

24 NCAC 06A .0421 DISPUTES PERTAINING TO WAGERING

(a) The Operator's Internal Controls shall set forth its procedures for receiving, investigating, responding to and reporting on disputes submitted to it by Players.

(b) An Operator shall include on their websites, mobile applications, and if applicable, within the Wagering Facility, a clear mechanism to inform Players of their right to submit a dispute against the Operator, including:

- (1) information explaining how to submit a dispute to the Operator;
- (2) how the Operator seeks to respond to or resolve the dispute submitted by the Player; and
- (3) how the Player may submit to the Commission a report of their dispute.

(c) When a Player submits a dispute to the Operator, the Operator shall immediately create a written dispute report, setting out the:

- (1) name of the Player or the Player's email address;
- (2) nature of the dispute asserted;
- (3) name of the Persons against whom the dispute was made, including employees or contractors;
- (4) date and time of the purported conduct or incident giving rise to the dispute;
- (5) date the Player submitted the dispute; and
- (6) the nature of relief or action sought by the Player and, if applicable, the action taken or proposed to be taken by the Operator to address the dispute.

(d) An Operator shall investigate and attempt to resolve disputes with the Player.

- (1) An Operator shall respond to disputes in writing within 10 Days or may seek an extension of time from the Director not to exceed 10 Days by providing information about why a response cannot be provided within that time period.
- (2) If the Operator will not grant or provide the Player the relief requested to resolve the dispute, then the Operator shall state in writing and with specificity the reasons why the requested relief or action will not be provided.
- (3) If an Operator's response to a dispute is that more information is needed to address the dispute, the Operator shall provide specific information to the Player about the form and nature of the needed information. When the Player provides the Operator additional information, the Operator shall provide to the Player any further response within seven Days.
- (4) In its written response to the dispute asserted by the Player, the Operator shall advise the Player of their right to submit the dispute to the Commission in the form and manner prescribed by the Commission or Director.

(e) Unless otherwise directed by the Commission, for disputes related to Wagering Accounts, settlement of Wagers, or activity that is contrary to the law related to Wagering that cannot be resolved to the satisfaction of the Player, the Operator shall promptly notify the Director of the dispute, including all information submitted by the Player and the Operator's response, along with other pertinent information and documentation.

(f) On receipt of a dispute from a Player or notification of an unresolved dispute from an Operator, the Director may investigate as they consider to be appropriate and may direct an Operator to take corrective action the Commission or Director considers appropriate, consistent with law and these Rules.

(g) Disputes received by an Operator from a Player and the Operator's responses to disputes, including internal records such as dispute reports, shall be retained for five years thereafter or for a longer period required by law for inspection by agents or officials of the State or federal government.

- (1) If a litigation, claim, or audit is started before the expiration of the five-year period, the records shall be retained until litigation, claims or audit findings involving the records have been resolved.
- (2) The Operator shall produce these records to the Commission or Director within 10 Days of a request by the Commission or Director or may seek an extension of time in writing from the Director not to exceed 10 Days by providing information about why the requested records cannot be provided within that time period and identifying when these records will be produced.

*History Note: Authority G.S. 18C-114(a)(14);
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