

# IN THE MISSOURI GAMING COMMISSION

In Re: )  
 ) DC 22-007  
NRT Technology, Corp. )

## AMENDED PRELIMINARY ORDER FOR DISCIPLINARY ACTION

Comes now the Missouri Gaming Commission acting in its official capacity pursuant to 11 CSR 45-13.050, and states as follows:

1. The Missouri Gaming Commission (the “Commission” or “MGC”) is a state commission created under Chapter 313, RSMo, with jurisdiction over gaming activities, including riverboat gambling activities, in the State of Missouri.
2. NRT Technology, Corp. (“NRT” or “Company”) is a supplier of payment systems, self-serve financial and marketing kiosks, and gaming platforms, holding a license under 11 CSR 45-4, et seq.
3. The Commission issued a Supplier license to NRT to provide gambling equipment or supplies, or other items directed by the Commission to Class B licensees or to the Commission.
4. As the holder of a Supplier license, the Company is subject to the provisions of §§ 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

## STATEMENT OF FACTS<sup>1</sup>

5. At all relevant times as alleged herein, Joseph A. Coady was employed by NRT as its Senior Vice President-Systems and Development and held a Key Person license issued by the MGC.
6. Mr. Coady’s Key Person license was set to expire on August 31, 2021.
7. MGC staff sent NRT correspondence on July 1, 2021, indicating Mr. Coady’s renewal application had not been received at least 60 days prior to the first day of the month of expiration, as required by 11 CSR 45-4.390(1).
8. Throughout July and August 2021, MGC staff exchanged emails with NRT in an attempt to obtain Mr. Coady’s application before his license expired in August 2021.
9. On August 16, 2021, MGC staff sent NRT an email with directions for Mr. Coady to submit a new application because it was too late to process his renewal application before his license expired.

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<sup>1</sup> GIR 20211028003

10. The MGC received Mr. Coady's application on September 3, 2021, but it was incomplete due to the lack of a current tax clearance document, which was ultimately obtained and submitted to the MGC along with his signed tax affidavit on October 18, 2021. MGC issued Mr. Coady a temporary license on October 25, 2021.
11. As a result of NRT's delay regarding Mr. Coady's renewal application, Mr. Coady worked in his position with NRT without a Key Person license from September 1, 2021, to October 25, 2021.

**LAW**

12. Section 313.805, RSMo, states, in pertinent part, as follows:

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

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(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

\* \* \*

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

13. Section 313.812.14, RSMo, states, in pertinent part, as follows:

A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any

licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline.

- (1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulations;
- (2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming[.]

14. Title 11 CSR 45-4.390 states as follows:

- (1) At least sixty (60) days for key person and Level I licensees and fifteen (15) days for Level II licensees before the first day of the month of expiration, each licensee shall file for renewal on forms available on the commission's website or authorize a Class A or Class B licensee to submit an application for renewal on his/her behalf in accordance with 11 CSR 45-10.110. Alternatively, each licensee may file for renewal as provided in 11 CSR 45-10.110(2).
- (2) A Level I or Level II licensee may only renew his/her license if the licensee is a current employee of a Class A, Class B, or supplier licensee. A key person may only renew his/her license if the licensee is associated with a Class A or supplier licensee.
- (3) The director shall have the power to renew any occupational license, provided that if the director intends not to renew an occupational license which the licensee has appropriately requested to have renewed, the director shall notify the commission in writing of his/her intention not to renew and the reasons for his/her decision at least ten (10) days before the license expires.

### **VIOLATIONS**

15. The actions or omissions of employees or agents of the Company as described above constitute a failure to timely file for renewal of a key person licensee, which is a violation of 11 CSR 45-4.390(1).
16. The Company is therefore subject to discipline for such violations under §§ 313.805(6) and 313.812.14 (1) and (2), RSMo.

### **PENALTY PROPOSED**

17. Under § 313.805(6), RSMo, the Commission has the power to assess any appropriate administrative penalty against the Company, as the holder of a Supplier license.

18. THEREFORE, it is proposed that the Commission fine NRT Technology, Corp., the amount of \$5,000 for the violations set forth herein.

  
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Mike Leara  
Chairman  
Missouri Gaming Commission

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this 24<sup>th</sup> day of February, 2022, to:

John Dominelli, CEO  
NRT Technology, Corp.  
10 Compass Court  
Toronto, Ontario, Canada M1S 5R3

  
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Mike Leara  
Chairman  
Missouri Gaming Commission