

WAC 315-04-200 Denial, suspension or revocation of a license.

The director may deny an application for or suspend or revoke any license issued pursuant to these rules if:

(1) The applicant, lottery retailer, or any employee or representative of the lottery retailer:

(a) Fails to meet or maintain the eligibility criteria for license application and issuance established by chapter 67.70 RCW, or these rules;

(b) Fails to account for lottery tickets received or the proceeds of the sale of tickets or to post a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(c) Fails to pay to the lottery any obligation when due;

(d) Violates any of the provisions of chapter 67.70 RCW, or these rules;

(e) Fails to file any return or report or to keep records required by the director or by these rules;

(f) Fails to pay any federal, state, or local tax or indebtedness;

(g) Commits any fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the lottery;

(h) Fails to sell a sufficient number of tickets to meet administrative costs;

(i) Fails to follow the instructions of the director for the conduct of any particular game or special event;

(j) Fails to follow security procedures of the director for the handling of tickets or for the conduct of any particular game or special event;

(k) Makes a misrepresentation of fact to the purchaser, or prospective purchaser, of a ticket, or to the general public with respect to the conduct of a particular game or special event or the status of a ticket;

(l) Fails to comply with lottery point-of-sale requirements which have been published and disseminated to lottery retailers;

(m) Fails or is unable to meet financial obligations as they fall due in the normal course of business;

(n) Delays in accounting or depositing in the designated depository the revenues from the ticket sales;

(o) Has violated, or failed or refused to comply with any of the provisions, requirements, conditions, limitations, or duties imposed by chapter 9.46 RCW (Gambling Act), or chapter 7, Laws of 1982 2nd ex. sess., or when a violation of any provisions of chapter 7, Laws of 1982 2nd ex. sess., has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;

(p) Knowingly causes, aids, abets, or conspires with another to cause any person to violate any of the laws of this state;

(q) Has obtained a license by fraud, misrepresentation, concealment, or through inadvertence or mistake;

(r) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, willful failure to make required payments or reports to a governmental agency at any level, or filing false reports, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any misdemeanor, involving any gambling activity or physical harm to individuals or involving moral turpitude, or of any misdemeanor within the past six months of the license application date, or of any felony

within ten years of the license application date; except as specifically provided by law, the provisions of chapter 9.96A RCW apply. However, RCW 9.96A.020 does not apply to a person who is required to register as a sex offender under RCW 9A.44.130;

(s) Makes a misrepresentation of, or fails to disclose, a material fact to the commission or director on any report, record, application form, or questionnaire required to be submitted to the commission or director. Misrepresentation of, or failure to disclose, criminal history shall be considered a material fact for purposes of this section;

(t) Denies the commission or director or their authorized representatives, including authorized local law enforcement agencies, access to any place where a licensed activity is conducted, or fails to promptly produce for inspection or audit any book, record, document, or item required by law or these rules;

(u) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses indicated under subsection (1)(r) of this section: Provided, That at the request of an applicant for an original license, the director may defer decision upon the application during the pendency of such prosecution or appeal;

(v) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in lottery or gambling or related activities would be inimical to the proper operation of an authorized lottery or gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management, or execution of an activity for financial gain;

(w) Is a career offender or a member of a career offender cartel or an associate of a career offender or career offender cartel in such a manner which creates probable cause to believe that the association is of such a nature as to be inimical to the policy of this state or to the proper operation of the authorized lottery or gambling or related activities in this state. For the purposes of this section, career offender shall be defined as any person whose behavior is pursued in an occupational manner or context for the purpose of economic gain utilizing such methods as are deemed criminal violations of the public policy of this state. A career offender cartel shall be defined as any group of persons who operate together as career offenders.

(2) Public convenience is adequately served by other licensees.

(3) There is a history of theft or other form of loss of tickets or revenue from the locations specified on the license or another licensed location owned or operated, in part or total, by the same licensed retailer or applicant.

[Statutory Authority: RCW 67.70.040 (1), (3). WSR 21-06-052, § 315-04-200, filed 2/25/21, effective 3/28/21. Statutory Authority: RCW 67.70.040 (1), (3) and 67.70.040. WSR 07-11-154, § 315-04-200, filed 5/22/07, effective 6/22/07. Statutory Authority: RCW 67.70.040. WSR 99-01-038, § 315-04-200, filed 12/9/98, effective 1/9/99; WSR 94-23-047, § 315-04-200, filed 11/10/94, effective 12/11/94; WSR 87-01-058 (Order 97), § 315-04-200, filed 12/16/86; WSR 85-16-031 (Order 77), § 315-04-200, filed 7/30/85; WSR 85-09-004 (Order 72), § 315-04-200, filed 4/5/85. Statutory Authority: RCW 67.70.040 and 67.70.050. WSR 83-07-022 (Order 17), § 315-04-200, filed 3/11/83.

Statutory Authority: 1982 2nd ex.s. c 7. WSR 82-21-037 and 82-21-068
(Orders 2 and 2A), § 315-04-200, filed 10/15/82 and 10/20/82.]