

(e) Any payment received pursuant to this section that the drawer directs be deposited in a cash deposit account pursuant to (d)3 above shall be deposited by the casino licensee in accordance with the requirements of N.J.A.C. 19:45-1.24 except that, if the drawer is not present in the casino hotel:

1. The Customer Deposit Form may be prepared without the patron's signature on the duplicate copy;
2. The original of the Customer Deposit Form shall be mailed to the drawer in accordance with N.J.A.C. 19:45-1.26(i)2; and
3. After the payment is deposited in the patron cash deposit account, it shall only be used by or refunded to the drawer in accordance with N.J.A.C. 19:45-1.24 and, if applicable, N.J.A.C. 19:45-1.24B.

(f) If a patron check is dishonored by the drawer's bank upon presentation for payment and returned to the casino licensee, any payments received pursuant to this section, including payments that have been transferred to a patron cash deposit account pursuant to (d)3 above, that have not been returned to the drawer shall be used to reduce the amount to be collected from the drawer or to be deemed uncollectible pursuant to the provisions of N.J.A.C. 19:45-1.29.

(g) Except as otherwise provided in this section, any payment authorized by this section shall be made for the sole benefit of the drawer. No junket representative, junket

enterprise or employee or agent of a junket enterprise shall, and no casino licensee or employee or agent of a casino licensee shall, except as specifically authorized by the rules of the Commission, make a payment for the benefit of the drawer of a patron check pursuant to this section.

New Rule, R.1995 d.40, effective January 17, 1995.

See: 26 N.J.R. 3825(a), 27 N.J.R. 382(b).

Amended by R.1996 d.359, effective August 5, 1996.

See: 28 N.J.R. 2536(a), 28 N.J.R. 3823(a).

Amended by R.1998 d.369, effective July 20, 1998.

See: 30 N.J.R. 2637(a).

In (e)2, changed N.J.A.C. reference.

19:45-1.27 Procedures for granting credit, and recording checks exchanged, redeemed or consolidated

(a) A credit file for each patron shall be prepared by a general cage cashier or credit department representative with no incompatible functions either manually or by computer prior to the casino licensee's approval of a patron's credit limit. All patron credit limits and changes thereto shall be supported by the information contained in the credit file. Such file shall contain a credit application form upon which shall be recorded, at a minimum, the following information provided by the patron:

1. The patron's name;
2. The address of the patron's residence;
3. The number of years at that address;
4. The telephone number at the patron's residence;

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5. Employment information including:

- i. The name of the patron's employer, or an indication of self employment or retirement;
- ii. Type of business;
- iii. The patron's position;
- iv. Number of years employed;
- v. The patron's business address; and
- vi. The patron's business telephone number.

6. Banking information including:

- i. The name and location of the patron's bank; and
- ii. The account number of the patron's personal checking account upon which the patron is individually authorized to draw and upon which all Counter Checks, Slot Counter Checks and all checks used for substitution, redemption or consolidation will be drawn. Checking accounts of sole proprietorships shall be considered as personal checking accounts. Partnership or corporate checking accounts shall not be considered personal checking accounts.

7. The credit limit requested by the patron;

8. The name of each casino where the patron has a casino credit limit;

9. The approximate amount of all other outstanding indebtedness;

10. The amount and source of income and assets in support of the requested credit limit; and

11. The patron's signature indicating acknowledgment of the following statement, which shall be included at the bottom of every credit application form containing the information required to be submitted by the patron pursuant to this subsection: "I certify that I have reviewed all of the information provided above and that it is true and accurate. I authorize (insert the name of the casino licensee) to conduct such investigations pertaining to the above information as it deems necessary for the approval of my credit limit. I am aware that this application is required to be prepared by the regulations of the Casino Control Commission and I may be subject to civil or criminal liability if any material information provided by me is willfully false."

(b) A general cage cashier or credit department representative shall record the information required by N.J.A.C. 19:45-1.5A(d) in the credit file prior to the casino licensee's approval of a patron's credit limit.

(c) Prior to the casino licensee's approval of the patron's credit limit, a general cage cashier or credit department representative with no ability to grant credit or credit limit increases shall:

1. Verify the address of the patron's residence;

2. Verify the patron's current casino credit limits and outstanding balances which shall include the following:

- i. The date the patron's credit account was established;
- ii. The amount of the current approved credit limit at each casino; and
- iii. The current balance and status of the patron's credit account at each casino including checks deposited by New Jersey casino licensees that have not yet cleared the bank and derogatory information. ("Derogatory" is defined as patron credit accounts partially or completely uncollectible, checks returned unpaid by the patron's bank, settlements, liens, judgments, and any other credit problems of the patron);

3. Verify the patron's outstanding indebtedness;

4. Verify the patron's personal checking account information which shall include, but not be limited to, the following:

- i. Type of account (personal or sole proprietorship);
- ii. Account number;
- iii. Date the account was opened;
- iv. Average balance of the account for the last twelve months, if available (if this information is not available, then this shall be noted in the credit file);
- v. Current balance in the account if available (if this information is not available then this shall be noted in the credit file);
- vi. Whether the patron can sign individually on the account;
- vii. Name and title of the person supplying the information; and

5. Verify that the patron's name is not designated on the master list of persons who have voluntarily requested suspension of credit privileges pursuant to N.J.A.C. 19:45-1.27A.

