

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2019-LIC-032
Matthew Kaiser, :
CASINO GAMING EMPLOYEE LICENSE :
APPLICANT :
 :
Applicant. :

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On January 24, 2019, Matthew Kaiser filed a Casino Gaming Employee License Application (“Application”) with the Ohio Casino Control Commission (“Commission”). Thereafter, the Commission conducted Kaiser’s suitability investigation to determine his eligibility for such a license.

An applicant is eligible for licensure as a Casino Gaming Employee upon meeting the following criteria: (1) being at least 21 years of age, R.C. 3772.131(C); (2) filing a true and complete Application, R.C. 3772.131(D) and Ohio Adm.Code 3772-8-02(A); (3) submitting two sets of fingerprints and a photograph, R.C. 3772.131(E); (4) paying the nonrefundable application fee, R.C. 3772.131(E) and Ohio Adm.Code 3772-8-03, 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) reimbursing 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 being suitable and eligible for licensure, R.C. 3772.10(B) and (C)(7).

During the investigation, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated June 20, 2019. The Notice was sent via certified mail, return receipt requested, but was returned marked “Unclaimed” on July 15, 2019. The Commission re-sent the Notice on July 16, 2019, via ordinary mail with a certificate of mailing. The Notice was not returned to the Commission for failure of delivery.

Pursuant to R.C. 119.07 and 3772.04, Kaiser had the right to a hearing if requested within 30 days of the Notice’s mailing. Kaiser failed to do so. Accordingly, no hearing was held, and the matter was brought before the Commission on September 18, 2019, 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:

Kaiser failed to establish his suitability for licensure by clear and convincing evidence, as required by R.C. 3772.10 or Ohio Adm.Code 3772-8-05, for the reasons set forth in the Notice.

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

- 1) Kaiser's Application is **DENIED**.
- 2) Kaiser is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Kaiser is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three 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 Kaiser, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.



June E. Taylor, 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 filing 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.