

Maryland Lottery and Gaming Control Agency

Wes Moore, Governor • John Martin, Director



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

FROM: John J. Mooney

DIVISION: Managing Director, Regulatory Oversight

DATE: February 8, 2023

SUBJECT: Report for the February 23, 2023, Commission Meeting

Commission Action Item – Consent Agenda

Violations:

Hollywood Casino – Underage Violation – Case No. 2022-01-003

Horseshoe Casino – Regulatory Violations – October 2022

Live Casino, Maryland – Underage Violations – Case Nos. 2022-03-014 to -021

MGM National Harbor – Underage Violations – Case Nos. 2022-06-002 to -004

Ocean Downs Casino – Regulatory Violations – October 2022

Ocean Downs Casino – Underage Violations – Case Nos. 2022-02-001 and -002

Ocean Downs Casino – Underage Violations – Case Nos. 2022-02-003, -004 and -005

Rocky Gap Casino – Underage Violation – Case No. 2022-04-001

Rocky Gap Casino – Underage Violation – Case No. 2022-04-002

Commission Action Items – Consent Agenda

There are twenty-seven (27) 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-seven (27) 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-seven (27) applicants identified on the spreadsheet.

Located on the Agency's Shared Drive under Commission Files (February 2023) 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 are working three days a week at Montgomery Park and teleworking two days.
- 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.