

First Texas Poker Room Case Rules Poker Room Illegal

Re: Dallas County District 14 - Case Number DC-22-03741

On October 25, 2022 in District Court 14, Judge Moye held a hearing for the City of Dallas vs Board of Adjustments Re Texas Card House, a Poker Club operating near 635 and 35E. The Dallas Board of Adjustments ruled earlier this year that the City of Dallas acted inappropriately by revoking the Card House's Certificate of Occupancy. The Certificate of Occupancy for the Poker Room was issued by the City prior to determining Poker Rooms to be illegal. The City then sued the Board saying their decision to allow the club to stay open was illegal.

Prior to August of 2021, the City of Dallas believed that Poker Clubs were legal since they were private clubs and no rake (percentage of bets) was taken from the pot for the house. They later found that Poker Houses were illegal, since many people profited from hosting the game of Poker. This is a violation of both State Statutes and the Texas Constitution. After finding Poker Clubs to be illegal, the City acted to deny the 5 new Certificates of Occupancy that were applied for, and moved to revoke Certificates from the Clubs already in operation. The Board of Adjustments went against the City's decision, ruling that since nothing had changed other than "the city changing its mind", that previously approved Poker Clubs should remain open until a legal judgement had been made.

On October 27, Judge Moye ruled that the Poker Club was indeed operating illegally, that the City acted properly in revoking the Certificate of Occupancy and that the Board of Adjustments acted illegally in allowing the club to stay open. Though there are in excess of 50 Poker Clubs operating in the State of Texas, this is the first case to go to trial. Harris County did attempt to try a case against a Houston Poker Club, but the case was withdrawn due to a conflict of interest in the Harris County District Attorney office.

Even though this case will likely be appealed, this ruling should enable the City of Dallas and other Dallas County entities to close down the Poker Clubs currently in operation.

This hearing took place just two weeks after a Poker Club was raided in Watauga, east of Ft Worth in Tarrant County. <https://www.pokernews.com/news/2022/10/texas-watauga-poker-club-raided-dallas-fort-worth-42258.htm>

Other Poker Clubs are rumored to be opening soon, including two in Irving. One owned by Champions at MacArthur and 183 and another at MacArthur and 635. The Champions club is to be located at a former VW Dealership adjoining a Church parking lot. It now appears both of these are very much in doubt.

It is expected that other Texas entities will move to close Poker Rooms in other jurisdictions. This is far from over with 4 other cases pending in Dallas District Court. With appeals, it may eventually be settled in the Texas Supreme Court, but this is certainly a monumental first start.