(d) All verifications performed by the credit department in (c) above together with accurate and verifiable information received from the security and surveillance departments pursuant to N.J.A.C. 19:45-1.11 (b) shall be recorded in the credit file and accompanied by the signature of the general cage cashier or credit department representative who performed the required verifications or filed the relevant information. The date and time of the signature of the general cage cashier or credit department representative shall be recorded either mechanically or manually contemporaneously with the transaction. The general cage cashier or casino licensee's credit department shall fulfill the requirements of (c) above as follows:

1. Verification of the address of the patron's residence, as required by (c)1 above, shall be satisfied by confirming the patron's address with a credit bureau or bank. If neither of these sources has the patron's address on file or will not provide the information, the licensee may use an alternative source which shall not include any identification credentials required in (b) above or other documentation presented by the patron at the casino. The casino shall record the source of verification and the method by which such verification was performed in the patron's credit file. Verification of the patron's address may be performed telephonically.

2. Verification of the patron's current casino credit limits and outstanding balances, as required by (c)2 above, shall be performed through a casino credit bureau and, if appropriate, through direct contact with other casinos. The casino licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If no casino credit information relating to the patron is available from these sources, this shall be noted in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee requests written documentation of all such information as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

3. Verification of the patron's outstanding indebtedness, as required by (c)3 above, shall be performed by contacting a consumer credit bureau which is reasonably likely to possess information concerning the patron, to the extent such consumer credit bureau is available, and a casino credit bureau to determine whether the applicant has any liabilities or if there is any derogatory information concerning the applicant's credit history. Such contact shall be considered a verification of the outstanding indebtedness provided by the patron. If such contact is not immediately possible, the casino licensee may use an alternative source which has made the required contact. The casino licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If either one or both of these credit bureaus do not have information relating to a patron's outstanding indebtedness this shall be recorded in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee requests written documentation of all information obtained as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

4. Verification of the patron's personal checking account information, as required by (c)4 above, shall be performed by the casino licensee or a bank verification service directly with the patron's bank. A bank verification service utilized by a casino licensee may make use of another bank verification service to make direct communication with the patron's bank. If such information is not immediately available, the casino licensee may use an alternative source. The casino licensee shall record the source of the verification and the method by which each verification was performed in the patron's credit file. The verification may be performed telephonically prior to the credit approval provided the casino licensee or bank verification service requests written documentation of all information obtained as soon as possible and such written documentation is included in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained. No bank verification service may be used by a casino licensee or another bank verification service to perform the verifications required by this section unless the bank verification service has filed a completed application for an appropriate casino service industry license under N.J.S.A. 5:12-92 and N.J.A.C. 19:43. If a bank verification service is used as a primary source of verification, either directly by a casino licensee or by another bank verification service, each service and the licensee shall, in addition to complying with any other requirement imposed by this section, record the date that the patron's personal checking account information was obtained from the bank by the service.

(e) Any New Jersey casino licensee requesting information from another New Jersey casino licensee concerning a credit patron shall represent to the requested casino licensee that the patron has a credit line or has applied for credit and shall provide the patron's name, address of the patron's residence and the name and location of the patron's bank. Upon receipt of this information, the requested New Jersey casino licensee shall be required to furnish to the requesting New Jersey casino any information in its possession concerning a patron as required by (c) above.

(f) The credit limit, and any changes thereto, must be approved by any one or more of the individuals holding the job positions of credit manager, assistant credit manager, credit shift manager, credit executive, or a casino key employee in a direct reporting line above the casino manager or a credit committee composed of casino key employees which may approve credit as a group but whose members may not approve credit individually unless such person is included in the job positions referenced above. The approval shall be recorded in the credit file and shall include:

1. Any other information used to support the credit limit and any changes thereto, including the source of the information, if such information is not otherwise recorded pursuant to this section;

2. A brief summary of the key factors relied upon in approving or reducing the requested credit limit and any changes thereto;

3. The reason credit was approved if derogatory information was obtained during the verification process; and

4. The signature of the employee approving the credit limit. The date and time of the signature shall be recorded either mechanically or manually contemporaneously with the transaction.

(g) Prior to approving a credit limit increase, a representative of the casino licensee's credit department shall:

1. Obtain a written request from the patron which shall include:

- i. Date and time of the patron's request;
- ii. Amount of credit limit increase requested by the patron; and
- iii. Signature of the patron.

2. Verify the patron's current casino credit limits and outstanding balances, as required by (c)2ii and (c)2iii above, unless such verification has been performed earlier that same gaming day;

3. Verify the patron's outstanding indebtedness and personal checking account information, as required by (c)3 and (c)4 above, unless such procedures have been performed within the previous 12 months;

4. Consider the patron's player rating based on a continuing evaluation of the amount and frequency of play subsequent to the patron's initial receipt of credit. The patron's player rating shall be readily available to representatives of the casino licensee's credit department prior to their approving a patron's request for a credit limit increase.

5. For table game play, the information for the patron's player rating shall be recorded on a player rating form by casino department supervisors or put directly into the licensee's computer system pursuant to an approved submission and shall include, but not be limited to, the following:

- i. Patron's name;
- ii. Game and table number;
- iii. Average bet;
- iv. Approximate length of time played;
- v. Rating as determined by supervisor or approved computer system;
- vi. Signature and license number of the casino supervisor responsible for providing the patron's player rating information; and
- vii. Date of observations.

6. For slot play, the information for the patron's player rating shall be recorded on a player rating form by slot department supervisors, or put directly into the casino licensee's computer system pursuant to an approved submission, or generated by insertion of a card, by a patron, into a card reader attached to a slot machine. Such ratings shall include, but not be limited to, the following:

- i. The patron's name;
- ii. A designation indicating it is for slots;
- iii. The rating as determined by a supervisor or an approved computer system;
- iv. The signature and license number of the slot supervisor responsible for providing the patron's player rating information; if manually prepared; and
- v. The date of play.

