

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2016-04

**CONSIDERATION OF THE APPLICATION OF KIM SUMIMOTO FOR A PROVISIONAL
KEY-EMPLOYEE LICENSE**

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 key employees from conducting or participating in conducting casino gaming without first being licensed by the Commission;

WHEREAS, R.C. 3772.03(D) mandates that the Commission establish standards for provisional-key-employee licenses for persons who are required to be licensed as key employees and where exigent circumstances exist;

WHEREAS, R.C. 3772.03(D) and Ohio Adm. Code 3772-5-02(F) require any key employee seeking provisional licensure to:

- (A) Be at least 21 years of age, as required by R.C. 3772.13(D);
- (B) Submit a true and complete Key Employee License Application (“Application”), as required by R.C. 3772.03(D) and 3772.10(C) and Ohio Adm. Code 3772-5-02(F);
- (C) Be compliant under an instant background check, as required by R.C. 3772.03(D);
- (D) Payment of the nonrefundable application fee of \$2,000.00, as required by R.C. 3772.03(D), 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), as required by R.C. 3772.17(E) and Ohio Adm. Code 3772-5-03(B), if any;
- (E) Demonstrate the existence of exigent circumstances, as required by R.C. 3772.03(D) and Ohio Adm. Code 3772-5-02(F); and
- (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 3772.10(C);

WHEREAS, Kim Sumimoto submitted an Application to the Commission in accordance with R.C. 3772.03(D) and 3772.13(A) and Ohio Adm. Code 3772-5-02(F) and complied with the requisite background check;

WHEREAS, the nonrefundable application fee for the Application has been paid, as required by R.C. 3772.03(D), 3772.13(F), and 3772.17(E) and Ohio Adm. Code 3772-5-02(F) and 3772-5-03(A);

WHEREAS, the Commission has considered the matter at its public meeting on January 20, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Commission that the Application of Kim Sumimoto is **PROVISIONALLY APPROVED** and that Kim Sumimoto is hereby **PROVISIONALLY LICENSED** for a period not to exceed 90 days, effective today, as a key employee, subject to continued compliance with R.C. Chapter 3772 and the rules adopted thereunder and the payment of all fees required by the Commission, including the following:

- (A) The cost of any key-employee background investigation that exceeds the application fee set forth by Ohio Adm. Code 3772-5-03(A), as required by R.C. 3772.17(E) and Ohio Adm. Code 3772-5-03(B); and
- (B) A nonrefundable license fee of \$500.00, as required by R.C. 3772.17(E) and Ohio Adm. Code 37725-03(C).

BE IT FURTHER RESOLVED, that, in accordance with R.C. 3772.03(D), the provisional license may be renewed once for a period not to exceed 3 months.

BE IT FURTHER RESOLVED, that Resolution 2016-04 does not in any way guarantee that Kim Sumimoto will be granted plenary licensure as a key employee or that the right to operate in a key employee capacity will extend beyond the time permitted herein or under R.C. Chapter 3772 and the rules adopted thereunder.

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

BE IT FURTHER RESOLVED, that Resolution 2016-04 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 Kim Sumimoto under R.C. Chapter 3772 and the rules adopted thereunder.

Adopted: January 20, 2016