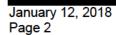


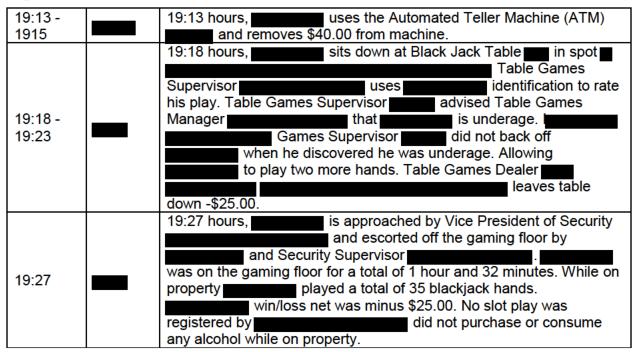
One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500 www.gaming.ny.gov

January 12, 2018

Via Electro	onic Mail	
	Re: <u>N</u>	lotice of Violation
Dear		
that occurre	ed on Dec	Gaming Commission Division of Gaming has reviewed an incident ember 29, 2017 at del Lago Resort and Casino during which an a allowed access to the gaming floor and allowed to wager.
proceeded	was obse past Secu	17 at 17:55 hours, an underage patron later identified as rved entering the casino floor via the hotel entrance. The company of the casino floor via the hotel entrance.
		ing Commission Gaming Operations Inspector
Timeline		Narrative Description of Events
17:55		17:55 hours, Patron (20 years old) enters Hotel Entry unchallenged by Security Officer

Timeline	Narrative Description of Events
17:55	17:55 hours, Patron (20 years old) enters Hotel Entry unchallenged by Security Officer was accompanied by three other male patrons, one of which was his brother
18:04 – 18:38	18:04 hours sits down at Black Jack Table at spot Table Games Dealer leaves the table even with \$100.00 remaining.
18:44 - 18:51	18:44 hours, sits down at Black Jack Table in spot Table Games Dealer leaves the table down \$75.00.
18:52 – 19:13	18:52 hours, wanders throughout the casino floor. does not game or consume alcohol during this time.





The facts and circumstances illustrate a violation of 9 NYCRR section 5313.2(d)(3). That provision 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 this provision carries a fine of \$25,000 for a fifth occurrence. As a reminder, del Lago Resort and Casino's fourth such violation was set forth in my letter of September 20, 2017.

Second, del Lago violated 9 NYCRR section5313.2(d)(4), which provides that a gaming facility licensee shall not allow or permit any person who is under 21 years of age to make any wager at any such gaming facility. The underage patron was observed gaming on 35 separate occurrences between the hours of 18:04-19:27 on December 29, 2017, as set forth in the narrative above. A violation of this provision carries a mandatory fine of \$25,000 for a fourth occurrence. As a reminder, del Lago Resort and Casino's third such violation was set forth in my letter of September 20, 2017.

Accordingly, the Division of Gaming hereby levies two cumulative fines, one in the amount of \$25,000 for the fifth violation of 9 NYCRR section 5313.2(d)(3) and one in the amount of \$25,000 for a fourth violation of 9 NYCRR section 5313.2(d)(4). Please remit the fines to the New York State Gaming Commission within 30 days of this letter.

Payments not timely made will be subject to interest and collection fees pursuant to State Finance Law section 18.

If you wish to contest either or both violations of 9 NYCRR sections 5313.2 (d)(3) and (d)(4) 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

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Breeding Law. To do so, please submit a request for a hearing 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 letter.

Sincerely,

Thomas A. Anapolis

Director, Division of Gaming