

IN THE MATTER OF THE  
MGM NATIONAL HARBOR,  
Respondent.

\* BEFORE THE  
\* MARYLAND LOTTERY  
\* AND GAMING CONTROL  
\* COMMISSION  
\* Case Nos. 2017-06-231, -235, -236, -239,  
\* -241 and -266

\* \* \* \* \*

**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 MGM National Harbor Casino (“MGM National Harbor”) 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 settle a violation. COMAR 36.03.04.06.

MGM National Harbor is licensed by the Commission as the operator of the video lottery facility in Prince George's County.

By letters dated November 16, 2017, November 20, 2017, November 29, 2017 and January 4, 2018, the Agency notified MGM National Harbor that it was investigating alleged violations of the Gaming Law pertaining to underage individuals.

On January 12, 2018, the Agency issued a Notice of Alleged Violations of the Maryland Gaming Law ("Notices of Violation") to MGM National Harbor. The Notice of Violation alleged that on six (6) separate occasions, an underage individual(s) was admitted into the casino and onto the gaming floor where VLTs and table games are located at MGM National Harbor. The Notices of Violation asserted that these actions violated the Gaming Law and regulations promulgated thereunder, and that these actions were sanctionable.

MGM National Harbor has taken a variety of 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 February 22, 2018.
4. Upon the Commission's final approval of this Consent Agreement, no further action is required by MGM National Harbor.
5. MGM National Harbor will continue to take appropriate measures to prevent underage individuals from entering the casino.
6. If MGM National Harbor violates a term of this Consent Agreement, the Commission may impose a sanction or penalty on MGM National Harbor for violating the Agreement or for the underlying violations. COMAR.36.03.04.06.
7. By entering into this Consent Agreement, MGM National Harbor 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 January 12, 2018 Notice of Violation. If the Commission subsequently discovers additional facts of a material and substantial nature involving any of the incidents cited in the January 12, 2018 Notice of Violation, and said facts constitute, additional alleged violations, the Commission may pursue such additional alleged violations. MGM National Harbor reserves the right to 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:

 2/28/10

Melonie Johnson (date)  
General Manager  
MGM National Harbor

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

APPROVED:

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

**MGM NATIONAL HARBOR – UNDERAGE VIOLATIONS**  
**Case Nos. 2017-06-231, -235, -236, -239, -241 and -266**

**Case #2017-06-231**

On November 2, 2017, an underage female (12 years old) and her father were able to walk past security at the east entrance and enter the casino. As a result of this incident, the underage female was able to access the gaming floor where VLTs and table games are located at MGM National Harbor Casino. The underage female was **in the casino for approximately 3 minutes** and did not gamble or consume any alcoholic beverages. The underage female and her father were escorted from the casino.

**Proposed Settlement Amount: Warning (Under 30 minutes, Non-Gaming)**

**Case #2017-06-235**

On November 11, 2017, two adults and two children were able to enter the casino at the P5 VIP elevators without being noticed by security. The family exited the VIP elevator and onto the high limits gaming floor. As a result of this incident, the children were able to access the gaming floor where VLTs and table games are located at MGM National Harbor Casino. The family was **on the gaming floor for less than a minute** before a table games dealer advised them to exit the casino.

**Proposed Settlement Amount: Warning (Under 30 minutes, Non-Gaming)**

**Case #2017-06-236**

On November 15, 2017, Surveillance received an open door alarm for the emergency exit doors at Starbucks. Their video coverage showed an adult female patron opening the emergency door from the casino side and letting two children enter the casino. A short time later, security officers made contact with all three patrons. As a result of this incident, the children were able to access the gaming floor where VLTs and table games are located at MGM National Harbor Casino. The children were **in the casino for approximately 2 minutes** and did not gamble or consume any alcoholic beverages. The adult female was given an eviction notice by the casino and was cited by Prince George's County Police.

**Proposed Settlement Amount: No Violation (Open Door Alarm Notified Surveillance)**

**Case #2017-06-239**

On November 17, 2017, two females were able to enter the casino at the west entrance without being asked for identification. A security officer working the east entrance podium first observed the possible underage females leaving the east entrance line and notified security at the west entrance to be on the lookout for them. A short time later, the security officer located the two females in the casino and one of them admitted to being underage. The underage female was **in the casino for approximately 3 minutes** and did not gamble or consume any alcoholic beverages. The security officer escorted the underage female out of the casino without making proper identification.

**Proposed Settlement Amount: Warning (Under 30 minutes, Non-Gaming)**

**Case #2017-06-241**

On November 19, 2017, security officers working the east entrance challenged the international identifications of two female patrons, but eventually allowed them to enter the casino. The female patrons were **in the casino for approximately 30 minutes** and consumed alcohol at the Blossom Lounge. They exited the casino, but a short time later attempted to re-enter at the west entrance but were denied for refusing to show identification. The females then proceeded to the east entrance where they did present their IDs but were denied entry because security questioned the validity of the identifications. On November 25, 2017, a follow-up investigation was conducted by the casino. The female patrons were staying at the casino hotel and were identified as being underage.

**Proposed Settlement Amount: Warning (Under 30 minutes, Non-Gaming)**

**Case #2017-06-266**

On December 27, 2017, an underage male used identification belonging to someone else to enter the casino. When the underage male attempted to make a transaction at the main cage, he used his real identification and was found to be underage. As a result of this incident, the underage male was able to access the gaming floor where VLTs and table games are located at MGM National Harbor Casino. The underage male was in the casino for approximately 17 minutes and did gamble but did not consume any alcoholic beverages. The underage male was issued an eviction notice and escorted from the casino. The underage attempted to enter the casino a second time but was denied and left the casino property.

**Proposed Settlement Amount: Warning (False ID, Gaming)**