

**ARIZONA DEPARTMENT OF RACING
TUCSON GREYHOUND PARK
2011 MEETING**

Under the authority granted by Arizona Revised Statutes Title 5, Chapter 1, and Arizona Administrative Code Title 19, Chapter 2, the Board of Stewards at **Tucson Greyhound Park**, located at 2601 S. 3rd Ave., Tucson, held a hearing on **Thursday, June 24th 2011** and issued the following Ruling:

Willard J. Eyer, Trainer/Owner/RBO license # 1180051/1180050/1110004, after being duly notified and appearing, is hereby issued a warning for failing to maintain his kennel according to the Arizona Department Of Racing rules and regulations by receiving unsatisfactory kennel inspection report conducted by the Arizona Department Of Racing investigator and for failing to maintain a kennel log.

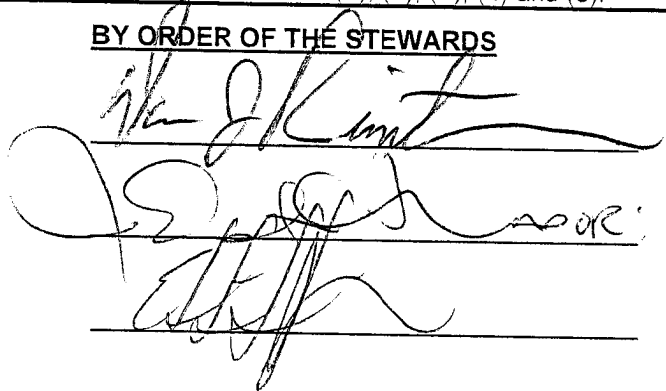
The inspection was conducted on June 11, 2011, to train Arizona Department Of Racing staff on the procedures of kennel inspections. It was found that your kennel could be below the standards of the department. When approached by the Arizona Department Of Racing investigator to review the inspection report and her expectations in which you refused to comply.

The stewards took in consideration the steps you and your assistant trainer have implemented to prevent any future infractions from your kennel. The Arizona Department Of Racing expects full cooperation from you and any licensee from your kennel.

The above described matter constitutes a violation of and/or in accordance with:

A.A.C. R19-2-324-A-9, R19-2-327-B, R19-2-309-E-3 and R19-2-329-A-(1), (2), (3), (4) and (5).

BY ORDER OF THE STEWARDS



Pursuant to Arizona Racing Commission rules and regulations, the Stewards shall advise the Director of all hearings and rulings made. The Stewards may refer any ruling made by them to the Director, recommending further actions, including license revocation. This ruling may be appealed in writing to the Director, Arizona Department of Racing within three race days from the date of receipt of this Stewards' ruling. The Director may sustain, reverse, or modify any decision of the Stewards and may sustain, increase or decrease any penalty imposed by the Stewards.

ADDRESS:

SERVICE: Mailed
 Personal Delivery
By: Juan Estrada.

Ruling No. 118-22

Date: 6-24-2011

**ARIZONA DEPARTMENT OF RACING
NOTICE OF STEWARDS' HEARING**

IF ANY DISABLED PERSON NEEDS ANY TYPE OF ACCOMMODATION, PLEASE NOTIFY THE STEWARDS AT 520-884-7576, AT LEAST 72 HOURS PRIOR TO THE SCHEDULED HEARING TIME.

Date: June 14, 2011

To: WILLARD J. EYLER

License Category: TRAINER/OWNER/RBO

License #: 1180051/1180050/1110004

From: Board of Stewards – Tucson Greyhound Park

Under the authority granted by Arizona Revised Statutes Title 5, Chapter 1, and Arizona Administrative Code title 19, Chapter 2, you are hereby notified that the Board of Stewards at **Tucson Greyhound Park** will hold a hearing at **6:00 p.m.** on **THURSDAY, JUNE 23, 2011** at the State Stewards' Office at Tucson Greyhound Park to determine whether good cause exists for the Board of Stewards to impose a fine and/or suspend all licenses issued to you by the Arizona Department of Racing. The maximum penalty you may receive from this hearing is One Thousand Dollars (\$1,000) fine and/or a sixty (60) day license suspension. You are advised that the following matters are asserted in connection with this proceeding:

For failing to maintain his kennel according to the Arizona Department Of Racing rules and regulations by receiving unsatisfactory kennel inspection report conducted by the Arizona Department Of Racing Investigator and for failing to maintain a kennel log.

It is asserted that those matters violate A.R.S. § 5-108(A)(h). The authority for this proceeding is: A.R.S. § 5-108.05.

A.A.C. R19-2-309(E)(3)(d)(f) and A.A.C. R19-2-309(E)(6)(a)(b)(c)(d)(e)(f)

Arizona Administrative Code/Arizona Revised Statutes Reference:

A.A.C. R19-2-324-A-9, R19-2-327-B, R19-2-309-E-3 and R19-2-329-A-(1), (2), (3), (4) and (5).

At the date and time of the Stewards' hearing, you may appear with or without the assistance of legal counsel and present testimony and argument in support of your position with respect to the assertions contained above. AAC R19-2-309(E)(6)(e)

Steward's Signature [Signature]

SERVICE: Mailed Personal Delivery - Date of Service: 6-14-11 Time of Service 6:05 p.m. By DA
Signature of Person Notified Willard Eyer
 Check Box if address above is Correct, OR Provide Current Mailing Address: _____

I request a change in hearing date to _____
DATE

Licensee _____
DATE/INITIAL

Stewards Approve Deny _____
DATE/INITIAL

WAIVER OF APPEARANCE AT HEARING

I, _____ understand my right to appear at a hearing before the Board of Stewards pursuant to AAC R19-2-309(E)(6)(a). I understand that the hearing may take place without my presence. I also understand that the Stewards may proceed and make a determination in my absence.

