

WASHINGTON'S LOTTERY
OFFICE OF THE DIRECTOR

In the Matter of:

Docket No. 2023-07

PATRICK FORD,

FINAL ORDER

Claimant/Appellant

Appearances:

Patrick Ford, *pro se*

Washington's Lottery, by Kristi Weeks

Reviewing Officer: Joshua Johnston, Director, Washington's Lottery

ISSUES

Did Washington's Lottery (Lottery) properly deny Patrick Ford's prize claim when the ticket was lost by the United States Postal Service and never received by the Lottery?

SUMMARY OF PROCEEDINGS

This matter was decided pursuant to a brief adjudicative proceeding (BAP). WAC 315-20-125. No testimony was taken, and oral argument was not requested by either party. The undersigned Director of the Lottery designated Crystal Fischer, the Lottery's Director of Information Services, to act as the Presiding Officer pursuant to WAC 315-20-125(2)(a).

The following documents were filed prior to issuance of the Presiding Officer's Initial Order:

- On October 30, 2023, Mr. Ford, acting *pro se*, timely filed a one-page statement, with twenty-two (22) pages of supporting documents.

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ORIGINAL

- 1 • On October 31, 2023, Kristi Weeks, on behalf of Washington’s Lottery (Lottery), timely
2 filed a Hearing Brief with three (3) Exhibits, and a proposed Initial Order.
- 3 • On November 3, 2023, Mr. Ford timely filed a one-page document consisting of an email
4 from the United States Postal Service indicating it was unable to locate his missing item.

5 The Presiding Officer considered the materials and exhibits submitted by the parties,
6 together with the preliminary record as defined in WAC 315-20-125(3)(a) and issued an Initial
7 Order on November 28, 2023.
8

9 On December 14, 2023, Mr. Ford timely filed a Petition for Administrative Review by
10 the Director.
11

12 On December 19, 2022, Ms. Weeks timely filed a Response to Mr. Ford’s Petition.

13 I. FINDINGS OF FACT

14 1.1 The Lottery operates a draw game called Match 4. Match 4 drawings occur daily.
15 A player selects four numbers between one and twenty-four. If the numbers selected by the
16 player match the numbers drawn by the Lottery, the player wins a prize. A player who matches
17 all four numbers to those selected by the Lottery wins \$10,000.
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19 1.2 In June of 2023, a Match 4 ticket (the Ticket) was sold containing two wagers for
20 each of twenty-five consecutive drawings. The Ticket contained one wager that matched all four
21 numbers drawn by the Lottery. This ticket would be eligible for a \$10,000 prize. Mr. Ford
22 claims to be the purchaser of the Ticket and presented evidence that this purchase was consistent
23 with other ticket purchases he has made. However, this information is not relevant to the core
24 issue of whether or not the Lottery received the ticket in question.
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26 1.3 Mr. Ford states that he completed a claim form and sent the claim form and the
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1 Ticket to the Lottery using U.S. mail. He did not make a copy or take a photograph of the
2 Ticket.

3 1.4 The Lottery never received the package containing the Ticket and claim form.
4 According to the United States Postal Service, the package mailed by Mr. Ford was last located
5 at the Seattle Distribution Center on July 8, 2023.
6

7 1.5 Mr. Ford contacted the Lottery to inquire about the lost Ticket. A member of the
8 Lottery's Security staff, Debbie Porter, looked into the matter.

9 1.6 On or about September 8, 2023, the Lottery's Director of Security and Licensing,
10 Derek Poppe, on delegated authority of the Lottery Director, notified Mr. Ford in writing that his
11 claim was denied because he failed to present an actual ticket for payment.
12

13 1.7 On or about September 27, 2023, Mr. Ford submitted a timely request for
14 Administrative Review to the Lottery.

15 1.8 Mr. Ford relies on the Lottery's written publications regarding a player's ability to
16 redeem winning tickets via U.S. mail. However, mailing is not required, and players can redeem
17 tickets in person at one of six Lottery offices located across the state.
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19 1.9 The undersigned finds Mr. Ford's claim regarding mailing a ticket and claim form
20 to the Lottery to be questionable. However, it is clear that something was mailed to
21 Washington's 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 the subject of this proceeding. RCW 67.70.060.

