

IN THE MATTER OF THE  
PENN CECIL MARYLAND, INC.,  
Respondent.

\* BEFORE THE  
\* MARYLAND LOTTERY  
\* AND GAMING CONTROL  
\* COMMISSION  
\* Case No. 2017-01-042

\* \* \* \* \*

**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 Penn Cecil Maryland, Inc., (“Hollywood Casino”) 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 reach a settlement to resolve a violation. COMAR 36.03.04.06.

Hollywood Casino is licensed by the Commission as the operator of the video lottery facility in Cecil County.

By letter dated September 26, 2017, the Agency notified Hollywood Casino that it was investigating an alleged violation of the Gaming Law pertaining to an underage individual.

On November 7, 2017, the Agency issued a Notice of Alleged Violations of the Maryland Gaming Law (“Notice of Violation”) to Hollywood Casino. The Notice of Violation alleged that on one occasion, an underage individual was admitted into the casino and onto the gaming floor, and that on one occasion the underage individual engaged in table games and was served an alcoholic beverage. The Notice of Violation asserted that these actions violated the Gaming Law and regulations promulgated thereunder, and that these actions were sanctionable.

Hollywood Casino has taken 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 meeting on December 21, 2017.
4. Upon the Commission's final approval of this Consent Agreement, no further action is required by Hollywood Casino.
5. Hollywood Casino will continue to take appropriate measures to prevent underage individuals from entering the casino.
6. If Hollywood Casino violates a term of this Consent Agreement, the Commission may impose a sanction or penalty on Hollywood Casino for violating the Agreement or for the underlying violations. COMAR 36.03.04.06.
7. By entering into this Consent Agreement, Hollywood Casino waives all rights to administrative or judicial review of these alleged violations.
8. This Consent Agreement extends only to those alleged violations referenced in the November 7, 2017, Notice of Violation. If the Commission subsequently discovers additional facts of a material and substantial nature involving any of the incidents cited in the November 7, 2017, Notice of Violation, and said facts constitute additional alleged violations, the Commission may pursue such additional alleged violations. Hollywood Casino may dispute such additional alleged violations.
9. 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.

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

11. 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:

 11/22/17  
\_\_\_\_\_  
Matthew Heiskell (date)  
General Manager  
Penn Cecil Maryland

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

APPROVED:

\_\_\_\_\_  
Kimberly Robertson (date)  
Chair, Maryland Lottery and Gaming Control Commission

## **HOLLYWOOD CASINO – UNDERAGE VIOLATION**

### **Case # 2017-02-042:**

On September 22, 2017, an underage male entered the casino without being asked for identification. As a result of the above action, the underage male was allowed in areas of the video lottery facility where VLTs and table games are located at Hollywood Casino. The underage male was in the casino for approximately 30 minutes and did not gamble or consume any alcoholic beverages. Security escorted the underage male from the casino, but a short time later he attempted to re-enter the casino. An altercation occurred between the underage male and a guest services employee. The Perryville Police responded and arrested the underage male for trespassing and assault.

**Proposed Settlement Amount: Warning**