



## NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION

**A. Facility/Vendor:**  
Jake's 58

**Date of Notification:** 07-20-2018

**Date of Violation:** 07-19-2018

**Case Number:** Gaming 18-009

**B. Facility/Employee Cited:**

<u>Name</u>	<u>License #</u>	<u>Address</u>
Jake's 58		3635 Express Drive North; Islandia; 11749
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

**C. Statute, Regulation or Internal Control Violated:**

New York State Gaming Commission Rules and Regulations

**§ 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
- (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.

(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.

**D. Summary of Violations:**

On Thursday July 19<sup>th</sup>, 2018 at 7:44 PM (approximately) a young boy under the age of 18 years, later identified as [REDACTED] entered Jake's 58 Casino gaming floor from the elevator along with a patron later identified as his grandmother [REDACTED]. Both the patrons passed the Security Officer [REDACTED].

At the post, Security Officer [REDACTED] failed to verify / check the ID of the underage patron as he is observed busy looking at his cellular phone.

After entering the casino underage patron and his grandmother proceeded to the player's reward club @ 7:45PM (approximately) and waits in line to be called.



**NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION**

At 7:47 PM (approximately) [redacted] and his grandmother reaches the Player’s Reward Counter. His grandmother talks to the Player’s Reward associate for over 2 minutes. All this time [redacted] is in line of sight of the Player’s Reward Representative [redacted].

At 7:49 PM Security Lead Officer [redacted] approaches and speaks to [redacted] and [redacted] [redacted] is then escorted by [redacted] down the lobby staircase to Security Manager [redacted]. After conversing with Security Manager Security Manager [redacted] Security Lead Officer [redacted] escorts [redacted] to his mother outside of Lobby Entrance.

Accordingly, the Division of Gaming hereby levies a total fine of \$10,000 to Jake’s 58 in Islandia NY 11749. Please remit the fine to the New York State Gaming Commission on or before 8/24/2018. [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.

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

---

---

---

---

---

---

**F. Action Taken By Facility:**

---

---

---

---

---

---

**G. Name of Individual Completing this Form:**

Printed: Thomas A Anapolis

Signature: \_\_\_\_\_

Title: Director, Gaming Division

Date: \_\_\_\_\_

0726/2018

**\*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 VIOLATION NOTIFICATION**

**New York State Gaming Commission**

**Video Gaming Unit**

**One Broadway Center**

**Schenectady, NY 12301**

=====  
**For New York State Gaming Commission Use Only:**

**cc: Edmund Burns, General Counsel  
Chris Palmer, Deputy Director, Gaming Division  
Licensing**