

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC 25-099
HGI – St. Jo, LLC)
d/b/a St. Jo Frontier Casino)

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. The Commission issued a Class A gaming license to Affinity Interactive to develop and operate Class B gaming licensees in the state of Missouri.
3. Affinity Interactive is the parent organization or controlling entity of HGI – St. Jo, LLC.
4. The Commission issued a Class B riverboat gambling license to HGI – St. Jo, LLC to conduct games on and operate the excursion gambling boat known as St. Jo Frontier Casino (the “Casino”).
5. As the holder of a Class B license, HGI – St. Jo, LLC, d/b/a St. Jo Frontier Casino is subject to the provisions of Sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. MGC Auditors conducted an audit of the Casino from December 1, 2021, through October 31, 2024. One (1) significant finding was found during the audit. MGC Auditors discovered that five (5) promotions were not conducted in accordance with the promotional rules.
7. MGC Audit Report 25-01, Finding C-4 stated that “[a] review of five (5) promotional drawings revealed that for all five (5) promotions, patrons did not receive the correct number of drawing entries, based on the promotional rules.” This finding is a violation of 11 CSR 45-5.181(2)(D). During the audit, a sample size of one hundred (100) patrons were randomly selected across the five (5) promotions to verify that the patrons earned the appropriate entries based on their play. Upon review, MGC Auditors discovered that twelve percent (12%) of patrons had earned promotional entries that were not deposited into the virtual drawing drum.

¹ GR 20250121002

8. Further review showed that the promotional drawings that included the "Backyard Makeover Giveaway," "Lucky Loot Cash Giveaway," "Spring Into Riches Cash Drawing," and "\$300,000 Power Wheel Drawing" promotions were initiated too early which resulted in earned entries from the slot accounting system ("OASIS") not being downloaded into the virtual drawing drum in the marketing system ("MGT"). This caused a discrepancy between earned OASIS entries and actual MGT entries. The error affected nine (9) of the eighty (80) patrons sampled.
9. In the "Tier Drawing" promotion, table game patrons who had rated play for entries before the drawing time were subsequently not entered into the drawing. Further review showed that patrons' coin-in and ratings were not uploaded into OASIS until after the promotional drawing had concluded. This error affected three (3) of the twenty (20) patrons sampled.
10. In response to Finding C-4, Casino management stated that further promotions would be set up in the Trilogy system according to the promotional rules and would clearly state that table game play would not be included in the promotion.

LAW

11. 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:

* * *

(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.

12. Section 313.812, RSMo, states, in pertinent part, as follows:

14. 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 regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming[.]

13. 11 CSR 45-5.181 states, in pertinent part, as follows:

(2) Class B licensees may provide promotional activities such as promotional giveaways, promotional coupons, promotional games, player reward programs, or similar activities for patrons without the prior approval of the commission, provided the promotional activity is not structured or conducted in a manner that reflects negatively on the licensee, the commission, or the integrity of gaming in Missouri and complies with the following:

* * *

(D) All prizes offered in the promotional activity shall be awarded according to the Class B licensee's rules governing the event[.]

VIOLATIONS

14. The acts or omissions of employees or agents of the Casino, as described above, constitute a failure of the Casino to conduct promotional activities in accordance with the rules of the promotion, in violation of 11 CSR 45-5.181(2)(D).
15. HGI – St. Jo, LLC, d/b/a St. Jo Frontier Casino is therefore subject to discipline for such violations pursuant to Sections 313.805 and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

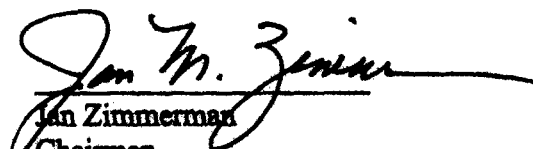
16. Under Section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against HGI – St. Jo, LLC as the holder of a Class B license.
17. THEREFORE, it is proposed that the Commission fine HGI – St. Jo, LLC, d/b/a St. Jo Frontier Casino the amount of five thousand dollars (\$5,000.00) for the violations set forth herein.


Jan Zimmerman
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 25th day of September, 2025, to:

Donald Wren, General Manager
St. Jo Frontier Casino
777 Winners Circle
St. Joseph, MO 64505


Jan Zimmerman
Chairman
Missouri Gaming Commission