



Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500
www.gaming.ny.gov

June 13, 2018

Sent Via Electronic Mail

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

Re: Notice of Violation 18-DEL-01

Dear [REDACTED],

The New York State Gaming Commission, Division of Gaming has investigated an incident that occurred on April 22, 2018 at del Lago resort and Casino during which an individual identified by del Lago Resort and Casino as underage male was allowed access to the gaming floor.

Commission Commercial Supervising Gaming Inspector [REDACTED] and Gaming Inspector [REDACTED] reviewed the del Lago Surveillance Report as well as relevant video evidence of the incident.

[REDACTED] Review showed the following:

Timeline	[REDACTED]	Narrative Description of Events
1500:48	[REDACTED]	Underage entered the knee wall doorway at the Hotel entrance in Slot Section [REDACTED]. The sign on the knee wall doorway reads: Enter Casino at Podium.
1500:48	[REDACTED]	Security Officer [REDACTED] is checking another male patron's ID who is at the security podium and appears to look in the direction of the individuals who are walking in with the Underage who are entering through a set of hinged doors on the knee wall to the left and a few feet from the Security Podium.
1500:49 – 1501:04	[REDACTED]	Underage proceeds to walk in Slot Section [REDACTED] towards Pit [REDACTED]. At no time did he touch/engage any gaming table or slot machine.
1501:05 – 1501:29	[REDACTED]	Underage proceeds to walk from Slot Section [REDACTED] past Pit [REDACTED]. At no time did he touch/engage any gaming table or slot machine.
1501:30 – 1501:50	[REDACTED]	Underage proceeds to walk from the Pit [REDACTED] area towards Slot Section [REDACTED]. At no time did he touch/engage any gaming table or slot machine.
1501:51 – 1501:58	[REDACTED]	Underage proceeds to walk past the end of Pit [REDACTED] towards Slot Section [REDACTED]. At no time did he touch/engage any gaming table or slot machine.
1501:59 – 1502:05	[REDACTED]	Underage proceeds to walk in Slot Section [REDACTED] towards the Buffet. At no time did he touch/engage any gaming table or slot machine.
1502:06 – 1508:04	[REDACTED]	Underage stands in the Buffet line. At no time did he leave the Buffet line to touch/engage any gaming table or slot machine.



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1508:05 – 1508:20	■	Underage enters the Buffet.
1508:21 – 1508:24	■	Underage continues to walk in the Buffet towards a table.
1508:25 – 1508:37	■	Underage enters the Buffet Terrace and is seated at a nearby table.
1508:38 – 1511:31	■	Underage remains seated at the Buffet table.
1511:32 – 1514:41	■	Security Shift Manager ■ and Security Shift Supervisor ■ made contact with the Underage.
1514:42 – 1514:52	■	Underage was escorted out of the Buffet by ■ and ■.
1514:53 – 1515:21	■	Underage was escorted out of the Buffet and then out via the South entrance.

In addition to the CCTV review, the del Lago Security Report ■ states when Security Manager ■ asked the woman who was with the underage male if he was over 21 years of age, the woman replied that the underage male was under 21. Supervisor ■ then informed the woman accompanying the underage male of the casino's policy related to individuals under the age of 21. Supervisor ■ told the party that the underage individual must leave the gaming floor.

After a review of the facts and circumstances as outlined above, evidence shows an individual described by del Lago Resort and Casino as an underage male to have accessed the gaming floor. As such, del Lago Resort and Casino is in violation of 9 NYCRR § 5313.2(d)(3) which 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 sixth violation of 5313.2(d)(3) carries a fine of \$25,000. As a reminder, the fifth occurrence was set forth in my letter of January 12, 2018.

Please remit the amount of this fines (\$25,000) to the New York State Gaming Commission within 30 days of this letter. ■

■ 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



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considered a waiver of any available appeal, and any requests to appeal received after the 30 days will be rejected as untimely.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Anapolis". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Thomas A. Anapolis
Director, Division of Gaming