

NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION

A. Facility/Vendor:

Jake's 58 Casino Hotel

Date of Notification: 8-2-2024

Date of Violation: 1-15-2024 through 4-1-2024

Case Number: Gaming 24-05

B. Facility/Employee Cited:

Name

Jake's 58 Casino Hotel

Address

3635 Express Dr N, Islandia, NY 11749

C. Statute, Regulation or Internal Control Violated:

New York State Gaming Commission Rules and Regulations

§ 5105.1. Persons required to obtain a video lottery gaming key employee license.

Any natural person who will be employed by a video lottery gaming agent in a position that includes any responsibility or authority to develop or administer policy or long-range plans or to make discretionary decisions regarding video lottery gaming facility operations, regardless of job title, and who is not a principal of such agent, shall be required to hold, prior to being involved in any video lottery gaming licensed activities, a current and valid video lottery gaming key employee license issued by the commission or shall have filed a request for a temporary license under section 5102.12 of this Subchapter.

§ 5105.2. Persons required to obtain a video lottery gaming employee license.

(a) Any natural person who will be employed by a video lottery gaming agent in any position and who is not a principal of a video lottery gaming agent or a video lottery gaming key employee, shall be required to hold, prior to the commencement of such employment, a current and valid video lottery gaming employee license issued by the commission.

(b) Any person who holds a current and valid video lottery gaming key employee license may perform the duties and responsibilities of any position that requires a video lottery gaming employee license.

(c) Any person who is employed solely in the pari-mutuel racing business shall not be required to obtain a video lottery gaming employee license, unless such person enters video lottery gaming restricted areas in the course of such person's employment.

D. Summary of Violations:

Following a license audit at Jake's 58, nine individuals were identified as requiring licensure that did not have such, in addition to 25 other individuals were identified having an expired license or an incorrect license type. An email dated 12/15/23 from ██████████ to General Manager ██████████ called attention to those individuals and allowed 30 days for applications to be submitted accordingly. Further, emails dated 2/9/24 and 2/20/24 were sent following up as to the status of the submissions. As of initial Notice of Violation date, only seven applications and two job descriptions that are pending Commission review

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have been received correctly. In those 108 days since the original email, the below 26 are still not in compliance.

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Since the Notice was issued Jake’s 58 has provided additional information and context as it relates to applicants listed above. From that information, the Commission has identified five individuals that were in compliance and therefore will not be included in this amended and restated Notice. Those individuals are:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Accordingly, the Division of Gaming hereby levies a fine of \$1,000 to Jake’s 58 Casino Hotel for each instance of non-compliance, for a total fine of \$21,000. Please respond and remit the fine to the New York State Gaming Commission on or before 9/2/2024. Fines may be paid through the daily remittance process. Please contact the Gaming Commission’s Finance Office at least 5 days prior to set up payment. 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.

Application submissions will be reviewed 30 days from receipt of this violation for compliance. At that time, further non-compliance may result in an additional Notice of Violation and fine.

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: Jim Googas

Signature: 

Title: Deputy Director Division of Gaming

Date: August 15, 2024

***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: **Tom Anapolis, Director, Division of Gaming
Licensing**