7. Include the information and documentation required by (g)1 through 3 above and the patron's player rating indicated at the time the credit increase is approved in the patron's credit file.

(h) Credit limit increases may be approved without performing the requirements of (g)2 and (g)3 above if the increases are temporary and are noted as being for this trip only (TTO) in the credit file. Temporary increases shall be limited to two during any thirty day period and the total amount of the temporary increases during that period shall not exceed ten percent of the currently approved credit limit.

(i) The casino licensee's credit department shall:

1. Comply with the requirements of either (i)2 or 3 below whenever:

- i. A patron's credit file has been inactive for a 12 month period; or
- ii. A patron has failed to completely pay off his credit balance at least once within a six month period; or
- iii. A check is returned to any casino by a patron's bank; or
- iv. Any information is received by a casino licensee's credit department which reflects negatively on the patron's continued creditworthiness; or
- v. The information in the patron's credit file, as required by (c)1 through (c)4 above, has not been verified for a 12-month period.

2. Reverify the patron's address, current casino credit limits, outstanding balances, outstanding indebtedness, and personal checking account information, as required by (c)1 through (c)4 above.

3. Suspend the patron's credit privileges. If a patron's credit privileges have been suspended, the proce-

dures required by (c)1 through (c)4 above shall be performed before that patron's credit privileges are reinstated; provided, however, if the suspension is the result of the requirement of 1.iii. above, the casino licensee may alternatively reinstate the patron's credit privileges by complying with the requirements of (j) below.

4. Verify the information required by (a)2 and (a)6 above, in accordance with the procedures in (d) above, whenever the casino licensee has reason to believe that this information has changed.

(j) Notwithstanding any other provision of this section to the contrary, a casino licensee may approve, restore or increase a credit limit for a patron prior to the completion of the verifications that are otherwise required, provided that:

1. The casino licensee complies with the requirements of N.J.S.A. 5:12-101(k);

2. Any patron check accepted prior to the completion of all verifications required pursuant to this section shall not be:

i. Deducted from gross revenue pursuant to N.J.S.A. 5:12-24 if such check subsequently proves to be uncollectible, even if the casino licensee completes all of the required verifications prior to the deposit or presentment of the check;

ii. Included in the "Provision for Uncollectible Patron Checks" pursuant to N.J.A.C. 19:54-1.6(a)2; and

3. The casino licensee shall specify in its internal controls the manner in which any patron check that is accepted pursuant to N.J.S.A. 5:12-101(k) shall be identified.

(k) Any patron having a check returned to any casino unpaid by the patron's bank shall have his credit privileges suspended at all New Jersey casino licensees until such time as the returned check has been paid in full or the reason for the derogatory information has been satisfactorily explained. All derogatory information concerning a patron's credit account shall be reported by each casino licensee on a daily basis to a casino credit bureau used by New Jersey casino licensees. Each New Jersey casino licensee shall request written documentation of any derogatory information pertaining to its patrons to be reported to that casino licensee on a daily basis by a casino credit bureau used by New Jersey casino licensees. All documentation obtained from the casino credit bureau shall be maintained in the patron's credit file. Any casino licensee desiring to continue the patron's credit privileges on the basis of a satisfactory explanation having been obtained for the returned check may do so if the licensee records the explanation for its decision in the credit file before accepting any further checks from the patron along with the signature of the credit department representative accepting the explanation.

(l) All transactions affecting a patron's outstanding indebtedness to the casino licensee shall be recorded in chronological order in the patron's credit file and credit transactions shall be segregated from the safekeeping deposit transactions. The following information shall be included:

1. The date, amount and check number of each Counter Check or Slot Counter Check initially accepted from the patron;

2. The date, amount and check number of each consolidation check and the check numbers of the checks returned to the patron;

3. The date, method, amount and check number of each redemption transaction and the check number of the redeemed check returned to the patron;

4. The date, amount and check number of each substitution transaction and the check number of the check returned to the patron;

5. The date, amount and check number of each check deposited;

6. The date, amount and check number of each check returned to the casino licensee by the patron's bank and the reason for its return;

7. The outstanding balance after each transaction; and

8. The date, amount and check number of any checks which have been partially or completely written off by the casino licensee and a brief explanation of the reason for such write off.

(m) A log of all Counter Checks and Slot Counter Checks exchanged and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the checks on hand in the cashier's cage at the beginning of each shift;

2. For checks initially accepted and for checks received for consolidation, redemption or substitution;

i. The date of the check;

ii. The name of the drawer of the check;

iii. The amount of the check;

iv. The Counter Check or Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) received; and

v. An indication as to whether the check was initially accepted or received in a redemption, consolidation or substitution.

3. For checks deposited, redeemed by patrons for cash, cash equivalents, complimentary cash gifts, gaming chips and plaques, or any combination thereof, consolidated or replaced:

i. The date on which the check was deposited, redeemed, consolidated or replaced;

ii. The name of the drawer of the check;

iii. The amount of the check;

iv. The Counter Check and Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) deposited, redeemed, consolidated or replaced; and

v. An indication as to whether the check was deposited, redeemed, consolidated or replaced.

