

IN THE MATTER OF THE
MARYLAND LIVE! CASINO,
Respondent.

* BEFORE THE
* MARYLAND LOTTERY
* AND GAMING CONTROL
* COMMISSION
* Case Nos. 2019-03-013 to -019

* * * * *

CONSENT AGREEMENT

Pursuant to the Annotated Code of Maryland, State Government Article (“SG”), §§ 9-1A-01, *et seq.* (“Gaming Law”), and Code of Maryland Regulations (“COMAR”) 36.03.04.06, the Maryland Lottery and Gaming Control Commission (“Commission”) and Maryland Live! Casino (“Maryland Live!”) desire to resolve this matter without a formal administrative hearing. Accordingly, the parties recite the following facts and make the following agreements:

BACKGROUND

The Commission, with the assistance of the Maryland Lottery and Gaming Control Agency (“MLGCA” or “Agency”), regulates the operation of the State’s video lottery terminals (“VLTs”) and table games, and is responsible for licensing qualified facility operators and ensuring that the operation of video lottery facilities, VLTs and table games is conducted legally. SG §§ 9-1A-02(b), 9-1A-04(b)(14).

If a licensee violates a provision of the Gaming Law, a regulation promulgated by the Commission, or a directive of the Commission or the Director of the MLGCA, the Commission is authorized to, after a hearing, take action against a licensee that may include suspension or revocation of a license, and levying a civil penalty for each violation. SG §§ 9-1A-04(a)(3) – (8), -25; Code of Maryland Regulations (“COMAR”) 36.03.04. The Commission may also take other enforcement action, such as a corrective action plan, a reprimand, or imposition of a condition on

a license. SG §§ 9-1A-04(a)(3), -25; COMAR 36.03.04. The Commission may also agree with a licensee to settle a violation. COMAR 36.03.04.06.

Maryland Live! is licensed by the Commission as the operator of the video lottery facility in Anne Arundel County.

By letters dated July 24, 2019, August 21, 2019, September 17, 2019 and September 24, 2019, the Agency notified Maryland Live! that it was investigating alleged violations of the Gaming Law pertaining to underage individuals.

On September 26, 2019, the Agency issued a Notice of Alleged Violations of the Maryland Gaming Law (“Notices of Violation”) to Maryland Live!. The Notice of Violation alleged that on seven (7) separate occasions, an underage individual(s) was admitted into the casino and onto the gaming floor where VLTs and table games are located at Maryland Live! Casino. The Notices of Violation asserted that these actions violated the Gaming Law and regulations promulgated thereunder, and that these actions were sanctionable.

Maryland Live! has taken a variety of corrective measures to restrict underage individuals from entering the casino.

The parties agree to the following terms and conditions as a means of resolving the captioned alleged violations.

TERMS AND CONDITIONS

1. This Consent Agreement is being entered into as a means of settling the alleged violations and avoiding the potential expense and inconvenience of a formal hearing.
2. There has not been a formal finding as to the merits of the allegations in the Notices of Violation. This Consent Agreement does not constitute an admission or denial by either party that a violation of law or regulation has occurred.

3. Upon the parties' execution of this Consent Agreement, Commission staff shall submit this Consent Agreement to the Commission for review and final approval at its next meeting.
4. Upon the Commission's final approval of this Consent Agreement, and no later than 10 days after, Maryland Live! shall remit payment of \$3,000.00 to the Commission.
5. Upon receipt of payment from Maryland Live! the Commission will close these matters.
6. Maryland Live! will continue to take appropriate measures to prevent underage individuals from entering the casino.
7. If Maryland Live! violates a term of this Consent Agreement, the Commission may impose a sanction or penalty on Maryland Live! for violating the Agreement or for the underlying violations. COMAR 36.03.04.06.
8. By entering into this Consent Agreement, Maryland Live! waives all rights to administrative or judicial review of these alleged violations.
9. This Consent Agreement extends only to those alleged violations referenced in the September 26, 2019 Notice of Violation. If the Commission subsequently discovers additional facts of a material and substantial nature involving any of the incidents cited in the September 26, 2019, Notice of Violation, and said facts constitute additional alleged violations, the Commission may pursue such additional alleged violations. Maryland Live! reserves the right to dispute such additional alleged violations.
10. This Consent Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written that are not specified or referenced within this document will be valid provisions of this Consent Agreement.

11. This Consent Agreement may not be modified, supplemented or amended, in any manner, except by written agreement signed by the parties.

12. This Consent Agreement is not final and binding until it is approved by the Commission.
COMAR 36.03.04.06B(2).

IN WITNESS WHEREOF, the parties have signed this Consent Agreement as set forth

below:

 1/14/21

Anthony Faraña (date)
General Manager
Maryland Live! Casino

Gordon Medenica (date)
Director
Maryland Lottery and Gaming Control
Agency

APPROVED:

E. Randolph Marriner (date)
Chair, Maryland Lottery and Gaming Control Commission