

**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.: 2021-020884

ROBERT WILLARD HENDERSON,

Respondent.

_____ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on July 13, 2021, alleging that Respondent violated Rule 61D-11.005(4), Florida Administrative Code, and Section 550.0251(6), 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 July 20, 2021. 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 service of the Administrative Complaint with Election of Rights form, Explanation of Rights, and cover letter on Respondent along with Respondent's failure to respond, 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 Cardroom Employee Occupational License, number 10980843-1012 is hereby **REVOKED**. Additionally, Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities within the State of Florida.

8. 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 2021-020884 is DONE and ORDERED this 19 day of August, 2021.



LOUIS TROMBETTA, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035

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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of August, 2021, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Robert Willard Henderson
4622 North West 47th Street
Tamarac, Florida 33319

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

CC: Ebonie Lanier



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,

DBPR Case No.: 2021-020884

v.

ROBERT WILLARD HENDERSON,

Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Robert Willard Henderson ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, and cardroom operations pursuant to Chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 10980843-1012, issued by Petitioner.
3. At all times material hereto, Jacksonville Kennel Club, Inc. ("Jacksonville Bestbet") was a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
4. On or about April 4, 2021, April 9, 2021, and April 12, 2021, Respondent stole chips from the pot while dealing on Table Numbers 3, 5, 6, and 21.
5. On or about April 17, 2021, Respondent was terminated and barred from all Bestbet properties.



COUNT I

6. Petitioner realleges and incorporates the allegations contained within paragraphs one through five as though fully set forth herein.

7. Rule 61D-11.005(4), Florida Administrative Code, states:

No person shall, either directly or indirectly:

(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.

(b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.

(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

8. Based on the foregoing, Respondent violated Rule 61D-11.005(4), Florida Administrative Code, by stealing chips from the pot while dealing on or about April 4, 2021, April 9, 2021, and April 12, 2021.

COUNT II

9. Petitioner realleges and incorporates the allegations contained within paragraphs one through five as though fully set forth herein.

10. 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.

11. Based on the foregoing, Respondent violated Section 550.0251(6), Florida Statutes, and is subject to exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on his termination and ejection from Jacksonville Bestbet on April 17, 2021.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities in the State of Florida, along with any other remedy provided by Chapters 550 and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2021-020884 is signed this 12th day of July, 2021.

/s/ Emily A. Leiva

Emily A. Leiva
Assistant General Counsel
Florida Bar Number: 1025200
Department of Business and Professional Regulation
Office of the General Counsel
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, Florida 32399-2202
Telephone: (850) 717-1783
Facsimile: (850) 921-1311
Primary: Emily.Leiva@MyFloridaLicense.com
Secondary: Ebonie.Lanier@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.

Track Another Package +

Tracking Number: 70192970000061137890

Remove X

Your item was delivered to an individual at the address at 2:16 pm on July 20, 2021 in FORT LAUDERDALE, FL 33319.

Delivered, Left with Individual

July 20, 2021 at 2:16 pm
FORT LAUDERDALE, FL 33319

Feedback

Get Updates v

Text & Email Updates



Tracking History



Product Information



See Less ^



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CERTIFIED MAIL® RECEIPT
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OFFICIAL USE

7-14-21

Postmark
Here

0981 ETR9 0000 6113 7890
7019 2970 0000 046 FTD

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ _____

Total Postage \$ _____

Sent To _____
Street and Apt. _____
City, State, ZIP _____

Robert W. Henderson
4622 N.W. 47th Street
Tamarac, Florida 33319
AC-2021-020884 - PMW

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 Addressed to:

Robert W. Henderson
4622 N.W. 47th Street
Tamarac, Florida 33319
AC-2021-020884 - PMW



8590 9402 5538 9249 0317 08

2. Article Number (Transfer from service label)
7019 2970 0000 6113 7890

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Address

B. Received by (Printed Name) Yes
[Signature] No

C. Date of Delivery Yes
Aug 11 2021 No

D. Delivery address different from item 1? Yes
If Yes, enter delivery address below: No

3. Service Type
 Registered Mail
 Signature Restricted Delivery
 Certified Mail
 Collect on Delivery
 Insured Mail
 Registered Mail Restricted Delivery (over \$500)

Registered Mail Express®
 Registered Mail™
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

Domestic Return Receipt

RECEIVED
AUG 11 2021
PMW
9-AM