

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION,
DIVISION OF PARI-MUTUEL WAGERING.

Petitioner,

v.

DBPR Case No.: 2020-003436

DYLAN PERSAD,

Respondent.

_____ /

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (hereinafter “Petitioner”), issues this Final Order against Dylan Persad, (hereinafter “Respondent”) as follows:

1. An Administrative Complaint was filed in this case on May 15, 2020, alleging that Respondent violated sections 550.0251(6) and 551.112, Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit “1” and incorporated by reference.
2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served on Respondent via Certified U.S. Mail on May 26, 2020. Proof of service is attached hereto as Exhibit “2” and incorporated by reference.
3. The Election of Rights form, Explanation of Rights, and cover letter informed Respondent that a written response to the Administrative Complaint, including the right to request a hearing, was due within 21 days of actual service of the Administrative Complaint. See section 120.569(1), Florida Statutes, and Rule 28-106.111, *Florida Administrative Code*.

4. Petitioner informed Respondent that the failure to file a timely response to the Administrative Complaint shall be deemed a waiver of the right to a hearing.

5. Respondent has not filed a timely response to the Administrative Complaint. Respondent has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling.

Having considered the Administrative Complaint, the evidence of Petitioner's reasonable attempts to provide actual notice to Respondent, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

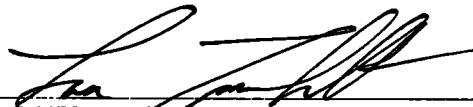
6. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

7. Respondent's Pari-Mutuel Wagering Slot Machine Professional Individual License, number 11442753-1051, is hereby REVOKED

8. Respondent is hereby PERMANENTLY EXCLUDED from all licensed pari-mutuel facilities in the State of Florida.

9. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation, as indicated on the first page of this Order.

This Final Order in DBPR Case Number 2020-003436 is DONE and ORDERED this 23 day of July, 2020.



LOUIS TROMBETTA, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
260. Blair Stone Road
Tallahassee, Florida 32399-1035

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of July, 2020, a true and correct copy of this Final Order on Waiver was provided to Respondent at:

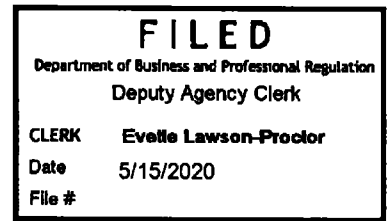
Dylan Persad
828 S.W 10th Street
Hallandale, Florida 33009

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

NOTICE OF RIGHT TO APPEAL

Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: AGC.Filing@myfloridalicense.com), and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate Florida district court of appeal. The notice of appeal must be filed (received) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.



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DYLAN PERSAD,

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_____ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Dylan Persad (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Slot Machine Professional Employee Occupational License, number 11442753-1051, issued by Petitioner.
3. At all times material hereto, Calder Race Course, Inc. (“Calder”) was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about January 9, 2020, Respondent was ejected and permanently excluded from Calder.

5. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

6. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

7. Section 551.103(4)(b)(2), Florida Statutes, provides that the division may “[d]eny, revoke, suspend, or place conditions on the license of a person who violates any provision of this chapter or rule adopted pursuant thereto.”

8. Based on the foregoing, Respondent violated Section 550.0251(6) and 551.112, Florida Statutes, and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida for his exclusion from Calder on January 9, 2020.

9. Further, under Section 551.103(4)(b)(2), Florida Statutes, due to Respondent's violation of Section 551.112, Florida Statutes, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Professional Employee Occupational License held by Respondent.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order imposing against Respondent one or more of the penalties specified by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2020-003436 is signed this 13th day of May, 2020.

/s/ Darrell Garvey

Darrell Garvey
Assistant General Counsel
FBN: 1018554
Department of Business and Professional Regulation
Office of the General Counsel
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, Florida 32399-1035
Telephone: (850) 717-1585
Facsimile: (850) 921-1311
Primary: Darrell.Garvey@MyFloridaLicense.com
Secondary: Deborah.Matthews@MyFloridaLicense.com

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, *Florida Administrative Code*. Pursuant to Rule 28-106.111, *Florida Administrative Code*, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you
- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Address ID.

Dylan Persad
828 S.W. 10th Street
Hallandale, Florida 33009
AC 2020-003436 PMW



9590 9402 5277 9154 2253 31

2. Article Number (Transfer from service label)

7006 2150 0005 6846 2778

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A Signature Agent
Timothy Wright Addressee

B Received by (Printed Name) C. Date of Delivery
Timothy Wright *5-26-20*

D Is delivery address different from item 1? Yes
If Yes, enter delivery address below No

RECEIVED

JUN 15 2020

DBPP

3. Service Type Priority Mail Express®
- | | |
|--|---|
| <input checked="" type="checkbox"/> Adult Signature | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input checked="" type="checkbox"/> Certified Mail® | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |

Domestic Return Receipt



ALERT: DUE TO LIMITED TRANSPORTATION AVAILABILITY AS A RESULT OF NATIONWIDE CO...



[FAQs >](#)

Track Another Package +

Tracking Number: 70062150000568462778

Remove X

Your item has been delivered to an agent for final delivery in HALLANDALE, FL 33009 on May 26, 2020 at 2:08 pm.

✓ Delivered to Agent

May 26, 2020 at 2:08 pm
Delivered to Agent for Final Delivery
HALLANDALE, FL 33009

Get Updates ▾

Feedback

Text & Email Updates



Tracking History



May 26, 2020, 2:08 pm
Delivered to Agent for Final Delivery
HALLANDALE, FL 33009

Your item has been delivered to an agent for final delivery in HALLANDALE, FL 33009 on May 26, 2020 at 2:08 pm.

May 26, 2020
In Transit to Next Facility

May 23, 2020, 3:22 pm
Departed USPS Regional Facility
OPA LOCKA FL DISTRIBUTION CENTER

May 20, 2020, 10:58 am
Arrived at USPS Regional Facility
OPA LOCKA FL DISTRIBUTION CENTER

May 18, 2020, 11:09 pm
Departed USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER

May 16, 2020, 12:28 am
Arrived at USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER

Product Information

Feedback
∨

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs