

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

**THOMAS CASDORPH,
CASINO GAMING EMPLOYEE LICENSE
APPLICANT**

Applicant.

Case No. 2014-LIC-037

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On September 9, 2014, Thomas Casdorff, filed with the Ohio Casino Control Commission (“Commission”) an application for a casino gaming employee license. Thereafter, the Commission conducted a suitability investigation of Casdorff 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 (“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 3772.10(C)(1); and (7) otherwise is suitable for licensure, R.C. 3772.10(B) and (C)(7).

During a suitability investigation of Casdorff, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated December 17, 2014. (Exhibit A.) The Notice was sent via certified mail, return receipt requested, but was returned to the Commission on February 9, 2015, marked “RETURN TO SENDER,” “NOTIFY SENDER OF NEW ADDRESS,” and “UNABLE TO FORWARD” with a forwarding address listed. (Exhibit B.) The Commission issued an Amended Notice of Opportunity for Hearing (“Amended Notice”), dated February 11, 2015. (Exhibit C.) The Amended Notice was sent via certified mail, return receipt requested, to the new address attributed to Casdorff, but it was returned to the Commission, on May 19, 2015, marked “RETURN TO SENDER,” “UNCLAIMED,” and “UNABLE TO FORWARD.” (Exhibit D.) The Commission re-sent the Amended Notice on May 20, 2015, via ordinary mail with a certificate of mailing. (Exhibit E.) The Amended Notice was not returned to the Commission for failure of delivery.

Pursuant to R.C. 119.07 and 3772.04, Casdorff had the right to a hearing if requested within 30 days of the Amended Notice’s mailing. Casdorff failed to do so, however. Accordingly,

no hearing was held and the matter was brought before the Commission on July 15, 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:

A. Casdorff submitted an Application that contained false information and failed to set forth all of the information required by the Commission because he:

1. Failed to disclose in Question 8 of the Application that:

a. **August 2000- Bowling Green, Ohio**

On August 20, 2000, he was arrested for or charged with violating Bowling Green Ordinance 96.02(C) – Underage Possession of Alcohol, a first-degree misdemeanor, and 96.03 – Possession of Open Container, a minor misdemeanor, in Bowling Green, Ohio;

b. **April 2001 – Ogemaw County, Michigan**

i. On April 9, 2001, he was arrested for or charged with violating Michigan Liquor Control Code 436.1703(1)(a) – Purchase, Consumption, or Possession of alcoholic liquor by Minor, a misdemeanor, in Ogemaw County, Michigan;

ii. On June 13, 2001, he pled guilty to violating Michigan Liquor Control Code 436.1703(1)(a) – Purchase, Consumption, or Possession of alcoholic liquor by Minor, in the 82nd Judicial District Court of Ogemaw County, Michigan; and

iii. On June 13, 2001, as a result of his plea, the Court sentenced him to an \$80.00 fine, plus court costs;

c. **December 2001 – Hillsborough County, Florida**

On December 29, 2001, he was arrested for or charged with violating Florida State Uniform Traffic Control Statute 316.193 – DUI –Property Damage, a first-degree misdemeanor, and 316.061 – Leaving the Scene, a second-degree misdemeanor, in Hillsborough County, Florida;

d. May 2002 – Wood County, Ohio

On May 31, 2002, he was arrested for or charged with violating R.C. 2903.21 – Aggravated Menacing, a first-degree misdemeanor, in Wood County, Ohio;

e. April 2003 – Bowling Green, Ohio

- i. On April 5, 2003, he was charged with violating Bowling Green Ordinance 132.04 – Disorderly Conduct, a minor misdemeanor, in Bowling Green, Ohio;
- ii. On April 14, 2003, he pled guilty to violating Bowling Green Ordinance 132.04 – Disorderly Conduct, a minor misdemeanor, in the Bowling Green Municipal Court; and
- iii. On April 14, 2003, as a result of his plea, the Court sentenced him to a \$50.00 fine, plus court costs;

f. April/May 2003 - Bowling Green, Ohio

- i. On April 21, 2003, he was charged with violating Bowling Green Ordinance 132.04 – Disorderly Conduct, a minor misdemeanor, in Bowling Green, Ohio;
- ii. On May 5, 2003, he pled guilty to violating Bowling Green Ordinance 132.04 – Disorderly Conduct, a minor misdemeanor, in the Bowling Green Municipal Court; and
- iii. On May 5, 2003, as a result of his plea, the Court sentenced him to a \$65.00 fine, plus court costs;

g. August 2003 – Bowling Green, Ohio

- i. On August 1, 2003, he was arrested for or charged with violating R.C. 2903.22 – Menacing, a fourth-degree misdemeanor, in Bowling Green, Ohio;
- ii. On May 14, 2004, he pled no contest to an amended charge of Bowling Green Ordinance 132.04(A)(5) – Disorderly Conduct with Persist, a fourth-degree misdemeanor, in the Bowling Green Municipal Court; and

- iii. As a result of the Court's finding of guilt, on May 14, 2004, he was sentenced to:
 - a) A \$250.00 fine with \$250.00 suspended, plus court costs;
 - b) Confinement for 30 days with 30 days suspended; and
 - c) One year of probation to end on May 14, 2005;

h. August 2005/March 2006 – Perrysburg, Ohio

- i. On August 10, 2005, he was arrested for or charged with violating R.C. 2913.11 – Passing Bad Checks, a first-degree misdemeanor, in the Perrysburg Municipal Court;
- ii. On March 30, 2006, he was booked and served on a warrant for his arrest for a charge of violating R.C. 2913.11 – Passing Bad Checks, a first-degree misdemeanor, in Perrysburg, Ohio; and
- iii. On July 3, 2006, the charge was dismissed as the result of his payment of restitution and court costs in full;

i. August/October 2012 – Toledo, Ohio

- i. On August 7, 2012, he was arrested or charged with violating Toledo Municipal Code 335.01(a)(1) – Driving Without License, in Toledo, Ohio;
- ii. On August 16, 2012, a warrant for his arrest was issued in the Toledo Municipal Court for failing to appear at his arraignment hearing;
- iii. On August 23, 2012, he pled no contest to violating Toledo Municipal Code 335.01(a)(1) – Driving Without License, in the Toledo Municipal Court; and

