

NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION

A. Facility/Vendor:
Resorts World NYC

Date of Notification: 02-6-2023

Date of Violation: 01-28-2023

Case Number: Gaming 23-002

B. Facility/Employee Cited:

<u>Name</u>	<u>License #</u>	<u>Address</u>
Resorts World NYC		110-00 Rockaway Blvd, Jamaica NY 11420
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

C. Statute, Regulation or Internal Control Violated:

§ 5117.1. Underage gaming violations.

(a) No video lottery gaming agent, representative, licensed employee or contractor thereof, shall allow, permit or suffer any person under the age of 18 years (*underage person*) to:

- (1) participate as a player at any game in a video lottery gaming facility;
- (2) receive any complimentary service(s) or item(s) as a result of, or in anticipation of, such person’s gaming activity.
- (3) be present on the gaming floor without the escort of a licensed video lottery facility employee and for longer than necessary to reach a destination that is not on the gaming floor.

(b) To insure compliance with this section, each video lottery gaming agent shall post appropriate security personnel at the entrances to the video lottery gaming facility.

(c) Each violation of any of the provisions of subdivision (a) of this section as to a single underage person shall be considered a separate and distinct violation.

(1) The commission shall penalize a licensee found to have violated paragraph (1) of subdivision (a) of this section as follows:

- (i) for a first violation, a fine of \$5,000;
- (ii) for a second violation within one year of a violation, a fine of \$20,000.
- (iii) for a third violation within one year of a violation, a fine of \$25,000; and Rules and Regulations Chapter IV (Division of Gaming) Subchapter A (Video Lottery Gaming) 9 NYCRR §§ 5100-5122.4 892 updated (06/16)

(2) The commission shall penalize a licensee found to have violated paragraph (3) of subdivision (a) of this section as follows:

- (i) for a first violation, a fine of \$1,000;
- (ii) for a second violation within one year of a violation, a fine of \$5,000.
- (iii) for a third violation within one year of a violation, a fine of \$10,000; and
- (iv) for a fourth violation or subsequent violation within one year of a violation, a fine of \$25,000 and such further action as the commission may deem appropriate, which may include without limitation the suspension or revocation of the occupational license of any key employee found to be responsible for the violation.

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D. Summary of Violations:

On January 28, 2023, a minor, later identified as [REDACTED] of [REDACTED]; NYS ID [REDACTED]; DOB: [REDACTED], attempted to enter Resorts World Casino New York City through the Times Square North entrance. The minor was denied entry by Security Officer [REDACTED] and Security Officer [REDACTED]. The minor then proceeded to the Fifth Avenue North entrance and handed his New York State ID card to Security Officer [REDACTED]. S/O [REDACTED] looked at the NYS ID, failed to swipe the minors ID card in the ID card reader and granted the minor access to the gaming floor. The minor was observed on camera placing wagers continuously at [REDACTED] (01:42 AM – 01:47 AM), [REDACTED] (01:48 AM – 01:50 AM), [REDACTED] (01:57 AM – 01:59 AM) and [REDACTED] (02:01 AM – 02:12 AM). The minor attempted to redeem two vouchers at the Times Square Cage on behalf of his companion at 03:53 AM. The minor was flagged in the system and Cage Floor Manager [REDACTED] notified Surveillance. Security Personnel [REDACTED], [REDACTED], [REDACTED] and [REDACTED] arrived at the cage area to assess the situation. At 04:14 AM, the minor engaged in conversation with the Security staff on the scene. Security staff were negligent in that they failed to recognize the minor as the same person on the NYS ID that they had in their possession. They were also negligent in not escorting the minor out of the facility. At 04:15 AM, the minor, unencumbered, spoke to his companions and left the cage area. The minor exited through the Times Square North entrance at approximately 04:17 AM unescorted.

Accordingly, the Division of Gaming hereby levies a fine of \$6,000 to Resorts World NYC in Jamaica, NY 11420 for a first violation in the last 365 days of paragraph (3) of subdivision (c) (1)(i) & (2) (i) of §5117.1. Please remit the fine to the New York State Gaming Commission on or before 03/5/2023. [REDACTED]

[REDACTED] If you wish to contest the violation set forth in this notice, you may request an administrative review by the New York State Gaming Commission including a hearing pursuant to Racing, Pari-Mutuel Wagering and Breeding Law 104(6).

Please submit a request for any such administrative review to Kristen Buckley, Acting Secretary to the Commission, New York State Gaming Commission, One Broadway Center, Schenectady, New York 12305, within 30 days of receipt of this notice.

Facility Explanation of Violation (use additional sheets if required) *:

E. Action Taken By Facility:

NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION

F. Name of Individual Completing this Form:

Printed: Jim Googas

Signature: 

Title: Deputy Director, Division of Gaming

Date: _____

***To avoid further action pursuant to Video Gaming Regulation §5113.1, please provide sufficient explanation and action taken by facility within 30 days of the date of this notification. Please submit this completed form to:**

New York State Gaming Commission
Video Gaming Unit
One Broadway Center
Schenectady, NY 12301

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For New York State Gaming Commission Use Only:

cc: Edmund Burns, General Counsel
Thomas Anapolis, Director, Division of Gaming
Licensing