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

3 2.3 The Director's decisions and judgment in respect to the determination of a
4 winning ticket or any other dispute arising from the payment or awarding of prizes shall be final
5 and binding upon all participants in the Lottery. WAC 315-06-120(16).
6

7 2.4 A ticket bearer claiming a prize shall submit the apparent winning ticket as
8 specified by the Director. WAC 315-30-030(5).

9 2.5 A draw game ticket is a computer-generated draw ticket issued by a Lottery
10 retailer to a player as a receipt for the combination(s) a player has selected, or as a receipt of the
11 predetermined numbers, symbols or characters selected by the Lottery terminal, or a raffle ticket.
12 That ticket shall be the only acceptable evidence of the combination(s) of digits, numbers, or
13 symbols selected. WAC 315-30-020(3).
14

15 2.6 To claim a prize of more than \$600.00, the claimant shall obtain and complete a
16 claim form or otherwise provide necessary information, as provided in WAC 315-06-120, and
17 submit it with the ticket to the Lottery by mail or in person. WAC 315-30-030(6)(b).
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19 To be a valid winning draw ticket, all of the following conditions must be met:

- 20 • All printing on the ticket shall be present in its entirety, be legible, and correspond, using
21 the computer validation file, to the combination and date printed on the ticket.
- 22 • The ticket shall be intact.
- 23 • The ticket shall not be mutilated, altered, or tampered with in any manner.
- 24 • The ticket shall not be counterfeit or an exact duplicate of another winning ticket.
- 25 • The ticket must have been issued by an authorized online retailer in an authorized
26 manner.
- 27 • The ticket must not have been stolen.
- 28 • The ticket must not have been canceled or previously paid.
- The ticket shall pass all other confidential security checks of the Lottery.

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2 WAC 315-30-050(1).

3 2.7 Any ticket failing any validation requirement listed in WAC 315-30-050(1) is
4 invalid and ineligible for a prize. WAC 315-30-050(2).

5 2.8 Mr. Ford did not submit a winning ticket to the Lottery because the Ticket was
6 lost in the mail.

7
8 2.9 The Lottery properly denied Mr. Ford's prize payment claim.

9 III. ORDER

10 Based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED:

11 3.1 The Initial Order was properly decided.

12 3.2 Mr. Ford's appeal is DENIED.

13
14 Dated this 21 day of December, 2023.

15
16 
17 JOSHUA JOHNSTON
18 Reviewing Officer

19 NOTICE TO PARTIES

20 Ether party may file a Petition for Reconsideration. A Petition for Reconsideration must
21 be filed within ten (10) days of service of this Final Order. RCW 34.05.470(1).

22 The Petition for Reconsideration may be filed by personal delivery at:

23 Director, Washington's Lottery
24 814 4th Avenue East
25 Olympia, WA 98504

26 Or by mail at:

1 Director, Washington's Lottery
2 PO Box 43000
3 Olympia, WA 98504-3000

4 A copy must be served on the opposing party at the time it is filed with the Director. If
5 the opposing party is represented by counsel, the copy must be sent to the attorney

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

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

9 A Petition for Reconsideration must state the specific grounds for reconsideration and
10 what relief is requested. RCW 34.05.470(1). A Petition for Reconsideration is denied if the
11 Reviewing Officer does not respond in writing within twenty (20) days. RCW 34.05.470(3).

12 A Petition for Judicial Review must be filed and served withing thirty (30) days after
13 service of this Final Order. RCW 34.05.542(2). The procedures are identified in chapter 34.05
14 RCW, Part V, Judicial Review and Civil Enforcement. A Petition for Reconsideration is not
15 required before seeking judicial review. If a timely Petition for Reconsideration is filed, the 30-
16 day period does not begin until the Petition for Reconsideration is resolved. RCW 34.05.470(3).
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