

NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION

A. Facility/Vendor:

Batavia Downs Gaming

Date of Notification: 08-23-2017

Date of Violation: 08-13-2017

Case Number: Gaming 17-005

B. Facility/Employee Cited:

<u>Name</u>	<u>License #</u>	<u>Address</u>
Batavia Downs Gaming		8315 Park Road Batavia, NY 14020
██████████	██████████	██
██████████	██████████	██

C. Statute, Regulation or Internal Control Violated:

§ 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:

(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.

(c)(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

D. Summary of Violation:

On 08/13/2017, a minor, accompanied by an adult entered the gaming floor through the side door of the facility which is open for racing season. They walk directly past officer ██████████ who is not occupied with any other business at the time. They walk directly to the restroom and return the same route past Officer ██████████ and exit the building. The minor or the adult do not play at any time.

Accordingly, the Division of Gaming hereby levies a fine of \$ 1,000.00 to Batavia Downs Casino for allowing a minor on the gaming floor. Please remit the fine to the New York State Gaming Commission on or before 09/22/2017. ██████████

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.

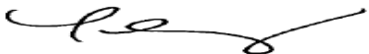
Facility Explanation of Violation (use additional sheets if required)*:

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E. Action Taken By Facility:

F. Name of Individual Completing this Form:

Printed: Thomas A. Anapolis
Title: Director, Division of Gaming

Signature: 
Date: August 23, 2017

***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
Video Gaming Unit
One Broadway Center
Schenectady, NY 12301

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For New York State Gaming Commission Use Only:

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