

**STATE OF ILLINOIS
ILLINOIS GAMING BOARD**

IN RE THE DISCIPLINARY ACTION OF:

FHR-Illinois LLC d/b/a American Place Casino

DC-C-23-02

Owners Licensee

COMPLAINT FOR DISCIPLINARY ACTION

The Illinois Gaming Board, for its Complaint against FHR-Illinois LLC d/b/a American Place Casino, states as follows:

NATURE OF ACTION

1. The Illinois Gaming Board (the “Board” or “IGB”), brings this action against FHR-Illinois LLC d/b/a American Place Casino (“APC”) for failing to prevent at least 33 Self-Excluded Persons (“SEPs”) from entering APC’s gaming, failing to prevent at least 11 SEPs from gambling at APC, and issuing APC player’s cards to 3 SEPs in violation of the Board’s Adopted Rules for Casino Gambling (the “Rules”).

2. The Board brings this action pursuant to Section 5 of the Illinois Gambling Act (the “IGA”), 230 ILCS 10/1 *et seq.*, and Rules 3000.560(a), 3000.770, and 3000.110(a)(1), 86 Ill. Adm. Code 3000.110 *et seq.*

PARTIES

3. The Board is the Illinois regulatory and law enforcement agency charged with administering, regulating, and enforcing the systems of casino gambling, sports wagering and video gaming in Illinois. The Board’s jurisdiction extends to every person, association, corporation, partnership, and trust involved in Illinois gaming operations.

4. APC is the operator of The Temporary by American Place (“The Temporary”) casino in Waukegan, Illinois. APC commenced casino gambling operations at The Temporary on February 17, 2023. At all relevant times, APC was either a Temporary Operating Permit holder or an Owners Licensee under the IGA and Rules. As a Temporary Operating Permit holder or Owners Licensee, APC (including its agents and employees) is required to comply with the IGA, the Rules, its own Internal Control System, or any federal, state or local law or regulation at all times.

RELEVANT BACKGROUND

A. The IGB Voluntary Self-Exclusion Program for Problem Gamblers

5. In July 2002, the Board launched a Statewide Casino Voluntary Self-Exclusion Program for Problem Gamblers that allows persons who have determined they are problem gamblers to voluntarily self-exclude themselves from all Illinois casinos. Following the legalization of sports wagering in Illinois on June 28, 2019, the Board incorporated a new self-exclusion program for sports wagering into the existing casino Self-Exclusion Program.

6. Under Self-Exclusion Program Rules, persons who request self-exclusion (“SEPs”) will be placed on a Statewide Self-Exclusion List distributed to each casino. 86 Ill. Adm. Code 3000.745, 3000.750, 3000.760.

7. SEPs are ineligible to place wagers and are prohibited from entering the area within the admission turnstiles of any Illinois casino (commonly known as the “gaming floor”). 86 Ill. Adm. Code 3000.750. Correspondingly, each Illinois casino operator has an affirmative duty to prevent SEPs from accessing the gaming floor, gambling, and receiving casino marketing and promotional materials. 86 Ill. Adm. Code 3000.560(a), 3000.770(a)-(b).

8. Among other things, APC’s Internal Control System prohibits its employees from knowingly allowing a self-excluded person access to the gaming floor.

9. Illinois casino operators are subject to discipline for “any act or failure to act by [itself] or by [its] agents or employees that is injurious to the public health, safety, morals, good order and general welfare of the people of the State of Illinois, or that would discredit or tend to discredit the Illinois Gaming industry or the State of Illinois” including failing to comply with the IGA, the Rules, its Internal Control System, or any federal, State or local law or regulation. 86 Ill. Adm. Code 3000.110(a)(1).

B. APC’s Self-Exclusion Program Compliance Failures

10. On February 19, 2023, APC employees failed to prevent SEP #XXXXXXX053 from entering its gaming floor. APC informed Board Gaming Agents that its detection system failed to identify the patron as a SEP until after the patron entered the gaming floor.

11. On February 20, 2023, APC employees failed to prevent SEP #XXXXXXX017 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until after the patron entered the gaming floor.

12. On February 23, 2023, APC employees failed to prevent SEP #XXXXXXX215 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to cash out a voucher after gambling.

13. On March 4, 2023, APC employees failed to prevent SEP #XXXXXXX024 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to conduct a cash transaction at the casino’s main cage after entering the gaming floor.

14. On March 7, 2023, APC employees failed to prevent SEP #XXXXXXX320 from entering its gaming floor. APC informed Board Gaming Agents that its detection system did not identify the patron as a SEP until after the patron entered the gaming floor.

15. On March 11, 2023, APC employees failed to prevent SEP #XXXXXXX072 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron won a jackpot after gambling at APC.

16. On March 11, 2023, APC employees failed to prevent SEP #XXXXXXX245 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

17. On March 14, 2023, APC employees failed to prevent SEP #XXXXXXX367 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

18. On March 18, 2023, APC employees failed to prevent SEP #XXXXXXX385 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

19. On April 2, 2023, APC employees failed to prevent SEP #XXXXXXX215 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron won a jackpot after gambling at APC.

20. On April 10, 2023, APC employees failed to prevent SEP #XXXXXXX325 from entering its gaming floor and gambling. APC informed Board Gaming Agents the patron was not identified as a SEP until the patron obtained a player's card and won a jackpot after gambling at APC.

21. On April 17, 2023, APC employees failed to prevent SEP #XXXXXXX503 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron won a jackpot after gambling at APC.

22. On April 22, 2023, APC employees failed to prevent SEP #XXXXXXX255 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron won a jackpot after gambling at APC.

