

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2020-44

**CONSIDERATION OF THE APPLICATION OF NO HOUSE ADVANTAGE LLC,
FOR A FANTASY-CONTEST-OPERATOR LICENSE**

WHEREAS, Article XV, Section 6(C)(4) of the Ohio Constitution created the Ohio Casino Control Commission (“Commission”);

WHEREAS, R.C. 3772.03(L) grants the Commission jurisdiction over all persons conducting or participating in the conduct of a fantasy contest authorized by R.C. Chapter 3774;

WHEREAS, to ensure the integrity of fantasy contests, the Commission adopted a comprehensive licensing and regulatory framework under Ohio Adm.Code Chapter 3772-74;

WHEREAS, R.C. 3774.02 and Ohio Adm.Code 3772-74-07 provide, generally, that all fantasy-contest operators must be licensed by the Commission;

WHEREAS, Ohio Adm.Code 3772-74-06 describes the criteria that the Commission must use when evaluating an operator’s suitability for licensure;

WHEREAS, Ohio Adm.Code 3772-74-05 allows the Commission to waive or vary from the provisions of Ohio Adm.Code Chapter 3772-74 if the Commission determines that the waiver or variance is in the best interest of the public;

WHEREAS, Ohio Adm.Code 3772-74-05(D) allows the Commission to impose certain conditions and restrictions with which the requestor must comply;

WHEREAS, No House Advantage LLC, has applied for a fantasy-contest-operator license in compliance with the requirements of R.C. Chapter 3774 and Ohio Adm.Code Chapter 3772-74 (“Fantasy Contest Law”);

WHEREAS, No House Advantage has submitted a variance request to vary from Ohio Adm.Code 3772-74-01(B) and 3772-74-11(B), which generally prohibit an operator from engaging in “proposition selection,” as those provisions apply specifically to No House Advantage’s existing fantasy contest offerings;

WHEREAS, Commission staff has reviewed the application, variance requests, and other materials and information and conducted a thorough review for compliance with the Fantasy Contest Law;

WHEREAS, staff has not uncovered any material derogatory information that would make No House Advantage unsuitable or otherwise ineligible for a license; and

WHEREAS, the Commission reviewed all submitted materials and information and considered the matter at its public meeting on November 18, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Commission that No House Advantage is **SUITABLE** and **ELIGIBLE** for licensure.

BE IT FURTHER RESOLVED that No House Advantage is hereby **LICENSED** for a period not to exceed three years, subject to continued compliance with the Fantasy Contest Law.

BE IT FURTHER RESOLVED that Resolution 2020-44 does not in any way affect, negate, or otherwise absolve No House Advantage or any other person associated therewith from complying with the Fantasy Contest Law, except as specifically **VARIED** below:

Variance of Ohio Adm.Code 3772-74-01(B) and 3772-74-11(B): No House Advantage may offer or allow proposition selection or fantasy contests that have the effect of mimicking proposition selection, as long as the company strictly complies with all of the following:

- (1) The fantasy contest requires players to choose, from a list of available athletes, at least five athletes who have been assigned statistical propositions by No House Advantage;
- (2) The fantasy contest requires players to choose whether their chosen athletes will or will not exceed the assigned statistical proposition;
- (3) The fantasy contest requires players to rank, in sequential, numerical order, each of their chosen athletes and corresponding statistical propositions according to their confidence in the occurrence or nonoccurrence of each choice;
- (4) The fantasy contest awards players the number of points assigned through the ranking process to each correct choice; and
- (5) The fantasy contest uses the total amount of points scored as a result of the players' rankings to determine winning outcomes, amongst a group of fantasy contest players.

BE IT FURTHER RESOLVED that Resolution 2020-44, including the variance granted herein, does not restrict or limit the Commission's future exercise of authority and discretion with respect to imposing conditions or taking further action upon No House Advantage or any other person associated therewith under the Fantasy Contest Law.

Adopted: November 18, 2020