4. The balance of the checks on hand in the cashiers' cage at the end of each shift.

(n) A list of all Counter Checks and Slot Counter Checks on hand, and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a monthly basis, at a minimum, and shall include the following:

1. The date of the check;

2. The name of the drawer of the check;

3. The amount of the check; and

4. The Counter Check and Slot Counter Check serial number(s) for Counter Check(s) and Slot Counter Checks received.

(o) At the end of each gaming day, at a minimum, the following procedures shall be performed:

1. The daily total of the amounts of checks initially recorded as described in (l)2 above shall be agreed to the daily total of Counter Checks and Slot Counter Checks issued;

2. The daily total of the checks indicated as deposited on the log required by (l)3 above shall be agreed by employees with no incompatible functions to the bank deposit slips corresponding to such check; and

3. The balance required by (l)4 above shall be agreed to the total of the checks on hand in the cashiers' cage.

(p) All information recorded in the credit file shall be in accordance with the licensee's system of internal accounting control submitted to the Commission.

Amended by R.1981 d.437, eff. November 16, 1981.

See: 13 N.J.R. 534(b), 13 N.J.R. 848(b).

(d)7 added.

Renumbered 7-14 as 8-15 without change in text.

New Rule, R.1985 d.229, effective May 20, 1985 (operative December 1, 1985).

See: 17 N.J.R. 181(a), 17 N.J.R. 1327(a).

Old section "Procedure for recording checks exchanged, redeemed or consolidated" has been repealed and this new rule adopted.

Correction: (a)8—"and the amount of the credit limit and outstanding balance" was not deleted in adoption.

See: 17 N.J.R. 1673(c).

Amended by R.1985 d.493, effective October 7, 1985 (operative December 1, 1985).

See: 17 N.J.R. 1254(a), 17 N.J.R. 2456(a).

New subsection (i); (k)8; and (p).

Extension of operative date: Operative date for R.1985 d.229 and d.493 has been extended to March 1, 1986.

See: 17 N.J.R. 2914(c).

Petition for rulemaking: Petitioner filed request for amendments to section.

See: 18 N.J.R. 114(b).

Amended by R.1986 d.36, effective February 18, 1986 (operative March 1, 1986).

See: 17 N.J.R. 2970(a), 18 N.J.R. 428(b).

(p) substantially amended.

Amended by R.1986 d.365, effective September 8, 1986.

See: 18 N.J.R. 935(b), 18 N.J.R. 1839(b).

Substantially amended (d).

Amended by R.1990 d.362, effective August 6, 1990.

See: 22 N.J.R. 162(a), 22 N.J.R. 2342(d).

In (d)4, added bank verification service may use another verification service to communicate with patron's bank.

Amended by R.1991 d.229, effective May 6, 1991.

See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In (g), revised text to add new paragraph 5, beginning with "Fortable game play ..."; Added new paragraph 6 and recodified existing 5 and new 7. Added reference to "Slot Counter Checks" throughout section.

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (n): stylistic revisions.

Amended by R.1992 d.153, effective April 6, 1992.

See: 23 N.J.R. 3434(b), 24 N.J.R. 1377(a).

Added new (c)5 regarding patron's name verification.

Amended by R.1992 d.157, effective April 6, 1992.

See: 24 N.J.R. 178(a), 24 N.J.R. 1378(a).

Added new subparagraph (i)4. Deleted subsection (p), because of expiration of 1986 phase-in period.

Amended by R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

"Casino licensee" substituted for "casino" and "licensee."

Amended by R.1994 d.222, effective May 2, 1994.

See: 26 N.J.R. 912(a), 26 N.J.R. 1852(b).

Amended by R.1994 d.471, effective September 19, 1994.

See: 26 N.J.R. 2212(a), 26 N.J.R. 3891(c).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added (j).

Amended by R.1996 d.11, effective January 2, 1996.

See: 27 N.J.R. 3770(b), 28 N.J.R. 180(a).

In (g)3 and (i)1i substituted "12 months" for "six months".

Amended by R.1997 d.216, effective May 19, 1997.

See: 29 N.J.R. 325(a), 29 N.J.R. 2469(a).

In (c), inserted "general cage cashier or" and substituted "no ability to grant credit or credit limit increases" for "no incompatible function"; and in (d), inserted "general cage cashier or" throughout.

Amended by R.1998 d.18, effective January 5, 1998.

See: 29 N.J.R. 3432(b), 30 N.J.R. 112(b).

In (d), amended N.J.A.C. reference.

Amended by R.1998 d.267, effective June 1, 1998.

See: 30 N.J.R. 807(a), 30 N.J.R. 2076(a).

Rewrote (b).

Case Notes

Casino Control Act does not confer private cause of action in favor of losing players. *Miller v. Zoby*, 250 N.J.Super. 568, 595 A.2d 1104 (A.D.1991), certification denied 606 A.2d 366, 127 N.J. 553.

Commission did not violate procedural due process when it considered regulations not cited in complaint. *Adamar of New Jersey, Inc. v.*

State, Dept. of Law and Public Safety, Div. of Gaming Enforcement, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Extending credit to patron in substantial debt to casino and to other casinos violated regulations. *Adamar of New Jersey, Inc. v. State*, Dept. of Law and Public Safety, Div. of Gaming Enforcement, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by failing to explain in patron's credit file why credit was extended despite receipt of derogatory information. *Adamar of New Jersey, Inc. v. State*, Dept. of Law and Public Safety, Div. of Gaming Enforcement, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by sending debt collection statements directly to its vice-president instead of to patron and failing to report immediately checks returned for insufficient funds. *Adamar of New Jersey, Inc. v. State*, Dept. of Law and Public Safety, Div. of Gaming Enforcement, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulations by reinstating patron's credit despite derogatory information. *Adamar of New Jersey, Inc. v. State*, Dept. of Law and Public Safety, Div. of Gaming Enforcement, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Former regulation contained no bar to extension of personal credit line by casino against a corporate account; no evidence of casino bad faith through regulatory violation as regulation in effect at time of transaction not violated. *Schaps v. Bally's Park Place, Inc.*, 58 B.R. 581 (E.D.Pa.1986).

