

BEFORE THE  
PENNSYLVANIA GAMING CONTROL BOARD

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COMMONWEALTH OF PENNSYLVANIA	:	
GAMING CONTROL BOARD	:	PETITION FOR PLACEMENT
	:	ON EXCLUSION LIST
BUREAU OF INVESTIGATIONS	:	
AND ENFORCEMENT,	:	PGCB DOCKET NO. _____
Petitioner	:	
v.	:	
JIN ZHENG,	:	BCC Referral No.
Respondent	:	LE-E-0893191-23
	:	

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**PETITION FOR PLACEMENT OF JIN ZHENG ON EXCLUSION LIST**

AND NOW comes the Petitioner, Commonwealth of Pennsylvania, Gaming Control Board, Bureau of Investigations and Enforcement, through the Office of Enforcement Counsel, and files this Petition for Placement of Jin Zheng (hereinafter “Respondent”) on the Exclusion List and in support thereof states the following:

**PARTIES**

1. Petitioner, Commonwealth of Pennsylvania, Gaming Control Board (“Board”), Bureau of Investigations and Enforcement (“BIE”), maintains its headquarters at 303 Walnut Street, Strawberry Square, 10<sup>th</sup> Floor, Commonwealth Tower, Harrisburg, Pennsylvania 17101.
2. Stadium Casino RE, LLC d/b/a/ Live! Casino and Hotel Philadelphia (“Live! Philadelphia”) is the holder of a Category 2 License as approved, issued, and renewed thereafter by the Board and has its principal place of business at 900 Packer Ave, Philadelphia, Pennsylvania 19148.

3. The proposed excluded person is Jin Zheng (hereinafter “Respondent”) whose last known address is: 7236 Frankford Ave, Apt. 2, Philadelphia, Pennsylvania 19135.
4. On April 21, 2023, the Respondent left an eight-year-old female alone in a hotel room while he and his female companion were inside of Live! Philadelphia on the gaming floor.
5. The Respondent is an Asian male, with a date of birth February 27, 1983. If Respondent is placed on the excluded persons list, the information in this averment will be provided to the slot machine licensees as required by 58 Pa. Code § 511a.2.
6. If the Board orders the placement of Respondent on the exclusion list, the information regarding his inimical activity, his photograph, physical description, date of birth, and other pertinent information may be placed on the Board’s public website along with other excluded individuals.

#### **STATEMENT OF JURISDICTION**

7. The Office of Enforcement Counsel, pursuant to 4 Pa. C.S. § 1517(a.2)(1)(iii), has the authority to initiate, in its sole discretion, proceedings for non-criminal violations of the Pennsylvania Race Horse Development and Gaming Act (“Act”) by filing a complaint or other pleading with the Board.
8. The Bureau of Investigations and Enforcement will, on its own initiative, or upon referral by a law enforcement agency or a slot machine licensee investigate a person to determine whether the person meets the criteria for exclusion provided in the Act and regulations. 58 Pa. Code § 511a.4.(a).
9. Upon completion of an investigation, if the Bureau determines that an individual should be placed on the exclusion list, it will file a petition for exclusion with the Board, identifying the candidate, setting forth a factual basis for the petition and including information

demonstrating that the individual satisfies the criteria for exclusion under §1514 of the Act or Chapter 511a of the regulations. 58 Pa. Code § 511a.4(b).

10. Venue is proper pursuant to 58 Pa. Code § 491a.8(e), which states that hearings will be conducted in Harrisburg, Pennsylvania, unless otherwise directed by the Board.

### **RELEVANT STATUTORY AND REGULATORY SECTIONS**

11. The Gaming Act and the regulations promulgated thereunder provide that the Board shall establish a list of persons who are to be excluded or ejected from any licensed facility whose presence would be inimical to the interest of the Commonwealth or of licensed gaming therein, including: “[p]ersons who pose a threat to the safety of the patrons, employees or persons on the property of a slot machine licensee,” “[p]ersons with a history of conduct involving the disruption of the gaming operations within a licensed facility,” and “[p]ersons who have performed an act or have a notorious or unsavory reputation that would adversely affect public confidence and trust in gaming, including, being identified with criminal activities in published reports of various Federal and State legislative and executive bodies that have inquired into criminal or organized criminal activities.” 4 Pa. C.S. § 1514; 58 Pa. Code § 511a.3(a)(4)(iv),(v), & (ix).
12. Pursuant to the regulations, a person’s presence may be considered “inimical to the interest of the Commonwealth or of licensed gaming therein, or both if known attributes of the person’s character and background meet one or more of the following criteria: (1) are incompatible with the maintenance of public confidence and trust in the credibility, integrity and stability of the operation of a licensed facility; (2) may reasonably be expected to impair the public perception of, and confidence in, the strict regulatory process created by the Gaming Act; or (3) creates or enhances a risk of the fact or appearance of unsuitable,

unfair or illegal practices, methods or activities in the conduct of gaming or in the business or financial arrangements incidental thereto.” 58 Pa. Code § 511a.3(b).

