

**ORDER 2017-201
IN RE SETTLEMENT AGREEMENT**

**BELTERRA RESORT INDIANA, LLC
17-BT-02**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 16th DAY OF NOVEMBER 2017.

THE INDIANA GAMING COMMISSION:



Cris Johnston, Chair

ATTEST:



Joseph Svetanoff, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)
) **SETTLEMENT**
BELTERRA RESORT INDIANA, LLC) **17-BT-02**
)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Belterra Resort Indiana, LLC (“Beltterra”) (collectively, the “Parties”) desire to settle this matter prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

1. IC 4-33-9-12(a) states a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.
2. 68 IAC 1-11-1(c) states a person under twenty-one (21) years of age shall not be present in a casino.
3. On August 20, 2017, a Surveillance Supervisor notified a Gaming Agent that a patron who had been denied entry earlier in the evening was found on the casino floor. The patron was found on the floor with his father and presented two different identifications when approached by the Gaming Agent. He possessed a Pennsylvania identification that showed his date of birth as 1/5/1995 and a picture showing him with a beard. He also possessed an Ohio identification, with a picture without a beard and a date of birth of 1/5/1999.

It was determined that the patron was 18 years old and advised he was only trying to gain access to the casino floor so that he could attend a banquet and enjoy the food with his father. On the minor’s first attempt to enter the casino, he used the correct Ohio identification and was turned away. On his second attempt, he presented the Pennsylvania identification, which was determined to be fraudulent. Surveillance coverage showed the Security Officer scanned the identification through Veridocs System on at least two occasions. A later check revealed that the identification had failed.

4. On August 30, 2017, the Security Director contacted a Gaming Agent regarding a patron trying to gain entry to the casino utilizing another person’s identification. After the Agent reviewed the identification, the patron admitted that it was not his identification. He explained it was his brother’s, who had been deported. The patron advised that he was 18 years old and admitted to being in the casino earlier in the morning. A review of

surveillance coverage confirmed that he had entered the casino earlier that morning through the turnstiles and the Security Officer did not check his identification.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Belterra by and through its agents as described herein constitute a breach of IC 4-33, 68 IAC and/or Belterra's approved internal control procedures. The Commission and Belterra hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Belterra. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

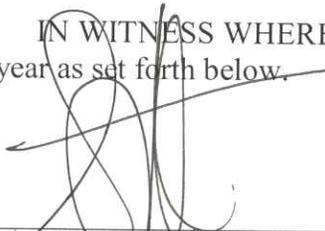
Belterra shall pay to the Commission a total of \$13,500 and submit a corrective action plan for identifying minors in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. This agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

Upon execution and approval of this Settlement Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Settlement Agreement by the Commission, Belterra agrees to promptly remit payment in the amount of \$13,500 and shall waive all rights to further administrative or judicial review.

This Settlement Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Settlement Agreement. This Settlement Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Settlement Agreement shall be binding upon the Commission and Belterra.

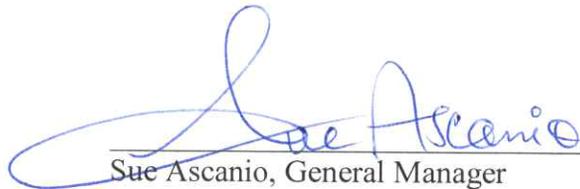
IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date and year as set forth below.



Sara Gonso Tait, Executive Director
Indiana Gaming Commission

11/15/17

Date



Sue Ascanio, General Manager
Belterra Resort Indiana, LLC

11-17

Date