19:45-1.27A Patron request for suspension of credit privileges

(a) Any person may voluntarily suspend his or her credit privileges at all licensed casinos by submitting a written request to the Commission in accordance with this section.

1. Such request may be submitted in person at the offices of the Casino Control Commission, Employee License Information Unit, Arcade Building, 2nd Floor, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey, or at the Commission inspector's booth at any licensed casino. Any person requesting suspension of credit privileges in person shall present valid identification credentials containing the person's signature and either a photograph or a general description of that person.

2. Such request may also be submitted by mail addressed to the Director of the Compliance Division, Casino Control Commission, Arcade Building, Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey 08401. Any request for suspension of credit privileges which is submitted by mail shall be signed before a notary public or other person empowered by law to take oaths and shall contain a certificate of acknowledgement by such notary public or other person attesting to the identity of the person making the request.

(b) A request for suspension of credit privileges shall be in a form prescribed by the Commission, which shall include the following:

1. The name of the person requesting suspension of credit privileges;
2. The address of the person's residence;
3. The person's date of birth;

4. The name of each licensed casino where the person currently has an approved line of credit;

5. The signature of the person requesting suspension of credit privileges, indicating acknowledgment of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below authorizes the Casino Control Commission to direct all New Jersey casino licensees to suspend my credit privileges for a minimum period of 30 days from the date of this request and indefinitely thereafter, until such time as I submit a written request to the Commission for the reinstatement of any such credit privileges";

6. If the request for suspension of credit privileges is made in person:

i. The type of identification credentials examined containing the person's signature, and whether said credentials included a photograph or general description of the person; and

ii. The signature of a Commission employee authorized to accept such request, indicating that the signature of the person requesting suspension of credit privileges appears to agree with that contained on his or her identification credentials and that any physical description or photograph of the person appears to agree with his or her actual appearance; and

7. If the request for suspension of credit privileges is made by mail, a certificate of acknowledgement executed by a notary public or other person empowered by law to take oaths attesting to the identity of the person who is making the request for suspension of credit privileges.

(c) The Commission shall maintain an updated master list of all persons who have requested suspension of credit privileges pursuant to this section, and shall notify the credit department of each casino licensee in writing of any additions to or deletions from the list. The casino licensee shall date and time stamp any such notice immediately upon receipt.

1. Each casino licensee shall suspend the credit privileges of any listed person, effective immediately upon receipt of notice that such person's name has been added to the list.

2. An updated master list of persons who have requested suspension of credit privileges shall be maintained by the credit department of each licensed casino.

3. Each casino licensee shall note any suspension or reinstatement of credit privileges pursuant to this section in any existing credit file for the affected patron, including the following:

i. A copy of any applicable Commission notice of the suspension or reinstatement of credit privileges; and

ii. The date, time and signature of the credit department representative making the suspension or reinstatement entry in the credit file.

(d) Any person whose credit privileges have been suspended pursuant to this section may, no sooner than 30 days after the request for suspension of credit privileges, request reinstatement of his or her credit privileges by submitting a written request to the Commission in accordance with the procedures specified in (a)1 and 2 above.

1. Such request shall be in a form prescribed by the Commission, which shall include the following:

i. The information specified in (b)1, 2, 3, 4, 6 and 7 above; and

ii. The signature of the person requesting reinstatement of credit privileges, indicating acknowledgment of the following statement: "I certify that the information which I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for suspension of credit privileges, and authorizes the Casino Control Commission to permit any New Jersey casino licensee to reinstate my credit privileges."

2. The Commission shall delete such person's name from the list established pursuant to (c) above, and so notify the credit department of each casino licensee, no later than three days from submission of the written request for reinstatement of credit privileges. The casino licensee shall date and time stamp any such notice immediately upon receipt.

3. Upon receipt of notice that such person's name has been deleted from the list, a casino licensee may reinstate such person's credit upon reverification of the information

required by N.J.A.C. 19:45-1.27(c), or may extend credit to such person in accordance with the procedures set forth in N.J.A.C. 19:45-1.27.

(e) Information furnished to or obtained by the Commission pursuant to this section shall be deemed confidential, and shall not be disclosed except in accordance with this section and N.J.A.C. 19:40-4. No casino licensee shall divulge that any person's name is designated on the master list maintained pursuant to subsection 101(j) of the Act and this section, other than to authorized credit department employees or other casino personnel whose duties and functions require access to such information.

1. If, in the ordinary course of business, a casino licensee is requested to provide information regarding the status of the patron's credit account, the casino licensee shall not disclose any information other than to identify the credit account as voluntarily suspended.

New Rule, R.1992 d.153, effective April 6, 1992.
See: 23 N.J.R. 3434(b), 24 N.J.R. 1377(a).
Amended by R.1995 d.232, effective May 1, 1995.
See: 27 N.J.R. 655(a), 27 N.J.R. 1816(a).

19:45-1.28 Procedure for depositing checks received from gaming patrons

(a) Unless redeemed or consolidated prior to the time requirements herein, all checks received from gaming patrons in conformity with N.J.A.C. 19:45-1.25 shall be deposited in the casino licensee's bank account or presented directly to the patron's bank in accordance with (g) below, in accordance with the casino licensee's normal business practice, which practice must be previously submitted in writing to both the Commission and Division. Such deposit or presentment shall occur no later than:

1. The banking day after the date of the check for a non-gaming check;

2. Seven calendar days after the date of the check for a check in an amount of \$1,000 or less;

3. Fourteen calendar days after the date of the check for a check in an amount greater than \$1,000 but less than or equal to \$5,000; or

4. Forty-five calendar days after the date of the check for a check in an amount greater than \$5,000.

(b) All checks received for consolidation in conformity with N.J.A.C. 19:45-1.26 shall be deposited in the casino licensee's bank account or presented directly to the patron's bank in accordance with (g) below, within:

1. Seven calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount of \$1,000 or less;

2. Fourteen calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount greater than \$1,000 but less than or equal to \$5,000; or

3. Forty-five calendar days after the date of the initial check for a consolidating check where the consolidating check is in an amount greater than \$5,000.

