

**STATE OF OHIO  
CASINO CONTROL COMMISSION**

*In re:* :  
 : Case No. 2017-LIC-055  
**Kenneth Maxwell** :  
**CASINO GAMING EMPLOYEE LICENSE** :  
**APPLICANT** :  
 :  
 Applicant. :

**ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION**

On May 4, 2017, Kenneth Maxwell (“Maxwell”) filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License (“License”). Thereafter, the Commission conducted a suitability investigation of Maxwell to determine his 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 an administrative investigation of Maxwell, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated December 14, 2017. (Exhibit A.) Maxwell received the Notice, sent via certified mail, on December 18, 2017. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Maxwell had the right to a hearing if requested within 30 days of the Notice’s mailing. Maxwell failed to do so. Accordingly, no hearing was held, and the matter was brought before the Commission on February 21, 2018, 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) Maxwell submitted an 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, by:
  - A) Failing to disclose information under Question 8 that:

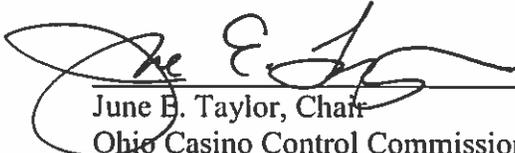
- i. He was arrested for or charged with two counts of Contempt of Court, for violating court orders to appear in court in the underlying cases, which he was convicted of, or pled guilty or no contest to, on September 15, 2008, in the Bedford Municipal Court;
  - ii. He was arrested for Driving Under Suspension and he was convicted of, or pled guilty or no contest to, Failure to Display License, on March 12, 2010, in the Bedford Municipal Court;
  - iii. He was arrested for or charged with Falsification, on January 3, 2011, in the Parma Municipal Court, which was dismissed upon his agreement and subsequent court order to pay court costs;
  - iv. He was arrested for or charged with Driving Under FRA Susp. and he was convicted of, or pled guilty or no contest to, No Operator License, on September 27, 2011, in the Parma Municipal Court;
  - v. He was arrested for or charged with Contempt, for violating a court order to appear in court in the case described in Paragraph (A)(iv), which he was convicted of on September 27, 2011, in the Parma Municipal Court;
  - vi. He was arrested for or charged with Contempt, for violating a court order to pay fines or costs in the cases described in Paragraphs (A)(iii)-(v), which he was convicted of, or pled guilty or no contest to, on March 26, 2014, in the Parma Municipal Court;
  - vii. He was arrested for or charged with Driving U/FRA Suspension and Right Turn on Red Prohibited, and he was convicted of, or pled guilty or no contest to, FTD Drivers License, on December 1, 2014, in the Parma Municipal Court;
  - viii. He was arrested for or charged with Disorderly Conduct/Intoxication, on October 5, 2014, in the Parma Municipal Court; or
  - ix. He was arrested for or charged with Speed, and he was convicted of, or pled guilty or no contest to, Faulty Muffler, on November 17, 2016, in the Bedford Municipal Court.
- B) Answering “NO” to Questions 16 and 18 when he should have answered “YES” because he had a civil complaint and resulting November 25, 2014 lien or judgment, and a December 8, 2015 wage garnishment filed against him in Parma Municipal Court.

- 2) Maxwell is not suitable or otherwise eligible to be granted or to maintain a 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:
  - i. He was arrested for or charged with Criminal Trespass, on September 15, 2004, in the Bedford Municipal Court;
  - ii. He was arrested for or charged with Criminal Trespass and Criminal Mischief, and he was convicted of, or pled guilty or no contest to, Criminal Trespass on January 10, 2005, in the Bedford Municipal Court; and
  - iii. He was arrested for or charged with Disorderly Conduct, on September 21, 2016, in the Garfield Heights Municipal Court.
- 3) Based on the above allegations, Maxwell has failed to establish, by clear and convincing evidence, his suitability for licensure, 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) Maxwell's Application is **DENIED**.
- 2) Maxwell is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Maxwell is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from the Order's effective date, 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 Maxwell, 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 the Commission Order.