

# STATE OF NEW MEXICO

## GAMING CONTROL BOARD



### GC-45 RACETRACK PATRON DISPUTE

Patron's Name: \_\_\_\_\_

Address: \_\_\_\_\_  
City/State/Zip

Phone Number/E-Mail: \_\_\_\_\_

Racetrack Name/License #: \_\_\_\_\_

Address: \_\_\_\_\_  
City/State/Zip

Racetrack Employee/Title: \_\_\_\_\_

Date & Time of Dispute: \_\_\_\_\_

Disputed Amount (Dollars): \_\_\_\_\_ Disputed Amount (Credits): \_\_\_\_\_ Disputed Prize \_\_\_\_\_

Machine Removed from Play (\$500.00): Yes\_\_\_ No\_\_\_ Machine History Obtained: Yes\_\_\_ No\_\_\_

Machine Make/Model/Serial Number: \_\_\_\_\_

List Name(s) & Phone #'s of Witness(es): \_\_\_\_\_

Did Patron Notify Racetrack Staff? Yes\_\_\_ No\_\_\_ Contact Name: \_\_\_\_\_

Licensee's Reply: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Use Additional Sheets Explaining Dispute if Applicable

Did patron provide a copy of their driver's license to racetrack licensee? Yes\_\_\_ No\_\_\_ (attach copy)

Was the dispute resolved? Yes \_\_\_ No \_\_\_

**ONLY** if the dispute was **resolved**, please have the patron sign below acknowledging resolution of the dispute

Date: \_\_\_\_\_ Signature of Patron: \_\_\_\_\_

**Note: If the patron dispute is not immediately resolved, please see NMAC 15.1.10.28 on the reverse side of this form for further instruction.**

**Section 60-E-59 of the Act, and Board Rules 15.1.15.1 through 15.1.15.19 shall control the appeals process, if necessary.**

**PLEASE LEGIBLY PRINT THE PATRON DISPUTE BELOW (In English or Spanish).**

**Describe in detail what happened. Identify by name or description all gaming employees that dealt with the complaint. ATTACH as many pages as necessary to provide a complete description. Please note that a copy of your patron dispute may be provided to the other party for a response.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Signature of Patron/Licensee: \_\_\_\_\_

**15.1.10.28 PATRON DISPUTES (NON-PROFITS/RACETRACKS ONLY):**

In the event a dispute arises with a patron concerning payment of alleged winnings or promotional prizes including any jackpot or credits, the gaming operator licensee ("licensee") and the patron shall abide by the following procedures:

- A.** The licensee shall provide the patron with a patron dispute form at the time of the dispute. The patron dispute form and contact information for the enforcement division can be located on the board's website.
- B.** The patron and licensee shall complete the patron dispute form immediately, except for good cause shown.
- C.** Within 24 hours of a dispute valued at five hundred dollars (\$500) or more, the licensee shall notify the enforcement division, by contacting the agent assigned to the licensee, via telephone and electronic mail.
- D.** Whereas, if the dispute is valued at less than five hundred dollars (\$500), then the initial burden shall be on the patron to notify the enforcement division within 24 hours of the dispute, by contacting the enforcement division at the telephone number or electronic mail address as located on the patron dispute form. The enforcement division shall then contact the licensee so that both parties can comply with the remaining procedures as set forth herein.
- E.** Within 72 hours of the dispute, the licensee and patron shall separately submit a copy of the patron dispute form to the enforcement division, via facsimile, electronic mail, or U.S. mail.
- F.** In the event of any unresolved patron dispute concerning payment of alleged winnings or promotional prizes including any jackpot or credits valued at five hundred dollars (\$500) or more on a gaming machine, the licensee shall immediately remove the game from play, and secure it until such time as an agent of the board has inspected the machine and released it for further play.
- G.** The licensee shall maintain relevant information, including the retention of video surveillance, history reports, slot accounting reports, machine meters, photographs of screen shots, and any other documentation that would prove relevant in resolving the dispute.
- H.** If a critical memory clear is needed, it shall not be performed until the patron dispute is resolved and the reset is authorized by an agent of the board.
- I.** An agent of the board shall conduct whatever investigation it deems necessary and shall determine whether payment should be made to the patron. An agent of the board may conduct a reasonable investigation and report to the board for a final decision.
- J.** An agent of the board shall complete its investigation within 30 days of having received the patron dispute form from both the licensee and patron.
- K.** An agent of the board shall notify the licensee and patron in writing of the board's decision regarding the dispute within 60 days of receipt of the patron dispute form from both the licensee and patron.
- L.** It is a violation of this rule for a licensee to fail to notify the board of an unresolved patron dispute valued at five hundred dollars (\$500) or more within 24 hours; for a licensee to fail to provide the patron with the patron dispute form; for a licensee to fail to comply with all other provisions contained herein; or for the licensee to fail to pay the patron within 15 days after an adverse decision by the board unless the licensee appeals the decision.
- M.** Failure to follow the above procedures may adversely affect that party's claim.

[15.1.10.28 NMAC - Rp, 15.1.10.28 NMAC, 1/29/2016]