(c) All checks received as part of a redemption in conformity with N.J.A.C. 19:45-1.26 shall be deposited in the casino licensee's bank account or presented directly to the patron's bank in accordance with (g) below, within:

1. Seven calendar days after the date of the initial check if the initial check is in an amount of \$1,000 or less;

2. Fourteen calendar days after the date of the initial check if the initial check is in an amount greater than \$1,000 but less than or equal to \$5,000; or

3. Forty-five calendar days after the date of the initial check if the initial check accepted is in an amount greater than \$5,000.

(d) In computing a time period prescribed by this section, the last day of the period shall be included unless it is a Saturday, Sunday, or a State or Federal holiday, in which event the time period shall run until the next business day.

(e) In the event of a series of consolidation or redemption transactions with a patron, the initial check shall be the earliest dated check returned to the patron in the first of the series of consolidation or redemption transactions.

(f) Any check deposited into a bank will not be considered clear until a reasonable time has been allowed for such check to clear the bank. The licensee must submit to the Commission and Division the time allotted for checks to clear the bank.

(g) In accordance with N.J.S.A. 5:12-101 and its approved internal controls, a casino licensee may present a patron check directly to the patron's bank for payment.

1. All such internal controls shall include procedures for:

i. Documenting the release of the patron check from the cashiers' cage to a casino key employee of the casino licensee or to a licensed attorney, for the purpose of presentment to the patron's bank;

ii. Prompt deposit of the proceeds of the check to the casino's bank account via a wire transfer or a check drawn by the patron's bank and made payable only to the casino licensee, if the patron's check is honored and paid; and

iii. Notice to the casino licensee that the check has been paid in full by the patron's bank.

2. A patron check presented in this manner shall be considered paid in full when honored and paid by the patron's bank.

(h) If a casino licensee determines, prior to the deposit or presentment of a Counter Check or Slot Counter Check, that the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check are incorrect due to a data entry error (for example, a misspelling, a wrong number or a transposition of numbers), a check bank cashier may, in accordance with the approved internal controls of the casino licensee, correct the erroneous entry. Any such internal controls shall, at a minimum, include:

1. A description of the manner in which the error will be corrected by the check bank cashier;

2. The creation of a paper trail and control procedures that will permit both the check bank cashier and the casino accounting department to identify and compare a copy of the uncorrected check that was originally issued and the corresponding corrected check that was deposited or redeemed;

3. The written approval of a cage supervisor prior to the alteration of any check by a check bank cashier; and

4. A prohibition against using this subsection to change the verified bank account on which the Counter Check or Slot Counter Check was originally drawn.

Amended by R.1989 d.434, effective August 21, 1989.

See: 21 N.J.R. 1288(a), 21 N.J.R. 2530(b).

In all sections: reduced deposit times for unredeemed counterchecks and changed deposit times from "banking days" to "calendar days."

In (a)2-4, (b)1-3 and (c)1-3 changed amounts in following manner: Changed amount from "less than \$1,000" to "\$1,000 to less;"

Changed "of at least \$1,000" to "greater than \$1,000," and deleted "\$2,500" and replaced with "equal to \$5,000;"

Changed "Ninety banking days" to "Forty-five calendar days" and changed "of \$2,500 or more" to "greater than \$5,000."

Added new (d) and recodified (d) and (e) as (e) and (f).

Amended by R.1995 d.466, effective August 21, 1995.

See: 27 N.J.R. 2113(a), 27 N.J.R. 3219(a).

Added provisions for presentment of patron's checks directly to the patron's bank for payment in (g).

Amended by R.1997 d.353, effective September 2, 1997.

See: 29 N.J.R. 2631(a), 29 N.J.R. 3854(b).

Added (h).

Case Notes

Check not deposited within seven banking days from date of transaction. Resorts Intern. Hotel, Inc. v. Salomone, 178 N.J.Super. 598, 429 A.2d 1078 (App.Div.1981).

19:45-1.29 Procedure for collecting and recording checks returned to the casino after deposit

(a) All dishonored checks returned by a bank ("returned checks") after deposit shall be returned directly to, and controlled by, accounting department employees and shall be maintained by check bank cashiers. Such employees shall have no incompatible functions.

(b) No person other than one licensed in a separate collection section within the accounting department as a casino key employee or as a casino employee, and one who has no incompatible functions may engage in efforts to collect returned checks except that an attorney-at-law representing a casino licensee may bring action for such collection. Any verbal or written communication with patrons regarding collection efforts shall be documented in the collection section.

(c) Continuous records of all returned checks shall be maintained by accounting department employees with no incompatible functions. Such records shall include, at a minimum, the following:

1. The date of the check;
2. The name and address of the drawer of the check;
3. The amount of the check;
4. The date(s) the check was dishonored;
5. The Counter Check or Slot Counter Check serial number for Counter Checks or Slot Counter Checks; and
6. The date(s) and amount(s) of any collections received on the check after being returned by a bank, including the date(s) and amount(s) of any complimentary cash gifts applied as payment on the check after being returned by a bank.

