



Maryland Lottery and Gaming Control Agency

Larry Hogan, Governor • John Martin, Director

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TO: Maryland Lottery and Gaming Control Commission
John Martin, Director
Jim Nielsen, COO

FROM: John J. Mooney

DIVISION: Managing Director, Regulatory Oversight

DATE: January 11, 2021

SUBJECT: Report for the January 20, 2021, Commission Meeting

Commission Action Item -

Licensing and Dunning Systems Additions, Enhancements and Maintenance Task Order Agreement (#2015-08) with MS Technologies Corporation. Contract for VLT E-Licensing services with term 6/18/2015 – 6/30/2022 was previously modified by Emergency Modification #3/4 (approved by the BPW on September 15, 2021) to include \$639,000 to provide MLGCA with the necessary capabilities to implement background investigations and licensing for Sports Wagering in accordance with HB 490 (Emergency Bill). Originally, a three-year extension was also included, but at the direction of the BPW the extension period was removed and will be re-submitted to the BPW at a later date as a separate, non-emergency item. Therefore, Modification #6 which will extend the contract for an additional 3-year term until 6/30/2025 at an additional cost of \$150,000 is submitted for the Commission's review. Upon Commission approval, this Modification will then be forwarded to DGS for inclusion on the next available BPW Agenda.

Staff recommends approval of the contract.

Commission Action Items – Consent Agenda

Violations:

- Ocean Downs Casino – Regulatory Violations – May 2021
- Ocean Downs Casino – Regulatory Violation – August 2021
- Ocean Downs Casino – Underage Violation – Case Nos. 2021-02-001
- Rocky Gap Casino – Underage Violation – Case No. 2021-04-002

Commission Action Items – Consent Agenda

Licensing Revocation Reversal

Applicant number 68721 was Revoked by the Commission on December 16, 2021, because of a debt owed to the State. Staff was informed by Central Collections Unit (CCU) that the debt was not paid as of

November 23, 2021. On December 7, 2021, the licensee cashed a lottery ticket and the debt owed to the state was collected. The licensee failed to notify MLGCA Licensing Division that the debt was paid. On December 20, 2021, CCU advised staff that the debt was “paid in full”. Staff requests that the Commission reverse the revocation of applicant 68721 license because there was no outstanding debt at the time of denial.

Located on the Agency’s Shared Drive under Commission Files (January 2022, Mooney Confidential) there is a detailed explanation of the case.

Commission Action Items – Consent Agenda

There are twenty-eight (28) gaming license applications recommended for denial/revocation based on the applicant’s criminal history or failure to cooperate with, or provide requested information to, a background investigator.

Commission Action:

It is requested that the Commission adopt as final the recommendation of the Director, or the Director’s designee, for denial/revocation of the specified gaming license applications for the respective applicant’s failure to establish his/her qualifications by clear and convincing evidence.

Please see the description below. A spreadsheet containing the denials/revocations is on the MLGCA shared drive under commission reports.

Note to Commissioners:

The spreadsheet on the MLGCA Shared Drive under Commission Reports (Mooney Confidential, licensing denial/revocations), contains names of twenty-eight (28) gaming license applicants for whom Staff has recommended denial/revocation of their applications for gaming license for failure to prove by clear and convincing evidence that they meet the statutory requirements for licensure. *See* State Gov’t, Section 9-1A-14 (below). The license applications were recommended for denial/revocation after Licensing Division Staff conducted an investigation.

COMAR sets forth the applicant’s rights if his/her gaming license application is recommended for denial/revocation. An applicant has a right to timely request a reconsideration meeting, and, if he or she is dissatisfied with the recommendation following the reconsideration meeting, the applicant may timely request a full hearing before the Commission. If the applicant fails to exercise these rights, the Commission may adopt as final the Director’s recommendation to deny the license. Only the Commission, not Staff, is authorized to deny/revoke a gaming license, which is why these recommended denials/revocations are being presented to the Commission.

All of the applicants identified on the spreadsheet were mailed notification of the recommended denial/revocation, and of their right to timely request a reconsideration meeting with the Director or the Director’s designee. The majority of the recommended denials/revocations are applicants who did not exercise that right. A smaller group of the recommended denials/revocations are applicants who received a reconsideration meeting and were notified of their right to timely request a full hearing before the Commission, but did not exercise that right.

Staff is requesting that the Commission adopt as final the Director’s recommendation to deny/revoke the gaming license applications of twenty-eight (28) applicants identified on the spreadsheet.

Located on the Agency's Shared Drive under Commission Files (January 2022) there are PDF files for your review. The PDF files contain documentation for each of the recommended denials, including: notice of recommended denial (which includes the basis for the recommendation and notice of right to request a reconsideration meeting); documentation that Staff mailed the required notices; and relevant documents from the background investigation conducted by Staff that supports the recommended denial/revocation of the applicant's license application.

Casino Licensing Division

- Licensing staff were working at Montgomery Park as of the end of December, but some are now teleworking.
- Monthly statistics have been updated and are included in your packet.

Casino Compliance Division

- Compliance staff are working regular shifts at the casinos during the pandemic.