

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
CRANSTON, RI 02920

IN THE MATTER OF	:	
	:	
TIMOTHY SANTIAGO	:	DBR No. 16GA002
	:	
RESPONDENT.	:	

CONSENT ORDER

It is hereby agreed by and between the Department of Business Regulation (“Department”) and Timothy Santiago (“Respondent”) as follows:

1. In August of 2016, Respondent, who holds a Concessionaires and Vendor Employee License (“License”), was charged with criminal conduct.
2. Respondent did not, as was required, report such charges to the Department.
3. On November 9, 2016, the Department issued an Order to Show Cause which instituted proceedings to suspend and/or revoke Respondent’s License; the grounds for suspension and/or revocation included Respondent’s failure to report the criminal charges.
4. The criminal charges have yet to be disposed; Respondent maintains his innocence and presently plans on going to trial.
5. Because Respondent failed to report the August 2016 criminal charges to the Department, the following sanction is hereby imposed:
 - a) Respondent’s License shall be suspended for a period of two-weeks;
 - b) the suspension shall be comprised of fourteen (14) consecutive calendar days and shall be completed on or before January 31, 2017;

c) during the suspension, Respondent shall not be present upon Twin River's premises;

d) during the suspension, Respondent is prohibited from performing services, at any location, for the restaurant by which he is employed at Twin River.

6. If the two-week suspension is satisfactorily completed, the Department will not take further action against Respondent for his failure to report the August 2016 criminal charges.

7. It shall be Respondent's responsibility to verify completion of the two-week suspension.

8. The terms of verification shall be set by the Department and, at a minimum, shall include written correspondence between the restaurant at Twin River by which Respondent is employed and legal counsel for the Department.

9. Until the two-week suspension is completed, Respondent shall remain in regular communication with the Department, including promptly returning any phone calls or emails.

10. This order does not constitute a final resolution of the enforcement action instituted by the November 9, 2016 Order to Show Cause; rather, it is intended to address only Respondent's failure to report the criminal charges.

11. Nothing in this order shall preclude the Department from taking future administrative action to suspend and/or revoke the License on other bases addressed in the November 9, 2016 Order to Show Cause, including the alleged conduct for which Respondent was arrested and charged; any such future action shall only be taken by the Department after affording Respondent an opportunity for a hearing.

12. With respect to the two-week suspension imposed herein, Respondent voluntarily waives any right to an administrative hearing and appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 et seq.

13. If Respondent fails to abide by the requirements of this order, the Department may initiate further administrative proceedings against Respondent.

For the Division:

Maria D'Alessandro

Signature

Date: 11/29/16

Maria D' Alessandro, Esq.
Deputy Director, Securities, Commercial
Licensing and Racing and Athletics

For the Respondent:

Timothy Santiago

Signature

Date: 11-29-16

Timothy Santiago
Respondent

RECOMMENDED BY:

Ellen Balasco

Date: 11/29/16

Ellen Balasco, Esq.
Hearing Officer

ORDER

I have read the Consent Order as agreed to by and between the parties in the above captioned matter and I hereby take the following action:

Approve

Reject

Dated: 11/30/16

Scotty Lindsey
Scotty Lindsey
Director