(d) A check dishonored by a bank may be immediately redeposited if there is sufficient reason to believe the check will be honored the second time. If a casino licensee determines that a Counter Check or Slot Counter Check was returned by a bank because the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check was incorrect due to a data entry error (for example, a misspelling, a wrong number or a transposition of numbers), a check bank cashier may, in accordance with the approved internal controls of the casino licensee, correct the erroneous entry and cause the check to be redeposited. Any such internal controls shall, at a minimum, include:

1. A description of the manner in which the error will be corrected by the check bank cashier;

2. The creation of a paper trail and control procedures that will permit both the check bank cashier and the casino accounting department to identify and compare a copy of the uncorrected check that was originally deposited and the corresponding corrected check that was redeposited;

3. The written approval of a cage supervisor prior to the alteration of any check by a check bank cashier; and

4. A prohibition against using this subsection to change the verified bank account on which the Counter Check or Slot Counter Check was originally drawn.

(e) Statements shall be sent to patrons, by accounting department employees with no incompatible functions, immediately upon initial receipt of a returned check or immediately upon receipt of a check returned for a second time if the check was immediately redeposited pursuant to (d) above, and such statements shall include, but not be limited to, the following:

1. The name and address of the drawer;
2. The date of the check;
3. The amount of the check; and
4. The date(s) and amount(s) of any collections received on the check after being returned by the bank.

(f) Patrons to whom statements are sent shall be advised of a return address and department to which replies shall be sent.

(g) Employees with no incompatible functions shall receive directly and shall initially record all collections.

(h) Copies of statements and other documents supporting collection efforts shall be maintained and controlled by accounting department employees.

(i) A record of all collection efforts shall be recorded and maintained by the collection area within the accounting department.

(j) After reasonable collection efforts, returned checks may be considered uncollectible for accounting purposes and charged to the casino licensee's allowance for uncollectible patrons' checks. A check which is unenforceable pursuant to section 101 of the Act shall not be charged to the allowance account for the purpose of computing the maximum provision allowed pursuant to section 24 of the Act. Any patron's indebtedness, in excess of \$1,000, may only be considered uncollectible for accounting purposes and charged to the allowance for uncollectible patrons' checks account after the following information has been included in the patron's credit file:

1. Documentation of the casino licensee's collection department efforts to collect the patron's outstanding checks and the reason why such collection efforts were unsuccessful; and/or

2. A letter from an attorney representing the casino documenting the efforts to collect the patron's outstanding checks and the reasons why such collection efforts were unsuccessful or were not pursued further.

(k) Listings of uncollectible checks shall be approved in writing by, at a minimum, the chief executive officer, a casino key employee approved by the Commission and the controller or the person to whom the controller directly reports. All such uncollectible checks and listings shall be maintained and controlled by accounting department employees. A continuous trial balance of all uncollectible checks shall be maintained by employees of the accounting department. The continuous trial balance shall be adjusted for any subsequent collections.

Amended by R.1981 d.437, eff. November 16, 1981.
See: 13 N.J.R. 534(b), 13 N.J.R. 848(b).

(b): added "in a separate ... department," and "any verbal ... section."

(i): added.

Renumbered (i) as (j) without change in text.
Amended by R.1984 d.624, effective January 21, 1985.
See: 16 N.J.R. 2076(a), 17 N.J.R. 212(a).

(j) substantially amended; (k) added.

Petition for Rulemaking: Procedure for collecting and recording checks returned to the casino after deposit.

See: 19 N.J.R. 664(b).

Amended by R.1991 d.229, effective May 6, 1991.
See: 22 N.J.R. 3205(a), 23 N.J.R. 1455(a).

In (c)5: added "Slot Counter Check" to text.

Amended by R.1994 d.65, effective February 7, 1994.

See: 25 N.J.R. 5114(a), 26 N.J.R. 826(a).

Amended by R.1994 d.471, effective September 19, 1994.

See: 26 N.J.R. 2212(a), 26 N.J.R. 3891(c).

Amended by R.1996 d.30, effective January 16, 1996.

See: 27 N.J.R. 4177(a), 28 N.J.R. 283(a).

Amended (e) and (j)1.

Amended by R.1996 d.70, effective February 5, 1996.

See: 27 N.J.R. 4178(a), 28 N.J.R. 900(a).

Administrative correction.

See: 29 N.J.R. 1518(b).

In (a), inserted "shall be maintained by check bank cashiers. Such employees".

Amended by R.1997 d.353, effective September 2, 1997.

See: 29 N.J.R. 2631(a), 29 N.J.R. 3854(b).

Rewrote (d) and inserted (d)1 through (d)4.

Cross References

Casino licensee's right to apply chips, plaques, slot tokens or prize tokens presented by a patron towards redemption of patron's slot counter checks, see N.J.A.C. 19:46-1.5 and N.J.A.C. 19:46-1.35.

Case Notes

Commission did not violate procedural due process when it considered regulations not cited in complaint. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Extending credit to patron in substantial debt to casino and to other casinos violated regulations. *Adamar of New Jersey, Inc. v. State,*

Dept. of Law and Public Safety, Div. of Gaming Enforcement, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Casino operator violated regulation by sending debt collection statements directly to its vice-president instead of to patron and failing to report immediately patron's checks returned for insufficient funds. *Adamar of New Jersey, Inc. v. State, Dept. of Law and Public Safety, Div. of Gaming Enforcement*, 250 N.J.Super. 275, 593 A.2d 1237 (A.D.1991).

Use of reserve by casino to calculate provision for uncollectible patron checks; statutes prohibiting underreporting of revenues. *Division of Gaming Enforcement v. Trump Plaza Associates*, 94 N.J.A.R.2d (CCC) 102.

