

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

**BRITTANI GILLON,
CASINO GAMING EMPLOYEE LICENSE
APPLICANT**

Applicant.

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Case No. 2013-043

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On or about May 31, 2012, Applicant Brittani Gillon filed with the Ohio Casino Control Commission (“Commission”) an application for a casino gaming employee license. Thereafter, the Commission conducted a suitability investigation of Gillon to determine her 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 (7) otherwise is suitable for licensure, R.C. 3772.10(B) and (C)(7).

During a suitability investigation of Gillon, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Deny and Opportunity for Hearing (“Notice”), dated June 24, 2013. (Exhibit A.) The Notice was sent via certified mail return receipt requested, but was returned to the Commission marked “unclaimed” on or about July 26, 2013. (Exhibit B.) The Commission re-sent the Notice on July 29, 2013, via ordinary mail with a certificate of mailing. (Exhibit C.) The Notice was not returned to the Commission for failure of delivery.

Pursuant to R.C. 119.07 and 3772.04, Gillon had the right to a hearing if requested within 30 days of the Notice’s mailing. Gillon failed to do so, however. Accordingly, no hearing was held and the matter was brought before the Commission on September 18, 2013, 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:

1) The results of the criminal records check obtained by the Commission pursuant to R.C. 3772.07 and the results of the Commission's licensing investigation revealed that Gillon submitted an Application that contained false information and failed to set forth all of the information required by the Commission, to wit, she failed to disclose in Question #8 of the Application that:

A) She was convicted of, and/or pled guilty or no contest to, a "trespassing" violation on or about August 12, 2008, in the Cleveland Municipal Court; and

B) She was arrested for and/or charged with "falsification," "making false alarms," and "obstruct official business" violations on or about April 12, 2010, which resulted in a conviction of, and/or plea of guilty or no contest to, a "making false alarms" violation on or about May 25, 2010, in the Cleveland Municipal Court,

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

2) Gillon failed to establish, by clear and convincing evidence, her suitability for licensure as a casino gaming employee, as required by R.C. 3772.10(B) and (C)(7). In addition to the findings and conclusions outlined above, which resulted from the criminal records check obtained by the Commission pursuant to R.C. 3772.07 and the Commission's licensing investigation, she has warrants pending in the Cleveland Municipal Court.

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

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