



**NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION**

**A. Facility/Vendor:**

Empire City Casino at Yonkers Raceway

**Date of Notification:** 11/16/2017

**Date of Violation:** 11/12/2017

**Case Number:** Gaming 17-008

**B. Facility/Employee Cited:**

<u>Name</u>	<u>License #</u>	<u>Address</u>
Empire City Casino at Yonkers Raceway		810 Yonkers Avenue, Yonkers, NY 10704
██████████	██████████	██████████ ██████████ ██████████
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**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:

(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.

(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 Violations:**

On November 12, 2017 at approximately 7:02 PM, a male patron holding the hand of a minor female (approximately 10 years old) entered through Post █ entrance onto the gaming floor. Security Officer ██████████ was posted there and failed to notice them as he was giving directions to an elderly patron. VGM Assistant Manager, ██████████ saw and approached the pair by █ bank at around 7:03 PM, then proceeded to escort them towards Post █ with VGM Shift Lead, ██████████. Post 4 Security Officer ██████████ acknowledged the situation and escorted them out the facility at 7:06 PM. Based on ██████████, no play activity was observed throughout the incident.

Security should have prevented the minor from entering at the door, or provided escort to prevent underage loitering or gaming. Security Officer ██████████ was distracted and was not alert enough to prevent the violation. Surveillance footage showed he briefly glanced towards the direction of the child after they had entered, but did not react or assess quick enough to challenge them. It is recommended for the facility to ensure that all staff understands their duties and always remain vigilant.

Accordingly, the Division of Gaming hereby levies a fine of \$1,000 to Empire City Casino at Yonkers Raceway. Please remit the fine to the New York State Gaming Commission on or before 12/18/2017. ██████████

██████████ 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:**

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

**Printed:** Thomas A Anapolis

**Signature:** 

**Title:** Director, Gaming Division

**Date:** 11/16/2017

**\*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**