



# Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500  
[www.gaming.ny.gov](http://www.gaming.ny.gov)

September 10, 2021

## Notice of Violation 21-RWC-02

Sent Via Electronic Mail ([REDACTED])

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

Dear [REDACTED]:

The New York State Gaming Commission, Division of Gaming (NYSGC) has reviewed an incident that occurred on July 28, 2021, at Resorts World Catskills (RWC), during which an underage person was allowed access to the casino gaming floor and permitted to make wagers at the gaming facility.

On 7/28/2021, at approximately 5:30 a.m., the NYSGC overheard [REDACTED] a report of a possible underage individual being permitted access to the gaming floor. The [REDACTED] requested a RWC Security Shift Supervisor to respond to the Security Podium. The NYSGC [REDACTED] RWC Security Shift Manager [REDACTED] questioning an individual about that individual's identification (ID).

At approximately 5:40 a.m., the NYSGC met with RWC Security Shift Manager [REDACTED] to confirm the underage patron's age and obtain related, pertinent documentation. The underage patron was identified as [REDACTED]. After review, it was determined that the first ID presented to RWC Security Officer [REDACTED] was for an individual named [REDACTED] with a date of birth of [REDACTED] (55 years old). The second ID presented to [REDACTED] was the actual ID belonging to [REDACTED] with a date of birth of [REDACTED] (20 years old). Photos of the ID scanner monitor displaying the information from the IDs in question are attached.

The NYSGC conducted an independent review of the incident and observed the following events occurred on 7/28/21:



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Timeline		Narrative Description of Events
5:10:16		approaches the RWC Security Podium and is challenged by RWC Security Officer . The ID card presented by is scanned through the ID scanner with no error message being displayed on the monitor. converses with points to the ID scanner monitor, requests to view the ID presented, and then denies entry onto the gaming floor.
5:20:06		approaches the Security Podium again and presents ID to RWC Security Officer . The ID card is run through the ID scanner and after a brief conversation between and is permitted access to the gaming floor.
5:20:23		walks between Pit ( ) and the ' slot section.
5:20:33		sits down at Pit ( ) Table Blackjack (BJ), seat ( )
5:21:13		buys in for \$20 where RWC Table Games Dealer III is present. does not ask for ID before any gaming occurs.
5:21:39		wagers the \$20 on and loses.
5:26:58		moves to seat ( ) at No wagers are placed.
5:31:42		departs
5:31:56		is approached by RWC Security Shift Manager # next to Pit ( ) and the Slot Bank where presents ID to
5:32:24		is escorted off of the gaming floor by RWC Security Shift Manager

After a review of the facts and circumstances as described above, evidence shows an underage individual accessed the RWC gaming floor and made a wager. As such, RWC is in violation of 9 NYCRR §§ 5313.2(d)(3) and (4).

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 longer than necessary to reach a destination that is not on the gaming floor. Pursuant to 9 NYCRR § 5313.2(e)(2), a violation of 9 NYCRR § 5313.2(d)(3) carries a mandatory fine of \$5,000 for a second violation within one year of a violation. The current violation of 9 NYCRR § 5313.2(d)(3) at issue in this letter is the second RWC has received within a one-year period.



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Section 5313.2(d)(4) 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. Pursuant to 9 NYCRR § 5313.2(f)(2), a violation of 9 NYCRR § 5313.2(d)(4) carries a mandatory fine of \$20,000 for a second violation within one year of a violation. The current violation of 9 NYCRR § 5313.2(d)(4) is the second RWC has received within a one-year period.

Please remit the total amount of these fines (\$25,000) to the New York State Gaming Commission within 30 days of the date of this letter. [REDACTED]

[REDACTED].  
Payments not timely made will be subject to interest and collection fees pursuant to State Finance Law Section 18. This violation has been assigned 21-RWC-02.

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, New York 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 Anapolis  
Director, Division of Gaming