23. On May 5, 2023, APC employees failed to prevent SEP #XXXXXXX299 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

24. On May 15, 2023, APC employees failed to prevent SEP #XXXXXXX643 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron won a jackpot after gambling at APC.

25. On May 15, 2023, APC employees failed to prevent SEP #XXXXXXX181 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a cash advance after entering the gaming floor.

26. On May 18, 2023, APC employees failed to prevent SEP #XXXXXXX194 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until after the patron entered the gaming floor.

27. On May 19, 2023, APC employees failed to prevent SEP #XXXXXXX683 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to redeem winnings after gambling at APC.

28. On May 22, 2023, APC employees failed to prevent SEP #XXXXXXX098 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

29. On May 25, 2023, APC employees failed to prevent SEP #XXXXXXX105 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

30. On June 18, 2023, APC employees failed to prevent SEP #XXXXXXX251 from entering its gaming floor and gambling. APC employees informed Board Gaming Agents that the patron was not identified as a SEP until the patron won a jackpot after gambling at APC.

31. On June 20, 2023, APC employees failed to prevent SEP #XXXXXXX252 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted purchase gaming chips at a table on APC's gaming floor.

32. On June 21, 2023, APC employees failed to prevent SEP #XXXXXXX336 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

33. On June 30, 2023, APC employees failed to prevent SEP #XXXXXXX100 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain funds for gambling after entering the gaming floor.

34. On July 12, 2023, APC employees staff failed to prevent SEP #XXXXXXX377 from entering its gaming floor. APC informed Gaming Board Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

35. On July 18, 2023, APC employees failed to prevent SEP #XXXXXXX762 from entering its gaming floor and gambling. APC employees informed Board Gaming Agents that the patron was not identified as a SEP until after the patron obtained player's card, cashed out gambling winnings, and departed the casino after gambling at APC.

36. On July 27, 2023, APC employees failed to prevent SEP #XXXXXXX329 from entering its gaming floor. APC informed Board Gaming Agents that its detection system failed to identify the patron as a SEP until after the patron entered the gaming floor.

37. On July 28, 2023, APC employees failed to prevent SEP #XXXXXXX458 from entering its gaming floor. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to obtain a player's card after entering the gaming floor.

38. On July 31, 2023, APC employees failed to prevent SEPs #XXXXXXX119, #XXXXXXX043, and #XXXXXXX071 from entering its gaming floor. APC informed Board Gaming Agents that its detection system failed to identify each of the three patrons as SEPs until after the group entered the gaming floor.

39. On September 13, 2023, APC employees failed to prevent SEP #XXXXXXXX797 from entering its gaming floor and gambling. APC informed Board Gaming Agents that the patron was not identified as a SEP until the patron attempted to redeem winnings after obtaining a player's card and gambling at APC.

COUNT I
FAILURE TO PREVENT SELF-EXCLUDED PERSONS
FROM ACCESSING THE CASINO GAMING FLOOR

40. The Board realleges and incorporates paragraphs 1 through 39, above as if fully set forth herein.

41. Paragraphs 1 through 39 above constitute more than 30 separate violations of the Board's Rules, the IGA, and APC'S own Internal Control Standards.

42. In addition to instances where SEPs entered the APC gaming floor, the violations alleged above include at least 11 separate incidents where APC failed to prevent SEPs from

gambling on the APC gaming floor and at least 3 separate incidents where APC issued a player's card to an SEP.

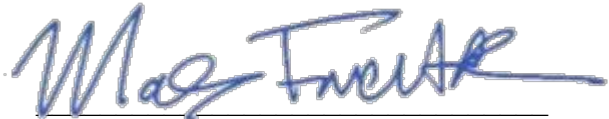
43. Through its conduct as alleged above, APC repeatedly violated the IGA, the Rules, and its own Internal Control System.

44. The acts and omissions of APC alleged above discredit or tend to discredit the Illinois gaming industry.

45. By engaging in the conduct alleged above, APC is subject to discipline pursuant to Rule 3000.110(a)(1).

WHEREFORE, based on the foregoing, APC should be fined in the amount of \$150,000.

Respectfully submitted,



Marcus D. Fruchter
Administrator
Illinois Gaming Board

Dated: December 28, 2023

NOTIFICATION OF DISCIPLINARY ACTION

Pursuant to the Board's authority under Section 5 of the IGA, Rule 3000.110, and the Board's February 9, 2023 Delegation Order, **FHR-Illinois LLC d/b/a American Place Casino is hereby fined the amount of \$150,000.**

Payments should be sent to:

Illinois Gaming Board
Revenue Accounting Unit
801 South Seventh Street, Suite 400 - South
Springfield, Illinois 62703

Instead of paying the fine, **FHR-Illinois LLC d/b/a American Place Casino may file an Answer within 21 days of receipt of this Complaint. If you choose to file an Answer, it will *not* be accepted unless it complies with *every* requirement listed in Section 405 of the Rules, 86 Ill. Adm. Code 3000.405.** If you file an Answer that complies with all requirements under Rule 405, a hearing officer will be appointed to conduct a hearing.

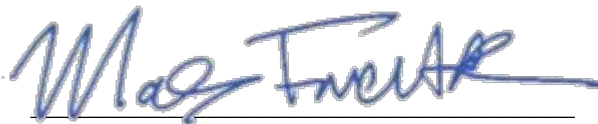
Failure to file an Answer or pay a fine of \$150,000 within 21 days of receiving this Complaint may result in additional discipline, up to and including revocation of your license.

The Answer shall be mailed to:

Illinois Gaming Board
Attn: Legal Department
160 N. LaSalle St., Suite 300
Chicago, Illinois 60601

OR IGB.LEGAL@illinois.gov

Dated: December 28, 2023



Marcus D. Fruchter
Administrator
Illinois Gaming Board