13. Pursuant to the regulations, a finding of inimicality may be based upon the nature and notoriety of the character or background of the person, the history and nature of the involvement of the person with licensed gaming in this Commonwealth or another jurisdiction, or with a particular slot machine licensee or licensees or an affiliate, intermediary, subsidiary or holding company thereof, the nature and frequency of contacts or associations of the person with a slot machine licensee or licensees, or with employees or agents thereof, and other factors reasonably related to the maintenance of public confidence in the efficacy of the regulatory process and the integrity of gaming operations, the gaming industry and its employees. 58 Pa. Code §511a.3.(c).

#### **BRIEF OVERVIEW OF FACTS**

14. On April 21, 2023, the Bureau of Casino Compliance (“BCC”) at Live! Philadelphia was notified of an unattended minor in the Darien Street Lobby.
15. A surveillance review revealed that at approximately 8:05 P.M. on the above-date, Respondent and his female companion exited a hotel room, number 827. He entered the casino floor at Darien Street two minutes later.
16. At approximately 8:50 P.M., a minor female exited the hotel room, room 827. The minor entered the elevator and exited into the Darien Street lobby at approximately 8:56 P.M.
17. The minor was quickly approached by a Security Ambassador for Live! Philadelphia.
18. At approximately 9:06 P.M., Respondent’s female companion exited the casino floor at the Darien Street entrance and made contact with the Pennsylvania State Police and the minor.

19. Respondent was approached by Live! Philadelphia Security at approximately 9:20 P.M. while gaming at a slot machine. Respondent was reunited with the minor and his female companion at approximately 9:22 P.M.
20. According to the surveillance review, the minor was left unattended for approximately fifty-two (52) minutes until she was approached by Security. Respondent's female companion was away from the minor for approximately one (1) hour and one (1) minute.
21. A surveillance review determined that Respondent was gaming for over seventeen (17) minutes.
22. Respondent was verbally issued a permanent eviction from Live! Philadelphia.
23. The Pennsylvania State Police ("PSP") were notified and spoke with Respondent. No criminal charges were filed.
24. Respondent had multiple other incidents at Pennsylvania casinos.
25. On February 2, 2024, Respondent was issued a permanent eviction from Sugarhouse HSP, Gaming, LP doing business as Rivers Casino Philadelphia. This eviction was due to Respondent being on property after he was permanently evicted in 2017 for guest misconduct.
26. On November 16, 2018, Greenwood Gaming and Entertainment, Inc. doing business as Parx Casino attempted to serve him with eviction paperwork for undesirable behavior from several prior incidents, but Respondent refused to sign.
27. By Respondent's actions at Live! Philadelphia, he has performed acts that would adversely affect public confidence and trust in gaming if he would be permitted to continue to avail himself to gaming in Pennsylvania casinos.

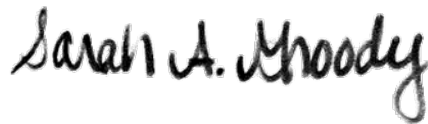
28. By engaging in the acts and practices described above, the Respondent meets the definition of a person whose presence is inimical to both the interest of the Commonwealth and of licensed gaming therein.
29. Based upon the allegations contained in the aforementioned paragraphs, Respondent meets the criteria of exclusion as set forth in 58 Pa. Code § 511a.3.(a)(4)(iv),(v), & (ix).

**WHEREFORE**, Petitioner seeks to place Jin Zheng on the involuntary excluded person's list under the procedures set forth in 58 Pa. Code §511a.4.

DATED: April 25, 2024

Respectfully Submitted,

Office of Enforcement Counsel  
Cyrus Pitre  
Chief Enforcement Counsel



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Sarah A. Groody, Esquire  
Assistant Enforcement Counsel  
Pennsylvania Supreme Court ID #327544  
Pennsylvania Gaming Control Board  
Office of Enforcement Counsel  
303 Walnut Street, Strawberry Square  
Commonwealth Tower, 10<sup>th</sup> Floor  
Harrisburg, PA 17101  
sgroody@pa.gov  
(717) 703-2810

### VERIFICATION

I, Joseph Bianchini, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date:

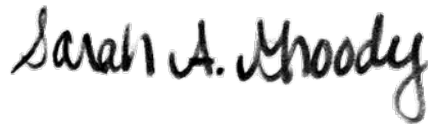
4/23/24

  
Joseph Bianchini  
Casino Compliance Supervisor  
Bureau of Casino Compliance

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25th day of April 2024, a copy of the Petition for Placement of Jin Zheng on the Exclusion List was served upon the following in the manner of certified mail and first-class mail:

Jin Zheng  
7236 Frankford Ave, Apt. 2  
Philadelphia, Pennsylvania 19135

A handwritten signature in black ink that reads "Sarah A. Groody". The signature is written in a cursive, flowing style.

