

# Maryland Lottery and Gaming Control Agency

Larry Hogan, Governor • Gordon Medenica, Director



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TO: Maryland Lottery and Gaming Control Commission  
Gordon Medenica, Director  
Jim Nielsen, COO

FROM: John J. Mooney

DIVISION: Managing Director, Regulatory Oversight

DATE: August 13, 2018

SUBJECT: Report for the August Commission Meeting

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## **Commission Action Item**

Change of Ownership - Old Bay Gaming and Racing, LLC (Ocean Downs Casino)

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

Violations:

Horseshoe Casino – Underage Violations – Case Nos. 2018-05-007 and -035  
Horseshoe Casino – Regulatory Violations – December 2017  
Horseshoe Casino – Regulatory Violations – January 2018  
Horseshoe Casino – Regulatory Violations – February 2018  
Horseshoe Casino – Underage Violations – Case Nos. 2018-05-039, -060 and -062  
Rocky Gap Casino – Regulatory Violations – March 2018  
Rocky Gap Casino – Regulatory Violations – April 2018  
Rocky Gap Casino – Underage Violation – Case No. 2018-04-005  
Hollywood Casino – Regulatory Violations – March 2018  
Hollywood Casino – Regulatory Violations – April 2018  
Maryland Live Casino – Regulatory Violations – January 2018  
Maryland Live Casino – Regulatory Violations – February 2018  
Maryland Live Casino – Regulatory Violations – March 2018  
Maryland Live Casino – Underage Violations – Case Nos. 2018-03-001, -003, -005, -006, -007, -008 and -012  
Maryland Live Casino – Underage Violations – Case Nos. 2018-03-016 and -022

## Gaming License Application Denials/Revocations:

There are thirty (30) 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 denial/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 thirty (30) 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 the thirty (30) applicants identified on the spreadsheet.

Located on the Agency's Shared Drive under Commission Files (August 2018) 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 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.

**Licensing Division**

- Monthly statistics have been updated and are included in your packet.

**Casino Compliance Division**

- Monthly statistics have been updated and are included in your packet.