

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2017-LIC-008
Christopher Bush, :
CASINO GAMING EMPLOYEE APPLICANT :
 :
Applicant. :

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE

On August 11, 2016, Christopher Bush 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 Bush to determine his eligibility for such a license.

During a suitability investigation of Bush, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated February 2, 2017. (State’s Ex. 2 at CCC2-5.) Pursuant to R.C. 119.07 and 3772.04, Bush had the right to a hearing if requested within 30 days of the Notice’s mailing. Bush so requested, (State’s Ex. 2 at 6.) and the Commission scheduled a hearing for March 7, 2017; and upon its own motion, the Commission continued the hearing until April 25, 2017. (State’s Ex. 2 at CCC7-9.) Bush did not appear at the hearing, and the Commission held the hearing as scheduled before Hearing Examiner Andrew P. Cooke (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner closed the record. (Tr. 20-21.) The Examiner prepared a Report and Recommendation (“R&R”), which he submitted on June 5, 2017. Therein, the Examiner found that Bush: (1) submitted an application to the Commission that contained false information, in violation of R.C. 3772.10, R.C. 3772.131, and Ohio Adm. Code 3772-8-02; (2) failed to notify the Commission of information impacting his suitability to obtain or maintain a casino gaming employee license, in violation of R.C. 3772.10 and Ohio Adm. Code 3772-8-04; and (3) had not established by clear and convincing evidence his suitability for licensure as a Casino Gaming Employee, as required by R.C. 3772.10(B) and Ohio Adm. Code 3772-8-05. (R&R at 5-9). As a result of these findings, the Examiner recommended that the Commission deny Bush’s renewal application for a Casino Gaming Employee License. (*Id.* at 9-10).

On June 8, 2017, the Commission attempted service of the R&R, via certified mail, to Bush. (App. 1; App. 2.) Upon determination that the R&R had likely been lost, the Commission re-sent the R&R, via certified mail, on October 19, 2017. (App. 3; App. 4). On November 30, 2017, upon a second determination that the R&R had likely been lost again, the Commission sent the R&R a third time, again via certified mail. (App. 5; App. 6). This time, the R&R was returned to the Commission marked “unclaimed” on January 19, 2018. (App. 7). The R&R was then re-sent, via ordinary mail with certificate of mailing on January 25, 2018. (App.8; App. 9). The

R&R was not returned to the Commission for failure of delivery. Therefore, Bush had until February 24, 2018 to file objections. *See* R.C. 3772.04(A)(2). Bush did not do so.

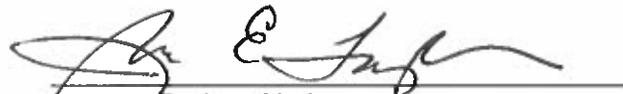
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on March 21, 2018, for final adjudication.

WHEREFORE, in consideration of the foregoing and upon a quorum and majority vote of the members, the Commission **ADOPTS** the Examiner's R&R without modification.

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

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

IT IS SO ORDERED.


June E. Taylor, 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 this Commission Order.