



March 10, 2021

Certified Mail

CardSmart
680 N DuPont Blvd
Milford, DE 19963
Attn: Dana Saxon

CLOSURE NOTICE

Dear Ms. Saxon:

The following Closure Notice is issued under the authority of the Secretary, Delaware Health and Social Services pursuant to 16 Del. C. §122 (3) and the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat, including its modifications.

History of Violations

The Division of Public Health received numerous complaints starting July 4, 2020, to March 6, 2021, regarding noncompliance with the restrictions as set forth in the Modifications of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan. Site inspections were conducted on December 3, 2020, and January 25, 2021, in which noncompliance with restrictions were documented. CardSmart was previously issued an administrative penalty on December 10, 2020, after observing a violation of the State of Emergency Declaration during a site visit on December 3, 2020. After receiving additional complaints, the Division of Public Health (DPH) conducted a site visit to the above referenced location on January 25, 2021, to assess compliance with the current restrictions in place to reduce transmission of COVID-19. During this visit, DPH inspectors observed numerous violations of the State of Emergency Declaration including:

- Lack of appropriate face coverings, as required by the Twenty- Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.

- Lack of a reopening plan addressing face coverings, as required by the Twenty-Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.
- Lack of hand sanitizer, as required by the Twenty-Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.

The Division of Public Health received a complaint for the above location on March 6, 2021, regarding lack of appropriate face coverings. The City of Milford Police Department investigated a complaint on March 5, 2021, about lack of appropriate face coverings at the above location. As a result of the investigation, Milford Police confirmed noncompliance and that the owner/operator would continue noncompliance with the face covering mandate.

Immediate Closure of CardSmart

The Division of Public Health (DPH) formally mandates your location at 680 N DuPont Blvd., Milford, DE 19963 to be closed immediately due to repeated noncompliance with the Governor's Declaration of a State of Emergency. Delaware law, 16 *Del. C.* §122 establishes the authority for the Department of Health and Social Services to regulate businesses, and to prevent the spread of contagious disease.

The Department of Health and Social Services is further authorized to enforce the requirements in Governor Carney's Twenty-Seventh Modification to the Declaration of a State of Emergency. Due to the numerous violations of the State of Emergency Declaration observed by DPH inspectors during the site visit on January 25, 2021, this establishment is hereby closed until a corrective plan is submitted to, and approved by, DPH.

DPH prohibits all activities at this location until this establishment is in compliance with the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat, and any modifications thereto, and the Governor's Phase 2 Reopening Plan. Reopening without prior approval of DPH will result in fines up to \$1,000.00 per day.

Any questions should be addressed to Mr. Jamie Mack, (302) 744-4832.

Sincerely,



Karyl T, Rattay, MD, MS, FAAP

Director