Witness _____ Signature of Person Notified _____

**ARIZONA DEPARTMENT OF RACING
GREYHOUND BREEDING/RACING/KENNEL FACILITY
INSPECTION FORM**

Pursuant to A.R.S. §§ 5-104, 5-106 and 5-107

Date: <u>6-11-2011</u>	DR#:
Operation Name: <u>Cyler Kennel</u>	Location: <u>Tucson Greyhound Park</u>
Operation Type: <u>RBC</u>	Representative Name: <u>W. Dwyer</u>
License #: <u>RAC-1110004 / 1180051</u>	Signature: <u>Refused to Sign</u>

Items that are not in compliance will be circled. If an explanation is required, it will be indicated in the comments section.

GREYHOUND HOUSING

R19-2-324

A. KENNEL HOUSING

- | | |
|--|--|
| 1. Facilities in good repair | 6. Ample lighting provided |
| 2. Bedding. Temperature should be 50°F to 90°F: <u>73°</u>
cooling/heating required | 7. At least one turn-out pen available |
| 3. Separate facilities for greyhounds under eight weeks / females within two weeks of whelping | 8. At least one functional fire extinguisher present |
| 4. Ventilation is acceptable | 9. Clean facilities maintained |
| 5. Walls/floors constructed for efficient cleaning and sanitizing | 10. No smoking in kennel housing allowed/observed |

Comments/Deficiencies: Floors filthy (urine & feces) / REFRIGERATOR covered inside and out WITH BLOOD (FROM MEAT)

B. RUN HOUSING

- Buildings/structures maintained properly
- Sufficient shelter provided
- Run area free from debris
- Fencing at least 4' high. In satisfactory repair
- Run housing clean

C. KENNEL HOUSING CRATES

- Soundly constructed/maintained
- Materials/maintenance, cleanliness/dryness
- At least 31" wide, 42" long and 32" high
- Released four times in each 24-hour period
- One greyhound per crate
- Crates kept clean

Comments/Deficiencies: OK

GROUND
R19-2-325

A. GENERAL

- | | |
|---|---|
| 1. Food supplies/bedding materials protected. Meat frozen/refrigerated until thawed for consumption | 4. Dropping buckets: lids in place and stored away |
| 2. Washrooms, basins or sinks readily accessible. Running water immediately available, hot water obtainable | 5. Ample space |
| 3. Waste materials removed daily, disposed of weekly | 6. Females in estrus separate from racing dogs or males, except for breeding purposes |
| | 7. Cleaning supplies/pesticides securely stored |
| | 8. Grounds free of debris |
| | 9. Licensed Facilities |

B. TURN-OUT PENS AND EXERCISE AREAS

- | | |
|---|---|
| 1. Fencing at least 5' high. In satisfactory repair | 5. Sufficient shelter provided |
| 2. Ample lighting provided | 6. Turnout pens cleaned at least daily |
| 3. Free of debris | 7. Fresh sand |
| 4. Greyhounds supervised while in turn-out pens | 8. Buildings/structures maintained properly |

Comments/Deficiencies: _____

gsk

**GENERAL CARE OF GREYHOUNDS
IN A RACING KENNEL, ON A BREEDING FARM OR ON ANOTHER OPERATION
R19-2-326**

- A. Greyhounds properly cared for on a daily basis
- B. Clean, fresh water
- C. Food and water dishes free of mold and slime
- D. Greyhounds reasonably free of ticks and fleas
- E. Sick, diseased or injured greyhounds provided with proper veterinary care
- F. Muzzles: lightweight, plastic or padded wire type
- G. Vaccination Records

Comments/Deficiencies: _____

dl

**PERSONNEL OF THE RACING KENNEL, BREEDING FARM OR OTHER OPERATION
R19-2-327**

- A. Owner/manager/agents/supervising personnel present at least once in each 24-hour period
- B. Kennel representative is familiar with requirements
- C. A sufficient number of employees utilized
- D. Operation shall be licensed. Manager/agent licensed

Comments/Deficiencies: _____

**TRANSPORTATION VEHICLE INSPECTION AND TRANSPORTATION OF GREYHOUNDS
R19-2-328**

- A. Crates: minimum size of 2' wide, 3' long, 34" high
- B. Maximum two greyhounds per crate
- C. Crates soundly constructed and maintained
- D. Crates constructed/maintained hold excreta bedding
- E. Crates clean and sanitized
- F. Ventilation reaches all greyhounds, cooling/heating
- G. Greyhounds are inspected at least every four hours
- H. Out-of-sate greyhounds quarantined. Licensed (as required): _____
- I. Complete Log (greyhound names, tattoo numbers, owners/lessees names, etc.)
- J. Driver is properly licensed: _____
- K. Hauling Vehicle Inspection # _____

Comments/Deficiencies: _____

**DISPOSITION OF GREYHOUNDS
R19-2-329**

- A. Complete Log (greyhound names, tattoo numbers, owners/lessees names, date career ended, reason why, destination, adopting agency or person)
- B. Effort for adoption
- C. Transportation subject to R19-2-328

Comments/Deficiencies: COULD NOT PRODUCE A LOG

**INSPECTION PROCEDURE
FOR A RACING KENNEL, BREEDING FARM OR OTHER OPERATION
R-19-2-330**

- A. Operation available for inspection at all times
- B. Inspections unannounced
- C. Operation representative available, cooperative
- D. Copy of report left at site
- E. Follow-up inspection, if necessary
- F. Consultation with local Animal Control authorities

Comments/Deficiencies: _____

Representative: _____	Investigator: <u>L. SHAFER</u>	Reviewed: _____
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>	Date: <u>6-11-11</u>