, as defined and required by R.C. 3772.07 and R.C. 3772.10(C); and
- (G) Otherwise is suitable for licensure, as required by R.C. 3772.10(B) and (C);

WHEREAS, R.C. 3772.15(B) and Ohio Adm. Code 3772-5-02(D) require that key-employee licensees undergo a complete investigation at least once every three years to ensure continued eligibility for licensure;

WHEREAS, the individual listed on the attached Exhibit A (“Key Employee”) submitted an application to renew the Key Employee’s license to the Commission in accordance with R.C. 3772.13(C) and 3772.15(B) and Ohio Adm. Code 3772-5-02(C);

WHEREAS, the Commission’s Division of Licensing and Investigations (“Division”) reviewed the submitted Application, other materials and information, and has a conducted a thorough suitability investigation of the Key Employee;

WHEREAS, the Division has prepared a report to the members of the Commission dated February 10, 2016, captioned *Recommendation to Renew a Key-Employee License at the February 17, 2016 Commission Meeting* (“Licensing Report”) recommending that the Commission renew the Key Employee’s license;

WHEREAS, the Licensing Report concludes that based upon the investigation, the Division did not uncover any material derogatory information that adversely impacts the suitability of the Key Employee and that the Key Employee is eligible for renewal; and

WHEREAS, the Commission has reviewed the Licensing Report and considered the matter at its public meeting held on February 17, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Commission that the Key Employee’s Application is **APPROVED** and the Key Employee’s license is **RENEWED** for a period not to exceed three years, effective upon expiration of the previous license, subject to continued compliance with R.C. Chapter 3772 and the rules adopted thereunder, including payment of the nonrefundable license fee of \$500.00, as required by R.C. 3772.17(E) and Ohio Adm. Code 3772-5-03(C).

BE IT FURTHER RESOLVED, that Resolution 2016-07 does not in any way affect, negate, or otherwise absolve the Key Employee of the duty to update information in accordance with Ohio Adm. Code 3772-5-04.

BE IT FURTHER RESOLVED, that Resolution 2016-07 does not restrict or limit the Commission’s future exercise of authority and discretion with respect to imposing additional conditions or taking further action upon the Key Employee under R.C. Chapter 3772 and the rules adopted thereunder.

Adopted: February 17, 2016

Exhibit A

RESOLUTION 2016-07

Horseshoe Casino Cincinnati
Property Key Employee

1. James Nasca