

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
File Nos. D-70-20-203

IN THE MATTER OF FANDUEL

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Civil Action

ORDER

The Division of Gaming Enforcement (“Division”), being authorized by *N.J.A.C.* 13:69B-2.9 to impose civil monetary penalties up to \$2,000 upon licensees for regulatory violations; and

The Division having sent a Notice of Violation to FanDuel on June 2, 2021 imposing a \$1,600 civil penalty for failure to ensure that the KYC process provided by third-party providers was working correctly and marketing to sixteen underage individuals in violation of a Division requirement, in violation of *N.J.A.C.* 13:69D-2.3(d) and 13:69O-1.3(b); and

Alex Smith, FanDuel’s Senior Director Regulatory Operations, having provided technical corrections including 1) the fact that although individuals were Know-Your-Customer (“KYC”) verified by Aristotle, the eligibility service of FanDuel’s player account management system successfully flagged them as ineligible; and 2) that Aristotle’s age requirement minimum for marketing was set at 18 years of age when it should have been set at 21 years of age; and

FanDuel having agreed to the proposed penalty on June 4, 2021; and

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A.* 5:12-1 *et seq.*, and the regulations promulgated thereunder, specifically for a violation of *N.J.A.C.* 13:69D-2.3(d) and 13:69O-1.3(b);

I hereby **ORDER** that the civil penalty in the amount of \$1,600 as agreed to by the parties be imposed upon FanDuel, payable upon receipt of an invoice from the Division.

Dated: June 17, 2021

David L. Rebeck
DAVID REBUCK
DIRECTOR