

**STATE OF ILLINOIS
ILLINOIS GAMING BOARD**

IN RE: THE DISCIPLINARY ACTION OF:

**Sunrise Motel Enterprises, Inc.
d/b/a Manny's**

DC-V-22-10

**Licensed Establishment
License No. 160703130**

COMPLAINT FOR PROPOSED DISCIPLINARY ACTION

The Illinois Gaming Board, for its Complaint against Sunrise Motel Enterprises, Inc. d/b/a Manny's, states as follows:

NATURE OF ACTION

1. The Illinois Gaming Board (the "Board" or "IGB") brings this action against licensed video gaming establishment Sunrise Motel Enterprises, Inc. d/b/a Manny's ("Manny's" or the "Establishment"), for failing to monitor video gaming terminals in violation of the Video Gaming Act (the "Act") and the Board's Adopted Rules for Video Gaming (the "Rules").
2. Manny's conduct violates provisions of the Rules that prohibit Board licensees from engaging in any conduct that would discredit, or tend to discredit, or reflect adversely on the integrity of the Illinois gaming industry, including but not limited to the failure to comply with the the Rules.
3. The Board brings this action pursuant to Sections 78(a)(2), 78(a)(3) and 80 of the Act; Sections 5(b)(2), 5(b)(13), 5(c)(5), 5(c)(11), and 5(c)(15) of the Illinois Gambling Act; and Rules 310 and 810. 230 ILCS 40/78; 230 ILCS 40/80; 230 ILCS 10/5; 11 Ill. Adm. Code 1800.310; 11 Ill. Adm. Code 1800.810.
4. Through this action, the Board seeks to fine Manny's \$5,000.

PARTIES

5. The Board is the Illinois state agency responsible for administering, regulating, and enforcing the system of video gaming in Illinois. The Board's jurisdiction extends to every person, association, corporation, partnership, and trust involved in video gaming operations in Illinois.

6. Manny's is a licensed location (License No. 160703130) operating in Carbondale. The Board first licensed Manny's in November 2016. As a licensee, Manny's, its employees, and its agents are required to comply with the VGA and the Rules at all times.

FACTS

7. On or around July 23, 2020, an IGB Agent arrived at Manny's to conduct a routine compliance check.

8. Upon arrival, the Agent noticed that Manny's did not have any employee monitoring the VGT area.

9. After 15 minutes without any Manny's employee monitoring the VGT area, the Agent approached the hotel clerk working at Manny's.

10. The Agent identified himself and asked to speak to either the owner or manager. The hotel clerk called Gabby Valadez ("Valadez"), whom the clerk identified as the Manager, and spoke with the agent in the bar area.

11. The agent explained the VGTs must be monitored by an employee over 21 at all times.

12. Valadez stated the bartender was not going to arrive until 4:00 p.m.

13. The agent told Valadez the doors to the gaming area should not be propped open and IDs must be checked to prevent anyone under the age of 21 from gaming. The gaming area should be closed until someone over 21 was there to monitor the gaming area. Valadez agreed to stay in the bar area until the bartender arrived.

14. On or around September 30, 2020, the agent arrived at Manny's to conduct a second compliance check.
15. Upon arrival, the agent noticed the bartender was not on duty to monitor the VGTs.
16. Approximately 15 minutes after the agent's arrival Valadez reported to work and entered the bar area. Valadez recognized the agent from the July 23, 2020, incident.
17. Valadez stated the front desk clerk was supposed to be checking IDs of everyone who entered the bar area, and the doors were supposed to be closed until the bar opened.
18. The agent informed Valadez that no one spoke to the agent when he walked into the bar area, and the doors were propped open similar to the July 23, 2020, incident.

**COUNT I- FAILURE TO MONITOR
VIDEO GAMING TERMINALS**

19. The Board alleges paragraphs 1-18 as if restated herein.
20. Pursuant to Rule 1800.810(e), the owner, manager or employee of the licensed video gaming location who is over 21 years of age shall be present during all hours of operation, and the video gaming terminals or the entrance to the video gaming terminal area must be within the view of at least one owner, manager or employee.
21. Manny's violated Rule 1800.810(e), of the Rules by failing to have an employee who is at least 21 years of age on or around July 23, 2020 and September 30, 2020. Accordingly, its conduct discredits or tends to discredit the Illinois gaming industry and the State of Illinois. Further, its conduct is in violation of Illinois law.
22. By failing to have an owner, manager or employee of the licensed video gaming location who is over 21 years of age present during all hours of operation, and failing to ensure that the video gaming terminals or the entrance to the video gaming terminal area was within the view of

at least one owner, manager or employee Manny's was in violation of Rule 810(e), thus subject to discipline.

WHEREFORE, based on the foregoing, Manny's should be FINED \$5,000

Dated: July 18, 2022

Respectfully submitted,



Daniel Gerber
General Counsel
Illinois Gaming Board

***ISSUED UNDER THE AUTHORITY OF THE ADMINISTRATOR OF
THE ILLINOIS GAMING BOARD***

NOTIFICATION OF PROPOSED DISCIPLINARY ACTION

Pursuant to Rule 715 [11 Ill. Adm. Code 1800.715] the Administrator finds facts sufficient to authorize the issuance of a Disciplinary Complaint against Sunrise Motel Enterprises, Inc. d/b/a Manny's and with the proposed discipline of \$5,000

The license of Sunrise Motel Enterprises, Inc. d/b/a Manny's shall be FINED \$5,000 for violations of the Video Gaming Act and the Adopted Rules, as set forth in Disciplinary Complaint No. DC-V-22-10 unless it files an answer to the Disciplinary Complaint within 21 days from the date of service of the complaint.

If Sunrise Motel Enterprises, Inc. d/b/a Manny's choose to file an Answer, it will not be accepted unless it complies with every requirement listed in Section 720 of the Rules [11 Ill. Adm. Code 1800.720]. If you file an Answer that complies with all requirements under Rule 720, a hearing officer will be appointed to conduct a hearing. Failure to file an Answer within 21 days of receiving this Complaint will result in the proposed disciplinary action becoming effective and final. 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: July 18, 2022

Respectfully submitted,



Daniel Gerber
General Counsel
Illinois Gaming Board