



Gaming Commission

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

September 6, 2023

Notice of Violation 23-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 August 13, 2023, at Resorts World Catskills Casino & Resort (RWC), during which one (1) underage individual was allowed access to the casino gaming floor.

On August 13, 2023, at 12:20 a.m., NYSGC Inspector [REDACTED] was contacted by RWC Security Shift Manager [REDACTED] of an underage patron who gained access to the gaming floor. Per [REDACTED] patron [REDACTED] date of birth [REDACTED], gained access to the gaming floor unchallenged for identification.

An independent review was conducted which revealed the following:

Timeline	[REDACTED]	Narrative Description of Events
12:08AM	[REDACTED]	Underage patron [REDACTED] entered the Gaming Floor via the Main Entrance where he was unchallenged for identification by Security Officers [REDACTED] and [REDACTED]
12:09AM	[REDACTED]	[REDACTED] walked through the gaming floor towards the high limit slot area.
12:10:17AM	[REDACTED]	[REDACTED] walked through high limit slot area to V.I.P. elevator on the Main Floor.
12:10:19AM	[REDACTED]	[REDACTED] took the V.I.P elevator from the Main Casino floor to the 3rd floor Casino
12:10:33AM	[REDACTED]	[REDACTED] was challenged for identification by Security Officer [REDACTED] at the 3 rd floor Security Entrance and was denied entry to the Gaming Floor.
12:16AM	[REDACTED]	Security Shift Managers [REDACTED] and [REDACTED] arrived at the 3rd Floor Security Entrance and conversed with [REDACTED]
12:19AM	[REDACTED]	[REDACTED] exited the facility through the Hotel.

Throughout the duration of the review, the underage male was on the gaming floor for a total of approximately two (2) minutes.

No actual gaming or alcoholic beverages were consumed by the underage individual for the entirety of the review.

Attached please find the RWC Surveillance and Security reports.

After a review of the facts and circumstances as described above, as well as the RWC Surveillance report related to this incident, evidence shows that one (1) underage individual gained access to the RWC gaming floor in violation of 9 NYCRR § 5313.2(d)(3).

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 no longer than necessary to reach a destination that is not on the gaming floor.

Previously, the NYSGC reviewed an incident that occurred on February 25, 2023, at RWC, during which one (1) underage individual was allowed access to the casino gaming floor. RWC was notified of the violation and subsequently fined on March 10, 2023.

In addition, the NYSGC reviewed an incident that occurred on June 11, 2023, at RWC, during which two (2) underage individuals were allowed access to the casino gaming floor. RWC was notified of the violation and subsequently fined on August 23, 2023.

Pursuant to 9 NYCRR § 5313.2(e)(3), a third violation of 9 NYCRR § 5313.2(d)(3) carries a mandatory fine of \$10,000. The current violation 9 NYCRR § 5313.2(d)(3) at issue in this letter is RWC's third violation of 9 NYCRR § 5313.2(d)(3) within a one-year period. Pursuant to 9 NYCRR § 5313.2(e)(3), RWC is fined \$10,000 for this violation.

Please remit the total amount of this fine (\$10,000) to the New York State Gaming Commission within 30 days of the date of this letter. F

Payments not timely made will be subject to interest and collection fees pursuant to State Finance Law Section 18. The violation has been assigned 23-RWC-03.

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, NY 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 A. Anapolis Director,
Division of Gaming

Attachments (2)
TAA/SM/jb: 23-RWC-03