



# Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500  
[www.gaming.ny.gov](http://www.gaming.ny.gov)

May 1, 2019

## Sent Via Electronic Mail

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Re: Notice of Violation 19-DEL-03

Dear [REDACTED]

The New York State Gaming Commission, Division of Gaming (“Commission”) has investigated an incident that occurred on March 30, 2019 at del Lago Resort and Casino (“del Lago”) during which an individual identified as [REDACTED] DOB [REDACTED], an underage male, was allowed access to the gaming floor.

On 3/30/2019 at 12:00pm, Sr. Gaming Operations Inspector [REDACTED] was conducting gaming floor observations with Security Shift Supervisor [REDACTED]. While standing at the center of the casino floor, Security Shift Supervisor [REDACTED] observed a younger looking black male walk past with 1 other older black male. At 12:01pm Security Shift Supervisor [REDACTED] approached and asked both males for identification. The older black male was identified as [REDACTED] DOB [REDACTED] and the younger black male was identified as his son, [REDACTED] DOB [REDACTED] (19 years old). Patron [REDACTED] stated to Security Shift Supervisor [REDACTED] that he and his son, [REDACTED] were walking to the promotions giveaway in the Vine. Security Shift Supervisor [REDACTED] advised Patron [REDACTED] and [REDACTED] that [REDACTED] is underage and escorted him off the gaming floor through the West Entrance.

At no time did Security Officer [REDACTED] ask underage patron [REDACTED] for identification when he gained access to the gaming floor through the West Entrance. Underage Patron [REDACTED] was on the gaming floor for a total of minutes 5 and 39 seconds. At no time was underage patron [REDACTED] observed gambling or consuming alcoholic beverages. Underage patron [REDACTED] was on Surveillance coverage the entire time that he was on the gaming floor.

[REDACTED] Review showed the following:



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VIOLATION TIMELINE AND NARRATIVE		
Timeline	██████████	Narrative Description of Events
11:56:39 to 11:56:41	██████████ ██████████	At the West entrance, Patron 1- underage ██████████ wearing black jacket and black pants enters the gaming floor with patron 2- ██████████ (father) wearing dark green jacket, dark green pants and green hat. Underage male ██████████ and his father, patron ██████████ enter the gaming floor unchallenged by Security Office Enrique Quintanilla #1119 .
11:56:42 to 11:56:46	██████████ ██████████	Observed underage ██████████ and his father, patron ██████████ walking between slot areas Delta and Echo sections of the gaming floor.
11:56:46 to 11:57:25	██████████ ██████████	Observed underage ██████████ and his father, patron ██████████ walking between the Delta and Echo sections of the gaming floor
11:57:26 to 11:57:37	██████████ ██████████	Observed underage ██████████ and his father, patron ██████████ walking between Pit 1 and the Kilo slot section of the gaming floor.
Enter time	██████████ ██████████	Observed underage ██████████ and his father, patron ██████████ walking between Pit 1 and Pit 5(High limits) section of the gaming floor.
11:57:50 to 11:58:02	██████████ ██████████	Observed underage ██████████ and his father, patron ██████████ walking between the slot area Hotel and the Vine section.
11:58:03 to 12:01:01	██████████ ██████████	Security Shift ██████████ approached and asks for identification from both ██████████ DOB 10/29/1964 and his son ██████████ DOB 2/1/2000(19)
12:01:01 to 12:01:12	██████████ ██████████	Security Shift Supervisor ██████████ escorting Underage ██████████ Between the Hotel section and the Vine.
12:01:13 to 12:01:40	██████████ ██████████	Security Shift Supervisor ██████████ escorting Underage ██████████ between Pit █ and the Hotel section of the gaming floor.
12:01:41 to 12:01:59	██████████ ██████████	Security Shift Supervisor ██████████ escorting Underage ██████████ between ██████████ and ██████████ sections of the gaming floor.
12:02:00 to 12:02:15	██████████ ██████████	Security Shift Supervisor ██████████ escorting Underage ██████████ between ██████████ and ██████████ sections of the gaming floor to the West Entrance.
12:02:16 to 12:02:21	██████████ ██████████	Security Shift Supervisor ██████████ escorting Underage ██████████ off the gaming floor through West Entrance.

In conclusion, an individual under the age of 21, identified as ██████████ gained access to the de Lago casino gaming floor without being challenged and/or having his identification checked by del Lago Security Officer ██████████. ██████████ was on the casino gaming floor for approximately six minutes.



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After a review of the facts and circumstances as outlined above, evidence shows an individual identified as underage male [REDACTED] accessed the casino gaming floor. As such, del Lago Resort and Casino is in violation of 9 NYCRR § 5313.2(d)(3). Paragraph (3) states that a gaming facility licensee shall not allow or permit any person who is under 21 years of age to be present on the gaming floor without the escort of a licensed gaming facility employee and for longer than necessary to reach a destination that is not on the gaming floor. A violation of paragraph (3) carries a fine of \$25,000 for a fourth occurrence within a year of a violation. As a reminder, the most recent occurrences were set forth in my letter of May 1, 2019.

Please remit the amount of this fine (\$25,000) to the New York State Gaming Commission within 30 days of the date of this letter. [REDACTED]. Payments not timely made will be subject to interest and collection fees pursuant to State Finance Law Section 18.

If you wish to contest the violation contained in this letter, you may request a hearing pursuant to Article 3 of the State Administrative Procedure Act and Article 13 of the Racing, Pari-Mutuel Wagering and Breeding Law. Please submit a request for a hearing to Kristen Buckley, Acting Secretary to the Commission, New York State Gaming Commission, P.O. Box 7500, Schenectady, New York 12301 within 30 days of receipt of this letter. Failure to appeal within 30 days will be considered a waiver of any available appeal, and any requests to appeal received after the 30 days will be rejected as untimely.

Sincerely,

Thomas A. Anapolis  
Director, Division of Gaming