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Sarah A. Groody, Esquire  
Assistant Enforcement Counsel  
Pennsylvania Supreme Court ID #327544  
Pennsylvania Gaming Control Board  
Office of Enforcement Counsel  
303 Walnut Street, Strawberry Square  
Commonwealth Tower, 10<sup>th</sup> Floor  
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<b>Petitioner</b>	:	
<b>v.</b>	:	
<b>JIN ZHENG,</b>	:	<b>BCC Referral No.</b>
<b>Respondent</b>	:	<b>LE-E-0893191-23</b>
	:	

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**PROPOSED ORDER**

AND NOW this \_\_\_\_ day of \_\_\_\_\_, 2024, the Pennsylvania Gaming Control Board, pursuant to the Act of July 5, 2004 (P.L. 57, No. 71) known as the Pennsylvania Race Horse Development and Gaming Act, 4 Pa. C.S. §§ 1101 et seq., hereby ORDERS that Jin Zheng be placed on the Exclusion List pursuant to 4 Pa. C.S. § 1514.

Pennsylvania Gaming Control Board

\_\_\_\_\_  
Denise J. Smyler, Chair

If you disagree with the Board's Decision and Order you have the right to file an appeal with the Commonwealth Court of Pennsylvania within thirty (30) days of the date of the Order. *See* Pennsylvania Rule of Appellate Procedure 1512.



## HEARING REQUEST FORM - EXCLUSIONS

PURSUANT TO 4 Pa.C.S § 1514(a), THE BOARD SHALL PROVIDE FOR THE EXCLUSION OF INDIVIDUALS WHO ARE CAREER OR PROFESSIONAL OFFENDERS, OR ARE INIMICAL TO THE INTEREST OF THE COMMONWEALTH

**THIS FORM MUST BE RETURNED TO THE ADDRESS BELOW  
WITHIN THIRTY (30) DAYS OF RECEIPT.**

Pennsylvania Gaming Control Board, Office of Hearings and Appeals, Board Clerk  
303 Walnut Street/Strawberry Square  
Commonwealth Tower, 5<sup>th</sup> Floor  
Harrisburg, Pennsylvania 17101  
(717) 265-7451 - phone; (717) 265-7416 – fax

Via email to [boardclerk@pa.gov](mailto:boardclerk@pa.gov)

I, \_\_\_\_\_, request a hearing in this matter.  
Name (Please Print)

Please check one of the following options to participate in your hearing:

\_\_\_\_\_ Video hearing via Microsoft Teams Application from your computer, cell phone or other device. An invitation will be sent to the email address provided below.

\_\_\_\_\_ Telephone hearing where you will connect to the hearing via a Microsoft Teams Application and testify from your telephone. An invitation will be sent to the email address provided below.

\_\_\_\_\_ I do not wish to participate in the hearing by video or telephone. I wish to appear in person at a Board office. I understand that Board employees may appear by video even though I am appearing in person.

**\*\*Understand that if your hearing involves the use of video surveillance by the Office of Enforcement Counsel, you will be required to participate from a Board office nearest to the address provided below. You will be notified by the Board Clerk if that is necessary, and the location of the hearing.**

**I understand that it is my responsibility to notify the Office of Hearings and Appeals of any change of my physical or email addresses.**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone number

## **Notice of Hearing Rights**

In accordance with 58 Pa. Code §493a.5, you have the following rights in connection with the attached pleading, which has been filed with the Clerk to the Board.

### **Answer to Filing**

**Within 30 days** of service of the complaint or petition filed by the complainant, the respondent may file with the Clerk an Answer to the filing which may contain:

- (1) Admissions of matter complained of and the alleged facts, in whole or part.
- (2) New matter or explanation by way of defense.
- (3) Legal objections.
- (4) Affirmative defenses.
- (5) A request for a hearing.

Answers shall be filed with the Clerk and other parties **within 30 days** after the date of service of a complaint, petition, motion or other pleading, unless a different time is prescribed by the Board or presiding officer. **All Answers must be in writing.**

### **Hearing on the Merits**

The respondent may be entitled to a hearing on the merits if the respondent files the required Answer within thirty (30) days.

### **Failure to File/Appeal**

Failure to timely file an Answer or to appear at a subsequent hearing constitutes an admission of all matters and facts contained in the complaint or petition and a waiver of the respondent's rights to a hearing. The Board may conduct a hearing despite a respondent's failure to timely file the required Answer or to appear at the hearing.

**All responses may be filed with the Office of Hearings and Appeals at the following address:**

Pennsylvania Gaming Control Board  
Bureau of Hearings and Appeals  
Office of the Board Clerk  
303 Walnut Street/ Strawberry Square  
Commonwealth Tower. 5th Floor  
Harrisburg, Pennsylvania 17101  
(717) 265-7451 - phone  
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[boardclerk@pa.gov](mailto:boardclerk@pa.gov)