### **April 20, 2018**

### Volume 24, Issue 14

For more information on Michigan's gaming industry, please visit www.michigangaming.com

Editor in Chief

David D. Waddell, Esq.

Phone: 517.507.3859

waddell@rmclegal.com

Senior Gaming Analyst & Editor

Robert R. Russell, II Phone: 517.507.3858 russell@rmclegal.com

Reporter and Associate Editor
J.J. Burchman, Esq.
Phone: 517.999.5414
burchman@rmclegal.com

Distribution Coordinator
Julie Williams
Phone: 517.507.3861
jwilliams@rmclegal.com

Subscription information: info@michigangaming.com

A publication of **RMC Ventures, LLC** 

Asher Court 321 W. Lake Lansing Rd. East Lansing, MI 48823 Phone: 517.507.3860 Fax: 517.908.0235 www.rmclegal.com

# The MICHIGAN GAMING Newsletter



# NORTHVILLE DOWNS LEVERAGING CLOSURE TO SEEK LEGISLATIVE ACTION

On Tuesday of this week, Northville Downs announced that "after being in business in downtown Northville for almost 75 years" they have entered into a contract to develop the land where the track is currently located. The Detroit Free Press reported that real estate company Hunter Pasteur Homes is the developer for the project. According to the Free Press, the firm said it intends to redevelop the track and adjacent land, totaling 48 acres, to build a mixed-use development with commercial space and 500 to 600 new residences, including high-end apartments, townhouses and single-family houses.

The track announced that live harness racing and simulcast wagering will continue at the current location through 2020. They also noted that they are exploring multiple other locations to develop a state of the art "gaming facility", but noted that they will work closely with state and local representatives to "implement the necessary changes that other states around us have, so we can bring racing back to its finest day." On its website, the Michigan Harness Horsemen's Association relayed that Northville Downs has "interest in building a new track pending changes to the horse racing laws in Michigan."

The announcement from Northville Downs came just two weeks after the only other remaining track in Michigan, and only thoroughbred facility, Hazel Park Raceway announced that it was closing and selling its real estate.

Currently, there are two pieces of legislation pending in the Michigan Senate (SB 382 and HB 4611) to allow for "third party facilitator" licensing to permit a form of advanced deposit wagering for the tracks.

### FLINT MAN SENTENCED FOR EMBEZZLING CHARITABLE GAMING FUNDS

On April 16, a 79-year-old Flint man was sentenced to 60 months of probation and \$698 in fines and court costs. David Lee Thiese Sr. was found guilty of embezzling nearly \$37,000 in charitable gaming funds from St. Pius X Catholic Church and School and affiliated groups in Flint. Thiese previously agreed to repay \$36,862 he admitted keeping for personal use from the church's charitable gaming profits.

Following a Michigan Gaming Control Board and Michigan Attorney General's office investigation, Thiese Sr. was charged with a felony count of embezzlement of \$20,000 to \$50,000. Thiese Sr. pled guilty to the charge at a pretrial conference on Feb. 22.

"It's so important for charities to maintain proper oversight and accounting practices to prevent financial crime," said Richard Kalm, MGCB executive director. "It's unfortunate when MGCB investigators review event results and discover fraud, but we are here to help charities when a crime happens."

Between 2012 and 2014, Thiese Sr. was listed as the chairperson for 28 Flint-area charity poker events. Thiese Sr. deposited St. Pius X Church's net profits from charitable gaming into an account he controlled. The charities earned nearly \$60,000 in combined net profit from charitable gaming events, but he shared only \$22,900 in proceeds with the church. Michigan law requires the entire net proceeds of a charitable gaming event be devoted exclusively to the charity's purposes.

The charges followed an MGCB investigation of events held at the former Gloria's Poker Palace, Lucky's Poker Room and Pocket Aces. Thiese Sr. is the 15th person associated with the three locations to plead guilty to charitable gaming crimes since 2014.

### ACCORDING TO SURVEY OF LOCAL CHARITIES MGCB DOES GREAT JOB WITH GAMING LICENSING SERVICES

Per a <u>press release</u> dated April 17, a recent survey of charities concluded that the Michigan Gaming Control Board does a great job with licensing services for casino-style gaming fundraisers. The 27-question survey found 87 percent of customers are satisfied with MGCB services. PricewaterhouseCoopers conducted the survey for the agency and told the MGCB board these are impressive results for a government agency. A survey was deemed as a scientific way to measure overall customer service effectiveness and satisfaction.

The survey was sent to charities that held casinostyle charitable gaming events last year. The survey measured multiple points of customer contact, including telephone, email and personal interactions with licensing staff and with regulation officers who visit events and conduct post-event audits.

"MGCB employees continue to work well with charities, and we're extremely pleased with the survey results, which show charities think highly of us," said Richard Kalm, executive director, MGCB.

The agency's licensing staff received high marks on handling event applications and changes, status updates, effectiveness, timeliness and responsiveness. More than 90 percent of respondents said regulation officers were unobtrusive and noninterfering as possible during events. They also said regulation officers were well informed about regulatory requirements and answered all questions about the inspection process and results (94 percent).

Respondents asked for improvements to the MGCB website. In response the agency introduced an updated website in December. Other suggestions included a more streamlined application process and improved communication on form changes.

"We are looking at survey comments for ideas on further improvements," Kalm said. "There always are things we can do better to help the charities."

## MICHIGAN LIQUOR CONTROL COMMISSION APPROVES eTIPS ONLINE ALCOHOL TRAINING PROGRAMS FOR STADIUMS AND CASINOS

On April 18, the Michigan Liquor Control Commission (MLCC) approved new online responsible alcohol training and certification programs for servers at Michigan stadiums and gaming facilities. The programs are called eTIPS Concessions – Michigan and eTIPS Gaming – Michigan. eTIPS Concessions is designed for concessionaires who serve and sell alcohol in stadiums, arenas, and festivals, and eTIPS Gaming is tailored specifically for casino employees.

Since 2001, the MLCC has required alcohol server training for licensees obtaining new on-premise licenses or transferring more than 50% interest in existing on-premise licenses. TIPS (Training for Intervention ProcedureS) classroom training was one of the first approved alcohol server training programs in Michigan. Prior to 2014, the only way to obtain MLCC-approved certification was through classroom sessions conducted by certified TIPS trainers.

eTIPS offers Michigan licensees a convenient online option for obtaining MLCC-approved certification. These programs focus on the unique challenges of responsible service in stadiums and casinos. The courses are customized to deliver information on the laws and regulations unique to the state of Michigan. Additionally, the eTIPS programs can help Michigan licensees reduce exposure to alcohol liability lawsuits, lower insurance rates, and improve customer satisfaction.

Since 1982, TIPS has trained and certified more than 250,000 individuals in responsible alcohol service in the state of Michigan. For more information please see the original <u>press release</u> from Health Communications Inc. or visit <u>www.gettips.com</u>.