

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 :
 Kevin Smyth, : Case No. 2021-LIC-005
 Casino Gaming Employee :
 License Applicant. :

OCTOBER 20, 2021 FINAL ORDER
DENYING CASINO GAMING EMPLOYEE LICENSE RENEWAL APPLICATION

Kevin Smyth filed a Casino Gaming Employee License Renewal Application (“Application”) with the Ohio Casino Control Commission (“Commission”), after which the agency conducted a suitability investigation to determine Smyth’s eligibility to maintain licensure. During the investigation, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”).

Upon proper service of the Notice, Smyth had the right to a hearing if timely requested. Smyth so requested, and the Commission held a hearing before Hearing Examiner Marc E. Myers (“Examiner”). Smyth retained counsel, but neither Smyth, nor Smyth’s counsel appeared at the hearing. Smyth did not submit contentions in writing.

After presentation and submission of the evidence, the Examiner closed the hearing record and prepared a Report and Recommendation (“R&R”) for Commission consideration. Review of the R&R finds that the Examiner urges denial of Smyth’s Application. A copy of the R&R was duly served upon Smyth, giving Smyth the opportunity to file objections, *see* R.C. 3772.04(A)(2), which Smyth did not do.

The matter is now before the Commission for final adjudication.

WHEREFORE, the Commission **ADOPTS** the Examiner’s R&R without modification.

WHEREFORE, the Commission **ORDERS** as follows with respect to Smyth:

- 1) Smyth’s Application is **DENIED**.
- 2) Smyth is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Smyth is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from entry of this Order, absent a waiver granted by the Commission commensurate with Ohio Adm.Code 3772-1-04.
- 4) A certified copy of the Order will be served upon Smyth, via certified mail, return receipt requested, and Smyth’s 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.