

# Maryland Lottery and Gaming Control Agency

Wes Moore, Governor • John Martin, Director



Montgomery Park Business Center  
1800 Washington Blvd., Ste. 330  
Baltimore, Maryland 21230

Tel: 410-230-8800  
TTY users call Maryland Relay  
www.mdlottery.com

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

FROM: John J. Mooney

DIVISION: Managing Director, Regulatory Oversight

DATE: August 16, 2023

SUBJECT: Report for the August 24, 2023, Commission Meeting

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## **Commission Action Items – Commission Hearings**

### Qualification Hearings:

Betfair Interactive US LLC (d/b/a FanDuel Sportsbook) – Sports Wagering Facility Operator License

### Acquisition Agreement:

FBG Enterprises, Opco, LLC (d/b/a Fanatics) and PointsBet Holdings Limited

### Acquisition Agreement:

ASF Limited and Entain Holdings (UK) Limited

## **Commission Action Item** – Consent Agenda

### Violations:

Bingo World, RSI MD, LLC – SW Regulatory Violation – March 2023

Crown MD Online Gaming – SW Regulatory Violations – December 2022

Greenmount OTB LLC – Regulatory Violation – March 2023

Hollywood Casino Perryville / Penn Sports Interactive – Regulatory Violation – January 2023

Hollywood Casino Perryville – Regulatory Violations – March 2023

Horseshoe Casino – Regulatory Violations – March 2023

Horseshoe Casino – Regulatory Violations – April 2023

Live Casino, Maryland / FanDuel Sportsbook – Regulatory Violation – December 2022

Live Casino, Maryland / FanDuel Sportsbook – Regulatory Violation – February 2023

Live Casino, Maryland / FanDuel Sportsbook – Regulatory Violation – March 2023

Long Shot’s LLC – Regulatory Violation – March 2023

Maryland Stadium Sub, Fanatics - SW Regulatory Violations - February 2023

MGM National Harbor Casino – Regulatory Violations – December 2022

MGM National Harbor Casino – Regulatory Violations – January 2023

MGM National Harbor Casino – Regulatory Violation – February 2023

MGM National Harbor Casino – Regulatory Violations - March 2023

MGM National Harbor Casino – Underage Violations – Case Nos. 2023-06-001 to -007

MGM National Harbor Casino – Underage Violations – Case Nos. 2022-06-005 to -008

MGM National Harbor Casino – Underage Violations – Case Nos. 2022-06-009 to -016

MGM National Harbor Casino – Underage Violations – Case Nos. 2022-06-017 to -023

Ocean Downs Casino – Regulatory Violations – December 2022

Ocean Downs Casino – Regulatory Violation – January 2023

Ocean Downs Casino – Regulatory Violations – February 2023

Ocean Downs Casino – Regulatory Violations – March 2023

Ocean Downs Casino – Regulatory Violations – April 2023

Riverboat on the Potomac, LLC – Regulatory Violation – March 2023

Riverboat on the Potomac, LLC / PointsBet Maryland LLC – Regulatory Violations –  
February 2023

Rocky Gap Casino – Regulatory Violation – January 2023

Rocky Gap Casino – Regulatory Violations – February 2023

Rocky Gap Casino – Regulatory Violations – March 2023

Rocky Gap Casino – Regulatory Violation – April 2023

## **Commission Action Items – Consent Agenda**

### *License Applicants and Licensees*

The following license application recommendations are before the Commission based on the applicant's criminal history, failure to cooperate with, or provide requested information to, a background investigator, conduct after licensed that jeopardizes the integrity of the gaming program or otherwise is not qualified to hold a license:

Denial of a License: # 07

Revocation of a License: # 22

### *Request for Removal from the Mandatory Exclusion List*

The following recommendations are before the Commission regarding the removal from or continued inclusion on the Mandatory Exclusion List based on whether there was good cause for removal and a material change in the individual's circumstances since being placed on the List:

Removal: # 0

Continue to Include on the List: # 0

### **Commission Action:**

### *License Applicants and Licensees*

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

### *Request for Removal from the Mandatory Exclusion List*

It is requested that the Commission adopt as final the recommendation of the Director's designee regarding the individuals' removal from or continued inclusion on the Mandatory Exclusion List based on whether there is good cause and/or a material change in the individuals' circumstances since being placed on the List.

Please see the description below. All PDF files of supporting documentation have been uploaded into the 'J' shared drive under Commission Reports for each individual presented today August 24, 2023 for Denials, Revocations and Requests for Removal from the Mandatory Exclusion List whether recommended for removal or for continued inclusion on the List. These files contain the justification for today's action.

### **Note to Commissioners:**

The PDF files of the supporting documentation on the MLGCA Shared Drive under Commission Reports (Mooney Confidential, licensing denial/revocations), contains names of Twenty-nine (29) gaming license applicants or licensees for whom the Director's designee has recommended either the denial or revocation of their application for a 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.* The license applications and licenses are recommended for either denial or revocation upon Regulatory Licensing and Investigations Division Staff conducting an investigation that supports the recommendation.

Located on the Agency's Shared Drive under Commission Files (August 2023) there are PDF files for your review. (The PDF files contain documentation for each of the recommended denials and revocations, including: notice of recommended denial (which includes the basis for

the recommendation and notice of right to request a reconsideration meeting (denial) or a hearing before the Commission (revocation)); documentation that Staff mailed the required notices; and relevant documents from the background investigation conducted by Staff that supports the recommended denial or revocation of the applicant's license application.)

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

All of the applicants identified on the shared drive were mailed notification of the recommended denial or revocation, and of their right associated with the recommended action. For a denial, they were notified of their right to timely request a reconsideration meeting with the Director or the Director's designee. The majority of the recommended denials are applicants who did not exercise that right. A smaller group of the recommended denials 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. The applicants who are recommended for revocation before the Commission did not exercise their right to request a hearing before the Commission.

Staff is requesting that the Commission adopt as final the Director's designee's recommendation to deny or revoke the gaming license applications of Twenty-nine (29) applicants and licensees identified on the spreadsheet.

Additionally, on the Agency's shared drive under Commission Files (August 2023) there are PDF files for the Commission's review regarding the Director's designee's recommendations concerning requests for removal from the Mandatory Exclusion List. An individual requesting to be removed from the Mandatory Exclusion List must provide good cause for their removal and identify why there is a material change in their circumstances since being placed on the List. These requests have been investigated and included on the Agency's shared drive is the initial request and the Director's designee's recommendation. None of the individuals who are recommended for continued inclusion on the Mandatory Exclusion List exercised their right to request a hearing before the Commission.

#### **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.