- iv. As a result of the Court's finding of guilt, on October 17, 2012, he was sentenced to pay a \$50.00 fine, plus court costs;
2. Answered "NO" to Question 16 of the Application when he should have answered "YES";
3. Failed to disclose in Question 16 of the Application that:
 - a. Liens or judgments were filed against him on behalf of the State of Florida, in the amount of \$250.00 each, for a total of \$500.00, on April 23, 2002, in Hillsborough County, Florida, which resulted in a judgment in favor of the State of Florida in the amount of \$500.00 collectively, on April 23, 2002, in the Circuit Court of the Thirteenth Judicial Circuit of the State of Florida;
 - b. A lien or judgment was filed against him on behalf of the State of Ohio Department of Taxation, in the amount of \$408.33, on or about February 1, 2008, in Wood County, Ohio, which resulted in a judgment in favor of the State of Ohio Department of Taxation in the amount of \$408.33, on February 1, 2008, in the Wood County Court of Common Pleas;
 - c. A lien or judgment was filed against him on behalf of the State of Ohio Owens Community College, in the amount of \$897.29, on October 23, 2008, in Wood County, Ohio, which resulted in a judgment in favor of the State of Ohio Owens Community College in the amount of \$897.29, plus accrued interest and court costs, on December 8, 2008, in the Perrysburg Municipal Court;
 - d. A lien or judgment was filed against him on behalf of the State of Ohio Owens Community College, in the amount of \$2,389.06, on October 21, 2009, in Wood County, Ohio, which resulted in a judgment in favor of the State of Ohio Owens Community College in the amount of \$2,389.06, plus accrued interest and court costs, on March 9, 2010, in the Perrysburg Municipal Court;
 - e. A lien or judgment was filed against him on behalf of Rent-A-Center, in the amount of \$2,198.58, on January 25, 2013, in Lucas County, Ohio, which resulted in a judgment in favor of Rent-A-Center in the amount of \$2,198.58, plus accrued interest and court costs, in the Toledo Municipal Court; and/or
 - f. A lien or judgment was filed against him on behalf of the State of Ohio Department of Taxation, in the amount of \$1,871.75, on September 6, 2014, in Lucas County, Ohio, which resulted in a judgment in favor of the State of Ohio Department of Taxation, in

the amount of \$1,871.75, in the Lucas County Court of Common Pleas; and

4. His home address on file with the Commission has changed,

in violation of R.C. 3772.10(C)(2), (5) and (F), R.C. 3772.131(D), and Ohio Adm. Code 3772-8-02(A) and 3772-8-04(A)(2).

B. As a result of the above, Casdorff 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)(5) and (7) and Ohio Adm. Code 3772-8-05(A). In addition, he failed to establish, by clear and convincing evidence, his suitability for licensure, as required by R.C. 3772.10(B) and (C)(5) and (7) and Ohio Adm. Code 3772-8-05(A), because:

1. **February/April 2013 – Toledo, Ohio**

a. On February 24, 2013, he was arrested for or charged with violating R.C. 4511.19(A)(1)(a) – OVI – Under the Influence of Alcohol and/or Drugs and R.C. 4511.19(A)(1)(h) – OVI – High Test, both of which are first-degree misdemeanors, in Lucas County, Ohio; and

b. As a result of his no-contest plea to an amended charge of R.C. 4511.19(A)(1)(a) – Driving While Under the Influence of Alcohol and/or Drugs, and the Court’s finding of guilt, on April 16, 2013, the Toledo Municipal Court sentenced him to:

i. Confinement for 180 days in the Corrections Center of Northwest Ohio, with 150 days suspended, for a total of 30 days of confinement, with 24 days to be served in Lucas County Work Release and the remaining six days to be served in the Driver Intervention Program by June 24, 2013;

ii. Active probation for one year, beginning April 16, 2013, and ending on April 16, 2014, with probation conditions of a drug and alcohol assessment and treatment to alcohol consumption Treatment Alternatives and Diversion (“TAD”) program for 90 days;

iii. License suspension from April 16, 2013, to February 24, 2014, with limited driving privileges during the period of suspension; and

iv. Remain on TAD program until May 16, 2013;

2. **September 2014 – Sylvania, Ohio**

On September 19, 2014, a forcible entry or detainer judgment was entered against him on behalf of Royal Village, which was dismissed on or about October 9, 2014, in the Sylvania Municipal Court;

3. **October 2014 – Sylvania, Ohio**

On October 21, 2014, he was arrested for and charged with violating R.C. 2919.25 – Domestic Violence, a fourth-degree misdemeanor, in Sylvania, Ohio; and

4. **Bankruptcy/Insolvency**

In the last ten years he has filed a petition for bankruptcy and insolvency and has been adjudicated bankrupt or insolvent.

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

- 1) Casdorph's Application is **DENIED**.
- 2) Casdorph is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Casdorph is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for 3 years from the date the Order is served upon him, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04.
- 4) A certified copy of the Order shall be served upon Casdorph, 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, 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 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 the Commission Order.