

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
Dkt Nos.: 23-1011-VC, 23-1509-VC,
24-0267-VC, 24-0268-VC

STATE OF NEW JERSEY, DEPARTMENT
OF LAW AND PUBLIC SAFETY,
DIVISION OF GAMING ENFORCEMENT,

Petitioner,

ORDER

v.

MARINA DISTRICT DEVELOPMENT
COMPANY d/b/a BORGATA HOTEL
CASINO & SPA

Respondent.

The Division of Gaming Enforcement (“Division”) filed a complaint on or about September 26, 2023, under Docket Number 23-1011-VC that sought sanctions against Marina District Development Company d/b/a Borgata Hotel Casino & Spa (“Borgata”), for permitting underage persons to enter, remain and wager in the casino. Thereafter, the Division sought sanctions for additional related incidents that occurred after Docket Number 23-1011-VC was filed. From September 2021 until December 2023, Borgata permitted 21 underage persons to enter, remain and wager at various slot machines and table games undetected; and

The Division filed a second complaint on or about January 30, 2024, under Docket 23-1509-VC that sought sanctions against Borgata for committing dealer error violations. Thereafter, the Division sought sanctions for additional related incidents that occurred after Docket Number 23-1509-VC was filed. From February 2020 until August 2024, Borgata committed 15 incidents of dealer error violations; and

The Division filed a third complaint on or about February 15, 2024, under Docket Number 24-0267-VC that sought sanctions against Borgata for permitting excluded persons to enter, remain and wager in the casino. Thereafter, the Division sought sanctions for additional related incidents that occurred after Docket Number 24-0267-VC was filed. From May 2019 until August 2024, Borgata permitted 15 excluded persons to enter, remain and wager at various slot machines and table games

undetected; and

The Division filed a fourth complaint on or about February 15, 2024, under Docket Number 24-0268-VC that sought sanctions against Borgata for permitting self-excluded persons to enter, remain and wager in the casino. Thereafter, the Division sought sanctions for additional related incidents that occurred after Docket 24-0268-VC was filed. From August 2020 until September 2024, Borgata permitted 20 self-excluded persons to enter, remain and wager at various slot machines and table games undetected; and

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1, et seq.*, *N.J.S.A. 5:12-119*, *N.J.S.A. 5:12-71.2(a)*, and *N.J.S.A. 5:12-71*, and the regulations promulgated thereunder, specifically, *N.J.A.C. 13:69C-16.1(a)*, *N.J.A.C. 13:69F-2.5(a)*, *N.J.A.C. 13:69F-7.5(f)*, *N.J.A.C. 13:69E-1.17(a)*, *N.J.A.C. 13:69F-14.2(a)*, *N.J.A.C. 13:69F-14.6(e)*, *N.J.A.C. 13:69D-1.20(a)*, *N.J.A.C. 13:69F-19.2(a)*, *N.J.A.C. 13:69-1.20(a)*, *N.J.A.C. 13:69G-1.4(a)-(c)*, and *N.J.A.C. 13:69G-1.7(a)*; and

Having considered the remedial actions taken by Borgata in response to these violations; and

Having considered the Stipulation of Settlement which the parties executed and finding sufficient legal and factual support for the recommended penalties therein.

It is hereby **ORDERED** that the settlement be adopted and that civil penalties in the amount of \$115,000 for Docket 23-1011-VC, \$65,000 for Docket 23-1509-VC, \$85,000 for Docket 24-0267-VC, and \$110,000 for Docket 24-0268-VC, for a total aggregate civil penalty of \$375,000, and a disgorgement of \$75,097.80, be imposed upon Borgata, payable upon receipt of an invoice from the Division's Revenue Unit.

Dated: April 4, 2025



MARY JO FLAHERTY
INTERIM DIRECTOR