Casino violated statute by discharging casino credit debt of a patron. *Division of Gaming Enforcement v. Boardwalk Regency Corporation*, 94 N.J.A.R.2d (CCC) 73.

19:45-1.30 Procedure for shift changes at gaming tables

(a) Whenever gaming tables are to remain open for gaming activity at the conclusion of a shift, the gaming chips, coins and plaques remaining at the gaming tables at the time of the shift change shall be counted by either the dealer or boxman assigned to the outgoing shift and the dealer or boxman assigned to the incoming shift or the dealer or boxman assigned to the gaming table at the time of a drop box shift change which does not necessarily coincide with an employee shift change. The count shall be observed by the casino supervisor assigned to the gaming table of the outgoing shift or the casino supervisor assigned to the table game at the time of the drop box shift change.

(b) The gaming chips, coins and plaques counted shall be recorded on Table Inventory Slips by the casino supervisor assigned to the gaming table of the outgoing shift or the casino supervisor assigned to the gaming table at the time of a drop box shift change.

(c) Table Inventory Slips shall be two-part forms, at a minimum, and on the original of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and plaques remaining at the gaming table.

(d) Signature attesting to the accuracy of the information recorded on the Table Inventory Slips shall be of either the dealer or boxman and the casino supervisor assigned to the incoming and the outgoing shifts of the dealer or boxman and the casino supervisor assigned to the gaming tables at the time of a drop box shift change.

(e) Upon meeting the signature requirements as described in (d) above, the Closer shall be deposited in the drop box that is attached to the gaming table immediately

prior to the change of shift and the Opener shall be deposited in drop box that is attached to the gaming table immediately following the change of shift.

19:45-1.31 Procedure for closing gaming tables

(a) Whenever gaming activity at a gaming table is concluded, the gaming chips, coins and plaques remaining at the gaming table shall be counted by the dealer or boxman assigned to the gaming table and observed by a casino supervisor assigned to the gaming table.

(b) The gaming chips, coins and plaques counted shall be recorded on a Table Inventory Slip by the casino supervisor assigned to the gaming table.

(c) The Table Inventory Slips shall be two-part forms, at a minimum, and on the original copy of the slip ("Closer") and the duplicate of the slip ("Opener"), the casino supervisor shall record the following:

1. The date and identification of the shift ended;
2. The game and table number;
3. The total value of each denomination of gaming chips, coins and plaques remaining at the gaming table; and
4. The total value of all denominations of gaming chips, coins and plaques remaining at the gaming table.

(d) Signatures attesting to the accuracy of the information recorded on the Table Inventory Slips at the time of closing gaming tables shall be of the dealer or boxman and the casino supervisor assigned to the gaming table who observed the dealer or boxman count the contents of the Table Inventory.

(e) Upon meeting the signature requirements described in (d) above, the Closer shall be deposited in the drop box attached to the gaming table immediately prior to the closing of the table.

(f) Upon meeting the signature requirements described in (d) above, the Opener and the gaming chips and plaques remaining at the table shall be placed in the container specified in N.J.A.C. 19:45-1.20, after which the container shall be locked and either transported directly to the cashiers' cage by a security department member or secured to the gaming table provided that there is adequate security, as approved by the Commission. If the locked containers are transported to the cashiers' cage, a cage cashier shall determine that all locked containers have been returned, or if the locked containers are secured to the gaming table, a casino representative shall account for all the locked containers.

Amended by R.1981 d.437, effective November 16, 1981.

See: 13 N.J.R. 534(b), 13 N.J.R. 848(b).

(f): "commission" was "chairman".

Amended by R.1992 d.110, effective March 2, 1992.

See: 23 N.J.R. 3243(a), 24 N.J.R. 858(c).

In (a): stylistic revisions; In (f): recodified subsection (g) as part of subsection (f), deleting phrase "At the end of each gaming day . . .".

19:45-1.32 Count room; characteristics

(a) Except as provided in (d) below, each casino licensee shall have immediately adjacent to the cashier's cage a room, to be known as the "count room," specifically designated, designed and used for counting the contents of drop boxes, slot cash storage boxes, slot drop buckets and slot drop boxes.

(b) The count room shall be designed and constructed to provide maximum security for the materials housed therein and for the activities conducted therein. Each casino licensee shall design and construct a count room with, at a minimum, the following security measures:

1. A metal door installed on each entrance and exit;
2. Each entrance and exit door shall be equipped with:
 - i. Two separate locks;
 - ii. An alarm device, approved by the Commission, which audibly signals the monitoring rooms required by N.J.A.C. 19:45-1.10 and the casino security department whenever a door to the count room is opened at times other than those times for which the casino licensee has provided prior notice pursuant to N.J.A.C. 19:45-1.33(b) or 1.43(b); and
 - iii. A light system, approved by the Commission, which illuminates one or more lights in the monitoring rooms required by N.J.A.C. 19:45-1.10, at each count room door, and at such other locations as the Commission may require, for purposes of maintaining constant surveillance on whether each count room door is open or closed;
3. Each lock required by (b)2i above shall be controlled by a key which is different from:
 - i. The key to the other lock on that door;
 - ii. The keys to the locks securing the contents of each drop box, slot cash storage box, and slot drop box; and
 - iii. The keys to the locks of each slot drop bucket compartment;
4. The key to one of the locks required by (b)2i above shall be maintained and controlled by the casino security department in a secure area within the casino security department, access to which may be gained only by a security supervisor, and the key to the other lock shall be maintained and controlled by a Commission inspector; and
5. The casino security department shall establish a sign-out procedure for all keys removed from the security department.