

WASHINGTON'S LOTTERY
OFFICE OF THE DIRECTOR

In the Matter of:

CHARLES L. ANDERSON,

Claimant/Appellant

Docket No. 2023-06

INITIAL ORDER

Appearances:

Charles L. Anderson, pro se

Washington's Lottery, by Kristi Weeks

Presiding Officer: Crystal Fischer, Director of Information Services, per designation of Director

Joshua Johnston

ISSUE

Did Washington's Lottery (the Lottery) properly decline to pay Charles Anderson's claim when the ticket and claim form were never received by the Lottery?

SUMMARY OF PROCEEDINGS

This matter was decided pursuant to a brief adjudicative proceeding. WAC 315-20-125. No testimony was taken. The Director of the Lottery designated the undersigned to act as the Presiding Officer pursuant to WAC 315-20-125(2)(a).

Charles Anderson submitted a request for administrative review of a prize payment denial. The undersigned issued a scheduling letter on September 21, 2023. Both parties were provided the opportunity to submit written materials, including arguments, documentation, evidence and declarations. Kristi Weeks timely submitted a Hearing Brief with 2 Exhibits on

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ORIGINAL

1 behalf of the Lottery. Mr. Anderson submitted an unsworn email dated September 28, 2023.

2 Both parties had the opportunity to submit responsive materials.

3 The Presiding Officer considered the materials and exhibits submitted by the parties,
4 together with the preliminary record as defined in WAC 315-20-125(3)(a).
5

6 I. FINDINGS OF FACT

7 1.1 Washington's Lottery (Lottery) operates a draw game called Daily Keno (Keno). As
8 indicated in the name, Keno drawings occur daily. A player can choose between one and ten
9 number spots. If the numbers selected by the player match the numbers drawn by the Lottery,
10 the player wins a prize. A player who selects five number spots and matches all five numbers to
11 those selected by the Lottery wins \$1,000 on a \$1.00 wager. Matching four spots on a \$1.00
12 wager wins a \$4.00 prize.
13

14 1.2 Mr. Anderson purchased a Keno ticket containing two \$1.00 wagers for five
15 consecutive Keno drawings held on Thursday July 13, 2023, through Monday July 17, 2023.
16 This ticket would have resulted in a total win of \$1,004.00 (\$1,000.00 from the July 14 drawing
17 and \$4.00 from the July 15 drawing).
18

19 1.3 On or about July 20, Mr. Anderson completed a claim form. He alleges he sent the
20 claim form and the ticket to the Lottery using U.S. mail. Prior to doing so, he made a copy of the
21 claim form and took photographs of the front and back of the ticket. He did not take a
22 photograph of the envelope they were mailed in, nor did he send the envelope by certified or
23 registered mail.
24

25 1.4 The Lottery never received the envelope containing Mr. Anderson's ticket and claim
26 form.
27

1 1.5 On or about September 8, 2023, the Lottery's Director of Security and Licensing,
2 Derek Poppe, on delegated authority of the Lottery Director, notified Mr. Anderson in writing
3 that his claim was denied because he failed to present an actual ticket for payment.

4 1.6 On or about September 15, 2023, Mr. Anderson personally delivered a timely
5 request for Administrative Review to the Lottery's Federal Way Office.
6

7 1.7 On September 21, 2023, the Presiding Officer assigned to this matter issued a
8 Scheduling Order. The Scheduling Order specifically informed the parties that materials must be
9 filed and served by U.S. mail or hand delivery. Mr. Anderson subsequently emailed an unsworn
10 statement to the Lottery's BAP Coordinator that was addressed to "Kristi & Parties."
11

12 1.8 In his emailed statement, Mr. Anderson claimed that he mailed the ticket and
13 claim form to the Lottery as indicated on the back of the ticket. He did not send them registered
14 or certified because that was not indicated on the ticket. Before mailing, he made copies of the
15 ticket, claim, form, and retained the original validation slip. He also described interactions he
16 had with Lottery staff while he attempted to claim the prize associated with the missing ticket.
17

18 1.9 The undersigned finds Mr. Anderson's claim regarding mailing the ticket and
19 claim form to be credible.

20 II. CONCLUSIONS OF LAW

21 2.1 The Director of the Lottery and the Presiding Officer, by delegated authority,
22 have jurisdiction over the subject of this proceeding. RCW 67.70.060.
23

24 2.2 In purchasing a ticket, the purchaser agrees to comply with chapter 67.70 RCW,
25 Title 315 WAC, the final decisions of the Director, and all procedures established by the Director
26 for the conduct of games. WAC 315-06-070.
27

1 2.3 A ticket bearer claiming a prize shall submit the apparent winning ticket as
2 specified by the Director. WAC 315-30-030(5).

3 2.4 To claim a prize of more than \$600.00, the claimant shall obtain and complete a
4 claim form or otherwise provide necessary information, as provided in WAC 315-06-120, and
5 submit it with the ticket to the Lottery by mail or in person. WAC 315-30-030(6)(b).
6

7 2.5 Any ticket failing any validation requirement listed in WAC 315-30-050(1) is
8 invalid and ineligible for a prize. WAC 315-30-050(2).

9 2.6 Mr. Anderson did not submit a winning ticket to the Lottery because the ticket
10 was lost in the mail.

11 2.7 The Lottery properly denied Mr. Anderson's prize payment claim.

12
13 III. ORDER

14 Based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED:
15 Mr. Anderson's appeal is DENIED.

16 Dated this 21 day of November, 2023.

17
18
19 *Crystal Fischer*
20 _____
CRYSTAL FISCHER
21 Presiding Officer

22 NOTICE TO PARTIES

23 When signed by the Presiding Officer, this Order shall be considered an Initial Order.
24 Any party may file a written Petition for Administrative Review of this Initial Order. A **Petition**
25 **for Administrative Review must state the specific grounds upon which exception is taken**
26

1 **and the relief requested.** A Petition for Administrative Review must be filed with the Director
2 within 21 days of service of the Initial Order. WAC 315-20-125(5).

3 The Petition for Administrative Review may be filed by personal delivery at:

4 Director, Washington's Lottery
5 814 4th Avenue East
6 Olympia, WA 98504

7 Or by mail at:

8 Director, Washington's Lottery
9 PO Box 43000
10 Olympia, WA 98504-3000

11 A copy must be served on the opposing party at the time it is filed with the Director.
12 WAC 315-20-125(5). If the opposing party is represented by counsel, the copy must be sent to
13 the attorney

14 "Filed" means actual receipt of the document by the Lottery. RCW 34.05.010(6).

15 "Served" means the day the document was personally delivered or deposited in the United States
16 mail. RCW 34.05.010(19).

17 If Administrative Review is not timely requested as provided above, this Initial Order
18 becomes a Final Order and takes effect at 5:00 pm on December 14, 2023 (21 days after
19 service of the Initial Order). WAC 315-20-125(4).

20 Failure to timely file and serve a Petition for Administrative Review may result in the
21 inability to obtain judicial review due to failure to exhaust administrative remedies. RCW
22 34.05.534.

23 Initial and Final Orders are public documents and may be released as required by the
24 Public Records Act, chapter 42.56 RCW.