

**STATE OF OHIO
CASINO CONTROL COMMISSION**

<i>In re:</i>	:	
	:	Case No. 2016-LIC-018
Melissa Moody	:	
CASINO GAMING EMPLOYEE LICENSE	:	
APPLICANT	:	
	:	
Applicant.	:	

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On September 10, 2015, Melissa Moody filed with the Ohio Casino Control Commission (“Commission”) a renewal application for a Casino Gaming Employee License. Thereafter, the Commission conducted a suitability investigation of Moody 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) submitting two sets of the applicant’s fingerprints and a photograph, R.C. 3772.131(E); (4) paying the nonrefundable application fee, R.C. 3772.131(E) and Ohio Adm. Code 3772-8-03, 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) reimbursing 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 3772.10(C)(1); and (7) being otherwise suitable for licensure, R.C. 3772.10(B) and (C)(7).

During a suitability investigation of Moody, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated August 29, 2016. (Exhibit A.) Moody received the Notice, sent via certified mail, on August 31, 2016. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Moody had the right to a hearing if requested within 30 days of the Notice’s mailing. Moody so requested, (Exhibit C) and the Commission scheduled a hearing for September 27, 2016; and upon its own motion, the Commission continued the hearing until November 22, 2016. Subsequently, the Commission issued an Amended Notice of Opportunity for Hearing (“Amended Notice”), dated November 18, 2016 (Exhibit D) and cancelled the hearing scheduled for November 22, 2016. Moody received the Amended Notice, by hand delivery, on November 18, 2016. (Exhibit E).

Pursuant to R.C. 119.07 and 3772.04, Moody had the right to a hearing if requested within 30 days of the Amended Notice’s delivery. She failed to do so. Accordingly, no hearing was held and the matter was brought before the Commission on January 18, 2017, 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:

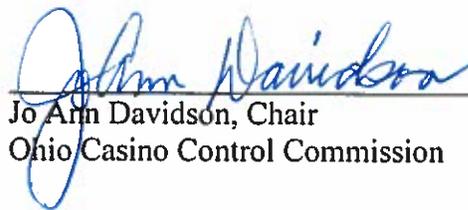
1. Moody was convicted of, or pled guilty or no contest to, one or more “disqualifying offenses,” as defined by R.C. 3772.07 and in violation of R.C. 3772.10, including:
 - a. A February 25, 2003 conviction for, or plea of guilty or not contest to, Making False Alarms, an offense that has an element of fraud or misrepresentation, in the Champaign County Municipal Court.
2. Moody submitted a casino gaming employee license application that contained false information or failed to set forth all of the information required by the Commission, in violation of R.C. 3772.10, R.C. 3772.131, Ohio Adm. Code 3772-8-02, and 3772-8-05, including:
 - a. She had a civil complaint and resulting February 7, 2007 lien or judgment filed against her in the Franklin County Municipal Court.
3. Moody is not suitable or otherwise eligible to be granted or to maintain a casino gaming employee license, as required by R.C. 3772.10 and Ohio Adm. Code 3772-8-05, based on the above allegations, including the underlying conduct, and the following:
 - a. She was cited for or charged with Operating a Vehicle Under the Influence of Alcohol or Drugs – OVI, which she was convicted of, or pled guilty or not contest to, on February 12, 2002 in the Marysville Municipal Court;
 - b. She was cited for or charged with Operating a Vehicle Under the Influence of Alcohol or Drugs – OVI, which she was convicted of, or pled guilty or not contest to, on August 28, 2003 in the Clark County Municipal Court;
 - c. She was charged with Passing Bad Checks on March 9, 2004 in Champaign County, Ohio;
 - d. She had a civil complaint and resulting June 7, 2006 lien or judgment filed against her in the Franklin County Municipal Court;
 - e. She was arrested for or charged with Resisting Arrest, which she was convicted of, or pled guilty or not contest to, on December 24, 2007 in the Hamilton County Municipal Court;
 - f. She was arrested for or charged with Domestic Violence on October 29, 2008 in Franklin County Ohio;
 - g. She had a civil complaint and resulting September 14, 2010 lien or judgment filed against her in the Franklin County Municipal Court;

- h. She had a Certificate of Judgment and resulting March 31, 2011 lien or judgment filed against her in the Franklin County Court of Common Pleas; or
 - i. She had a civil complaint and resulting August 21, 2014 lien or judgment filed against her in the Hamilton County Municipal Court.
4. Based on the above allegations, Moody has failed to establish, by clear and convincing evidence, her suitability for licensure as a casino gaming employee, as required by R.C. 3772.10 and Ohio Adm. Code 3772-8-05.

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

- 1) Moody's Renewal Application is **DENIED**.
- 2) Moody is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Moody is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three 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.
- 4) A certified copy of the Order shall be served upon Moody, 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 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.