



# Gaming Commission

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

June 2, 2022

## Notice of Violation 22-RWC-03

Sent Via Electronic Mail [REDACTED]

[REDACTED]

Dear [REDACTED]:

The New York State Gaming Commission, Division of Gaming (NYSGC) has reviewed an incident that occurred on May 7, 2022, at Resorts World Catskills (RWC), during which an underage person was allowed access to the casino gaming floor, participated in gaming activity, and consumed alcohol.

On 5/8/2022, the NYSGC [REDACTED] observed a photo of an individual who appeared to be underage. Review of the [REDACTED] [REDACTED] revealed no incidents. No documentation could be located as to why this photo was obtained.

An independent review of [REDACTED] [REDACTED] [REDACTED] showed that on 5/7/2022 at 1:03am, the female patron in the photo inserted a vertical identification (ID) card in the [REDACTED] ID scanner and then proceeded to hand the ID card to RWC Security Officer [REDACTED] who was posted at the Main Entrance. Shortly after, [REDACTED] permitted the female access to the Gaming Floor.

The NYSGC requested RWC Security Shift Manager [REDACTED] to assist in the verification process by pulling up the ID on the [REDACTED] ID scanning program. Upon review, it was determined that patron [REDACTED] (date of birth [REDACTED]) was 20 years old and had gained access using a Hawaii Identification Card.

An additional review determined the following occurred:

Timeline	[REDACTED]	Narrative Description of Events
1:03am	[REDACTED]	On 5/7/2022 at 1:03am, patron [REDACTED] (Date of birth 6/5/2001) presented a vertical ID to Security Officer [REDACTED] who was posted at the Main Entrance.



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1:04am	█	Security Officer █ handed the ID back to █ and granted access to the Gaming Floor. It should be noted that at this time, there were multiple Security Officers and Security Managers in the area speaking with another individual for an unrelated incident.
1:04am	█	█ and her associates proceed to walk the Gaming Floor towards the Sportsbook Bar 360.
1:06am	█	█ and her associates entered the Sportsbook Bar 360 area and proceed to Slot Machine █
1:07-1:09am	█	█ took a seat at the Bar in front of Slot Machine █ inserts a bill, and her associates proceed to game. At this time, Bartender █ approached █ and her associates then conversed briefly.
1:10am	█	█ received a beverage that contained liquor from Bartender █ and then consumes said beverage. It should be noted that █ failed to obtain ID from █ whilst seated at the Sportsbook Bar 360.
1:34am	█	█ departed the Sportsbook Bar 360 with the previously noted beverage and proceeded to walk the Gaming Floor with her associates. No gaming by █ was observed at Sportsbook Bar 360.
1:34am-1:37am	█	█ proceeded to walk the Gaming Floor towards the █ Slot Section. No Gaming was observed.
1:37am-1:56am	█	█ and her associate entered the █ Slot section Restroom then proceed to walk the Gaming Floor.
1:58am	█	█ approached a male who was seated at Slot Machine █ and does not game.
2:00am	█	█ sat down at Slot Machine █
2:03am	█	█ removed a bill from her person, inserted the bill into the bill validator of Slot Machine █ and proceeded to game a total of 48 instances.
2:14am	█	█ attempted to insert another bill into the bill validator of Slot Machine █ but was unsuccessful at this time. █ associate assisted in inserting the bill into the bill validator and then █ proceeded to game a total of 26 instances.
2:19am	█	█ inserted a bill into the bill validator of Slot Machine █ and games 22 instances.
2:25am-2:30am	█	█ departed Slot Machine █ and stood behind her associates gaming at Slot Bank █
2:30am-2:37am	█	█ walked the Gaming Floor with her associates in the █ Slot Section.



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2:40am	██████	██████ attempted to utilize Ticket Redemption Unit ██████ (██████) but was unsuccessful.
2:41am	██████	██████ walked the Gaming Floor with her associates.
2:42am-3:00am	██████	██████ sat at Slot Machine ██████ and proceeds to observe her associates game at machine ██████
3:00am	██████	██████ and associates depart the ██████ Slot bank and proceed to walk towards the Main Entrance.
3:02am	██████	██████ and her associates departed the Gaming Floor.
		Throughout the duration of the review, ██████ had gamed a total of 96 times and consumed one (1) beverage that contained alcohol.

After a review of the facts and circumstances as described above, as well as the RWC Security and Surveillance reports related to this incident, evidence shows an underage individual accessed the RWC gaming floor, participated in gaming activity, and consumed an alcoholic beverage. As such, RWC is in violation of 9 NYCRR § 5313.2(d)(3) and (4) and Alcoholic Beverage Law § 65(1).

Section 5313.2(d)(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. Pursuant to 9 NYCRR § 5313.2(e)(4), a violation of 9 NYCRR § 5313.2(d)(3) carries a mandatory 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 for a fourth violation or subsequent violation within one year of a violation. The current violation of 9 NYCRR § 5313.2(d)(3) at issue in this letter is RWC’s sixth violation of 9 NYCRR § 5313.2(d)(3) within a one-year period. Pursuant to 9 NYCRR § 5313.2(e)(4), RWC is fined \$25,000 for this violation. The Commission has determined not to take any further action beyond the \$25,000 fine in response to this violation. Please note that the Commission may take further action in addition to the mandatory fines in response to subsequent violations of 9 NYCRR § 5313.2(d)(3) within a one-year period.

Section 5313.2(d)(4) provides that a gaming facility licensee shall not allow or permit any person who is under 21 years of age to make any wager at any such gaming facility. Pursuant to 9 NYCRR § 5313.2(f)(4), a violation of 9 NYCRR § 5313.2(d)(4) carries a mandatory 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 for a fourth violation or subsequent violation within one year of a violation. The current violation of 9 NYCRR § 5313.2(d)(4) at issue in this letter is RWC’s fifth violation of 9 NYCRR § 5313.2(d)(4) within a one-year period. Pursuant to 9 NYCRR § 5313.2(f)(4), RWC is fined \$25,000 for this violation. The Commission has determined not to take any further action beyond the \$25,000 fine in response to this violation. Please note that the



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Commission may take further action in addition to the mandatory fines in response to subsequent violations of 9 NYCRR § 5313.2(d)(4) within a one-year period.

In addition, RWC is in violation of Alcoholic Beverage Control Law § 65(1), which forbids a person to sell, deliver, or give away or cause or permit or procure to be sold, delivered or given away any alcoholic beverages to an underage person. Pursuant to 9 NYCRR § 5328.7(a), RWC is fined \$5,000 for this violation.

Please remit the total amount of these fines (\$55,000) 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. This violation has been assigned 22-RWC-02.

If you wish to contest the violations set forth 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, One Broadway Center, Schenectady, New York 12305 within 30 days of receipt of this letter. Failure to request a hearing within 30 days of the date of this Notice shall be considered a waiver of any available hearing, and any requests for a hearing received after the 30 days will be rejected as untimely.

Sincerely,

Thomas Anapolis  
Director, Division of Gaming