



State of Rhode Island
DEPARTMENT OF BUSINESS REGULATION
1511 Pontiac Avenue, Bldg. 69-1
Cranston, Rhode Island 02920

Division of Gaming and Athletics
Licensing

IN THE MATTER OF:

Bapashri Inc. d/b/a
MOOYAH Burgers
Respondent

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CONSENT AGREEMENT

The Department of Business Regulation (the "Department"), Division of Gaming and Athletics ("Division") enters into this Consent Agreement with Bapashri Inc. d/b/a MOOYAH Burgers, a Rhode Island limited liability company (hereinafter referred to as "Respondent") as follows:

1. Respondent is licensed as a Concessionaire/Vendor pursuant to R.I. Gen. Laws §41-4-9.1, License ("License") No. CV.0010084, for its operation of Bapashri Inc. fast food restaurant establishment at Tiverton Casino Hotel in Tiverton, Rhode Island ("Casino"). Haresh Patel ("Owner Patel") is the manager/member/owner of Respondent MOOYAH Burgers.
2. All individuals employed by and/or working for Respondent at the Casino are required to obtain a requisite license under R.I. Gen Law §41-4-9.1. Respondent is responsible for ensuring that its employees and others working for Respondent at the premises have the appropriate license issued by the Department pursuant to R.I. Gen. Laws § 41-4-9.1.
3. On August 27, 2021, the Department's Division of Gaming and Athletics ("Division") conducted an inspection of Respondent and found that Employee, Edwin Ruiz ("Employee 1") worked for Respondent at the Casino premises from April, 2021 until August 27, 2021 without being licensed and prior to the Division's receipt of their Non-Facility/Vendor Employee License Applications.



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Applicable Law

4. Pursuant to R.I. Gen. Laws § 41-4-9.1(a), "All...corporations desiring to operate any concession allied to either Twin River Casino Hotel or Tiverton Casino Hotel, shall apply for a license to the division of gaming and athletics licensing, on such forms and in such a manner as prescribe/d by regulations of the division. The division by regulations shall establish other occupational licensing for all employees of the concessions..."
5. Pursuant to R.I. Gen. Laws § 41-4-9.1(c), "...The Division may reject for good cause an application for a license, and it may suspend or revoke, for good cause, any license issued by it after a hearing held in accordance with chapter 35 of title 42 and subject to further appeal procedures provided by § 41-2-3."
6. Pursuant to 230-RICR-30-30-2, Gaming and Athletics, License Applications ("Regulation"), §2.4(A), "No Person shall engage in any business operation or other activity which requires presence at any Gaming Facility (other than patrons of the Gaming Facility), and no Person shall be employed at any Gaming Facility, without first obtaining a License from the Department."

Conditions

7. Though the Division maintains that it has the requisite good cause to suspend or revoke Respondent's License pursuant to R.I. Gen. Laws § 41-4-9.1(c) on account of the current violation, in consideration for the Respondent's acceptance of responsibility, the parties have agreed to an amicable resolution of the matter without an administrative hearing and the attendant time and costs on the following terms and conditions.
8. Respondent will pay an administrative penalty in the amount of five hundred dollars (\$500), in the form of a check or money order made payable to the "RI Office of the General Treasurer," for permitting Employee 1 to perform work for Respondent at the Casino premises without a license.
9. Respondent agrees, for a two-year period beginning August 28, 2021, to submit monthly employment/work reports, which will include a list of all its employees and others performing work for Respondent at the premises, including their corresponding dates of hire and their Department-issued license numbers.



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10. The Department and Respondent agree that this Consent Agreement and its terms represent the final determination of this matter.

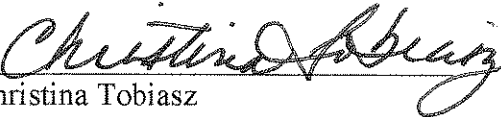
Legal Effects of Consent Agreement

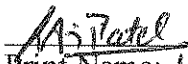
11. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 et seq. (the "APA").
12. *Enforcement.* If the Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be entitled to initiate administrative proceedings to suspend or revoke Respondent MOOYAH Burger's license in accordance with the APA. Respondent shall be provided with notice and opportunity for hearing under the APA should the Department decide to take such action.
13. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation:

Respondent: Bapashri Inc. d/b/a
MOOYAH Burger


Christina Tobiasz
Gaming and Athletics
Administrator


Print Name: Hareesh Patel
Print Title: President/owner



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Date: 9/15/2021

Date: 09/10/21