



1. Getz failed to establish, by clear and convincing evidence, his suitability for licensure as a casino gaming employee, as required by R.C. 3772.10(B) and/or (C)(5) and/or (7) and/or Ohio Adm. Code 3772-8-05(A), because:

**A. January 28, 1986 – Consuming in a Motor Vehicle and Possession of Drug Paraphernalia Convictions**

- i. On January 28, 1986, he was convicted of a “consuming in a motor vehicle” offense, and a “possession of drug paraphernalia” offense, in the Hamilton Municipal Court; and/or
- ii. As a result of the Court’s finding of guilt, on January 28, 1986, he was sentenced to a \$50.00 fine, plus court costs;

**B. July 10, 1986 – Criminal Trespassing Conviction**

- i. On July 10, 1986, he was convicted of a “criminal trespassing” offense, in the Hamilton Municipal Court; and
- ii. As a result of the Court’s finding of guilt, on July 10, 1986, he was sentenced to a \$40.00 fine, plus court costs;

**C. April 20, 1987 – Operating a Vehicle Under the Influence of Alcohol or Drugs–OVI Conviction**

- i. On April 13, 1987, a criminal complaint was filed against him for or he was charged with one count of “operating vehicle under the influence of alcohol or drugs - OVI,” in violation of R.C. 4511.19(A)(3), a first-degree misdemeanor, in the Eaton Municipal Court;
- ii. On April 20, 1987, he pled guilty or no contest to one count of “operating vehicle under the influence of alcohol or drugs – OVI,” in violation of R.C. 4511.19(A), a first-degree misdemeanor, in the Eaton Municipal Court; and
- iii. As a result of the Court’s finding of guilt, on April 20, or May 28, 1987, he was sentenced to:
  - a. Driver’s license suspension for a period of one year;
  - b. Participation in a weekend intervention program;
  - c. A \$300.00 fine, with \$150.00 suspended, plus court costs in the amount of \$43.00, for a total amount of \$193.00;

- d. Confinement for 10 days, with 3 days credit for time served and participation in a weekend intervention program, and 7 days suspended; and
- e. Probation for a term of one year;

**D. April 14, 1989 – Operating a Vehicle Under the Influence of Alcohol or Drugs– OVI Conviction**

- i. On April 9, 1989, he was arrested for and charged with committing “operating vehicle under the influence of alcohol or drugs – OVI” offenses, in violation of R.C. 4511.19(A)(1) and/or (3), first-degree misdemeanors, and/or an “operation in willful or wanton disregard of the safety of persons or property” offense, in violation of R.C. 4511.20, a minor misdemeanor, in or around Hamilton County, Ohio;
- ii. On April 14, 1989, he pled guilty or no contest to one count of “operating vehicle under the influence of alcohol or drugs – OVI,” in violation of R.C. 4511.19(A)(3), a first-degree misdemeanor, in the Hamilton County Municipal Court; and
- iii. As a result of the Court’s finding of guilt, on April 21, 1989, he was sentenced to:
  - a. Confinement for 180 days, with 170 days suspended, for a total of 10 days confinement;
  - b. A \$500.00 fine, plus \$30.00 in court costs, for a total amount of \$530.00;
  - c. Driver’s license suspension for a term of three years, with one year suspended, for a total of two years to begin on April 14, 1989;
  - d. Probation for a term of two years to begin on April 14, 1989; and
  - e. Completion of 40 hours of Community Service;

**E. 1990 – Public Intoxication Conviction**

In 1990, he was convicted of a “public intoxication” offense, in the Jefferson County Circuit Court, in Madison, Indiana;

**F. 1992 – Driving Under the Influence and Possession of Marijuana Convictions**

In 1992, he was convicted of a “driving under the influence” and a “possession of marijuana” offense, in the Butler County Area II Court;

**G. August 11, 1996 – Disorderly Conduct Charge**

On August 11, 1996, he was cited for or charged with a “disorderly conduct” offense, in violation of R.C. 2917.11, a minor misdemeanor, in Hamilton County, Ohio, for which he was acquitted on or about May 22, 1997, in the Hamilton County Municipal Court;

**H. November 22, 2000 – Criminal Trespass Conviction**

- i. On November 10, 2000, he was charged with a “criminal trespass” offense, a fourth-degree misdemeanor, in the Fairfield Municipal Court;
- ii. On November 22, 2000, he pled guilty or no contest to one count of “criminal trespass,” a fourth-degree misdemeanor, in the Fairfield Municipal Court; and
- iii. As a result of the Court’s finding of guilt, on November 22, 2000, he was sentenced to a \$250.00 fine, plus court costs in the amount of \$55.00, for a total amount of \$305.00;

**I. April 14, 2003 – Operating a Vehicle Under the Influence of Alcohol or Drugs – OVI Charge**

- i. On April 14, 2003, he was cited for or charged with an “operating vehicle under the influence of alcohol or drugs – OVI” offense, in violation of R.C. 4511.19(A)(1), a first-degree misdemeanor, in Butler County, Ohio;
- ii. On October 15, 2003, he pled guilty and/or no contest to an amended count of “operation in willful or wanton disregard of the safety of persons or property,” in violation of R.C. 4511.20, a minor misdemeanor, in the Butler County Area II Court; and
- iii. As a result of the Court’s finding of guilt, on October 15, 2003, the Court sentenced him to:
  - a. An \$800.00 fine, with \$400.00 suspended, plus court costs in the amount of \$60.00, for a total amount of \$460.00;
  - b. Confinement for 30 days, with 28 days suspended;
  - c. Driver’s license suspension for 180 days;

- d. Two years non-reporting probation; and
- e. A total of four points added to driver's record;

**J. September 7, 2004 – Operating a Watercraft While Intoxicated Conviction**

- i. On September 7, 2004, a complaint was filed against him for or he was charged with an “operating a watercraft while intoxicated” offense, a class C misdemeanor, in the Dearborn County Superior Court, Indiana;
- ii. On September 7, 2004, he pled guilty or no contest to committing an “operating watercraft while intoxicated” offense, a class C misdemeanor, in the Dearborn County Superior Court, Indiana; and
- iii. As a result of the Court's finding of guilt, on September 7, 2004, he was sentenced to:
  - a. A \$150.00 fine, plus court costs in the amount of \$136.50, for a total of \$286.50;
  - b. Confinement for 60 days, with 50 days suspended; and
  - c. 180 days of non-reporting probation;

**K. October 25, 2009 – Driving Under the Influence of Alcohol or Drugs Charge**

- i. On October 25, 2009, he was arrested for and charged with committing an “OVI” offense, in violation of Lebanon Code of Ordinance 333.01, a first-degree misdemeanor, in or around Warren County, Ohio; and
- ii. On October 26, 2009, a criminal complaint was filed against him for or he was charged with a “driving under the influence of alcohol or drugs” offense, in violation of Lebanon Code of Ordinances 333.01, a first-degree misdemeanor, which was dismissed on or about November 16, 2009 in the Lebanon Municipal Court.

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

- 1) Getz's Application is **DENIED**.
- 2) Getz is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.

- 3) Getz 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 Getz, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

**IT IS SO ORDERED.**

  
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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 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 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.