



Gaming Commission

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

June 28, 2019

Sent Via Electronic Mail

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

Re: Notice of Violation 19-DEL-04

Dear [REDACTED],

On June 20, 2019 Sr Gaming Operations Inspector [REDACTED] was informed by Security Shift Manager [REDACTED] at approximately 6:36 p.m. that there had been an underage person on the gaming floor. He stated that the entrance was made through the hotel entrance and that they had exited out the west.

At approximately 6:43 p.m. Surveillance Shift Supervisor [REDACTED] advised [REDACTED] of the incident as well.

del Lago's Security Incident Report [REDACTED] illustrated the following:

“ On Thursday June 20, 2019 at approximately 1814hrs Security Officer [REDACTED] informed me Security Shift Manager [REDACTED] that an underage Patron may be on the Gaming Floor and that they may have enter [sic] at the Hotel Podium. Officer [REDACTED] was instructed to call Security Supervisor [REDACTED] and have him report to the Hotel Podium. At 1815hrs Security Officer [REDACTED] notified Dispatch that he directed two visibly underage children off the Gaming Floor. By the time Supervisor [REDACTED] and Manager [REDACTED] arrived at the West podium the unidentified adult and children had left the building. At 1835hrs the Gaming Commission, Surveillance and the V.P. of Security [REDACTED] [sic] was notified of the incident. At 1845hrs Security Manager [REDACTED] review Surveillance footage and observed. At 1813hrs Security Officer/EMT [REDACTED] at the Hotel Podium speaking with two Patron [sic] at which time two unidentified adult [sic] with two visibly underage kids walk pass [sic] the Officer around Promotion and to the West Podium where Officer [REDACTED] inform [sic] them that kid are not allowed [sic] on the Gaming Floor. The Male Patron with the kid gets visibly upset and leaves the building at 1814hrs.”

The Surveillance Daily log report [REDACTED] reads as follows:



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“At 18:27 hours, Security Shift Manager [REDACTED] notified Surveillance of two underage patrons gaining access to the casino floor around 18:13 hours. Senior Gaming Operations Inspector [REDACTED] conducted an independent review as outlined in the below timeline.

Violation Timeline		
Timeline	[REDACTED]	Narrative Description of Events
18:13:04 to 18:13:07	[REDACTED]	Observed Security/EMT Officer [REDACTED] speaking with 2 patrons at the hotel entrance podium when 5 individuals enter the casino floor undetected (2 being visibly under the age of 21)
18:13:04 to 18:13:20	[REDACTED]	Observed the party of 5 enter the gaming floor and proceed down the walkway towards the casino main floor.
18:13:12 to 18:13:31	[REDACTED]	Observed the party of 5 enter the gaming floor and proceed down the walkway towards the casino main floor.
18:13:17 to 18:13:25	[REDACTED]	Observed the party of 5 enter the gaming floor and proceed down the walkway towards the casino main floor.
18:13:27 to 18:13:48	[REDACTED]	Observed the party of 5 on the gaming floor passing in front of promotions and restrooms heading towards the west entrance.
18:13:53 to 18:14:25	[REDACTED]	Approach Security Officer at West Entrance podium.
18:13:52 to 18:14:23	[REDACTED]	Observed adult engaging in conversation with Security Officer at West Entrance podium. The party of 5 exit the casino floor.

After a review of the facts and circumstances as outlined above, evidence shows two underage individuals accessed the casino gaming floor. As such, del Lago Resort and Casino is in violation of 9 NYCRR § 5313.2(d)(3). Paragraph (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. A violation of paragraph § 5313.2(d)(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 (19 DEL-03).

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]



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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,

A handwritten signature in black ink, appearing to read "Thomas Anapolis". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thomas Anapolis
Director, Division of Gaming