

WASHINGTON'S LOTTERY
OFFICE OF THE DIRECTOR

In the Matter of:

Docket No. 2024-01

MONIQUE HEARD d/b/a
SUN STAR FOOD MART,

INITIAL ORDER

Applicant/Appellant

Appearances:

Monique Heard, *pro se*, on behalf of Sun Star Food Mart

Washington's Lottery, by Kristi Weeks

Presiding Officer: Cassi Villegas, per designation of Director Joshua Johnston

ISSUE

Did the Lottery properly deny a retailer license to Monique Heard and Sunstar Food Mart?

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).

Monique Heard, on behalf of Sun Star Food Mart, timely submitted two letters from creditors NCB Management Services Incorporated and Portfolio Recovery Associates, LLC. Kristi Weeks, on behalf of Washington's Lottery (Lottery), timely submitted a Hearing Brief with five Exhibits. Both parties had the opportunity to submit responsive materials.

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

INITIAL ORDER
DOCKET NO. 2024-02

ORIGINAL

1 I. FINDINGS OF FACT

2 1.1 On or about January 22, 2024, the Lottery received a retailer application from
3 Monique Heard on behalf of Sun Star Food Mart in Kent, Washington.

4 1.2 Monique Heard's role at Sun Star Food Mart is unclear. However, the fact that
5 she submitted an application on behalf of Sun Star Food Mart indicates some sort of ownership
6 or other financial and/or operational interest.

7 1.3 Lottery staff conducted credit rating checks of Ms. Heard and Sun Star Food
8 Mart. The resulting Experian report for Ms. Heard indicated five accounts with satisfactory
9 payment; 12 accounts 30 days past due; six accounts 60 days past due; and five accounts 90+
10 days past due. Her ScorePLUS score was 480, which Experian rated as in the "High" risk
11 category. Eight accounts were listed as "collections, charge-off or bankruptcy."
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13 1.4 Based on the Experian credit reports, the Lottery determined that the applicant's
14 credit rated as "poor" under the criteria established in WAC 315-04-095.
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16 1.5 On January 26, 2024, the Lottery's Director of Security and Licensing, on
17 delegated authority from the Director of the Lottery, notified Ms. Heard, in writing, that her
18 application on behalf of Sun Star Food Mart was denied.
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20 1.6 On January 29, 2024, Ms. Heard submitted a timely request for Administrative
21 Review to the Lottery.
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23 II. CONCLUSIONS OF LAW

24 2.1 The Director of the Lottery and the Presiding Officer, by delegated authority,
25 have jurisdiction over Ms. Heard and Sun Star Food Mart and the subject of this proceeding.
26 RCW 67.70.060.
27

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

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

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

7 If Administrative Review is not timely requested as provided above, this Initial Order
8 becomes a Final Order and takes effect at 5:00 pm on April 30, 2024 (21 days after
9 service of the Initial Order). WAC 315-20-125(4).
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12 Failure to timely file and serve a Petition for Administrative Review may result in the
13 inability to obtain judicial review due to failure to exhaust administrative remedies. RCW
14 34.05.534.

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