

**APPLICANTS SHOULD KEEP A COPY OF THIS ENTITY HISTORY DISCLOSURE AND THE SUPPORTING DOCUMENTS FOR THEIR RECORDS.**

Applicants or licensees will be required to upload this disclosure document and input data contained herein onto their application on New York Business Express to submit a complete application. The Office will not be able to process this form unless it is completed using the [desktop version of Adobe Acrobat](#). The form may not be printed. A form that is printed or that is completed in your web browser will not have a valid digital signature and will not be accepted by the Office.

Pursuant to §116.1(w)(1) of the Official Compilation of Codes, Rules and Regulations of the State of New York, a True Party of Interest includes, but is not limited to the following:

- (i) the applicant or licensee's sole proprietor, partner (whether limited or general), member, manager, president, vice president, secretary, treasurer, officer, board member, trustee, director, or any person with an equivalent title to each of the foregoing;
- (ii) a stockholder of the applicant or licensee, other than a person owning 5% or less in the aggregate of a publicly traded company;
- (iii) each person that makes up the ownership structure of each level of ownership for an applicant or licensee that has a multilevel ownership structure;
- (iv) each person with a right to receive some or all of the revenue, gross profit, or net profit from the licensed entity during any full or partial calendar or fiscal year;
- (v) each person with a financial interest in the applicant or licensee;
- (vi) each person that has authority to or exercises control over the applicant or licensee;
- (vii) each person that has membership rights in the applicant or licensee in accordance with the provisions of any articles of incorporation, bylaws, limited liability corporation agreements, partnership agreements or operating agreement;
- (viii) each person that assumes responsibility for the debts of the applicant or licensee; or
- (ix) spouse of any individual in (i) thru (iii).

For purposes of category (v) above, a person that has a "financial interest" is a person that has an actual or future right to ownership, investment or compensation arrangement with another person, either directly or indirectly. This can be through business, investment, spouse, parent, or child. A compensation arrangement can include an agreement that provides for an individual or entity getting paid as an employee, a commission that a worker is entitled to receive, or compensation for a non-compete agreement.

For additional information on who does and who does not qualify as TPI, please visit [cannabis.ny.gov/caurd-tpi](https://cannabis.ny.gov/caurd-tpi).

Each True Party of Interest in an applicant, or person holding a loan with an outstanding balance that exceeds 10% of the CAURD applicant's operating capital must provide a completed, dated, and signed CAURD True Party of Interest/ Financier Personal History Disclosure (Form OCM-06003) and New York State Department of Tax and Finance Clearance Form (Form OCM-06002) to the applicant.

Further, all True Parties of Interest in such entity whose interest grants control over a CAURD applicant, or who otherwise qualify as a True Party of Interest in the entity as defined above, must complete a CAURD True Party of Interest/ Financier Personal History Disclosure (Form OCM-06004) and New York State Department of Tax and Finance Clearance Form (Form OCM-06002). Applicants will use the information from each CAURD True Party of Interest/ Financier Personal History Disclosure to complete the CAURD application and must submit each CAURD True Party of Interest/ Financier Personal History Disclosure, CAURD True Party of Interest/ Financier Entity History Disclosure, and New York State Department of Tax and Finance Clearance Form with the CAURD application.

# 1. True Party of Interest/ Financier Entity Information

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## 1a. Business Information

Name of Entity:

D/B/A or Trade Name:

FEIN:

## 1b. Principal Business Address

Street 1:

Street 2:

City, Town, or Village:

State:

Country:

Zip:

Phone:

Website:

## 1c. Primary Contact

Name of Contact:

Title:

Mailing Address:

City, Town, or Village:

State:

Country:

Zip:

Phone:

Email:

## 1d. Nature of Business

Describe the business conducted by the entity:

## 1e. Affiliated NYS Cannabis Applicant/ Licensee

Applicant/ Licensee that the entity is a True Party of Interest/ Financier (Lender) of:

License Number (if applicable):

## 1f. Nature of Relationship

Describe the interest that the entity holds in the applicant / licensee. This question does not apply if completing this form for the entity that is the applicant.

**1g.** If this entity is a TPI of a business entity that is also recognized as a TPI in an applicant then enter such entity's business name, FEIN, and relationship.

**1h.** Does this entity have any compensation agreements with the applicant or licensee, whether the agreement is directly with this party or indirect through an intermediate entity? A compensation agreement is a legal document that guarantees that an individual or entity will receive compensation for certain actions. It can include compensation for an individual or entity getting paid as an employee, a commission that a worker is entitled to receive, compensation for a Non-Compete Agreement, etc.? If yes include a copy of this agreement with this disclosure.

Yes    No

**1i.** Does this entity have any proposed or executed contract, term sheet, agreement, or side letter with the applicant or another party that relates to the ownership and control structure, assets, liabilities, real or intellectual property, revenue, funding or capitalization, royalties, or profit, or future profit, of the applicant or proposed licensee or comparable documents? If yes include a copy of this contract with this disclosure.

Yes    No

**1j.** Does this entity have a management or service agreement with the applicant or licensee? A management agreement is a contract between parties (the owner and the management company), which typically spells out the expected services, a list of responsibilities, the administration, and management of services provided, and the compensation for these services. Include a copy of any management agreement, contract, arrangement, or other type of formal understanding between the party and an applicant where the contractor will or does provide administrative, operational, financial, advisory, and/or management services to an applicant in exchange for remuneration and a list of all the parties that are contained in those agreements.

Yes    No

Type of Agreement: Management      Service

## 2. Position or Interest Held:

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Select all that apply.

### 2a. Positions:

Parent Company	Subsidiary Company	LLC Member	Right to receive revenue or profit*
Partner	Manager	LLC Manager	Current or Future Right to ownership*
General Partner	Limited Partner	Authority to/ or Exercises Control	Current or Future Right to investment*
Guarantor*	Stockholder	Lender/ Financier*	Current or Future Right to compensation*
Other			

  

Percentage of ownership	Number of shares owned	Percentage or revenue or profit entitled to
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\*If the entity is a guarantor, has authority to or exercises control over the applicant or licensee; or has the right to receive profit or revenue or has a current or future right to ownership, investment or compensation arrangement, or are a source of capital or loan provider, please state your relationship to the applicant or licensee and, if applicable, the type of interest including but not limited to, options, warrants, convertible notes, unvested stock, or any other unit of equity or voting interest:

## 3. General Background

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3a. Is the entity incorporated?    Yes    No

i. In what state(s) is the entity incorporated?

ii. Is the entity registered to do business in New York?    Yes    No

iii. Is the entity in good standing in all states in which it is incorporated?    Yes    No

If not, list the states in which it is not in good standing:

iv. Include the following with this disclosure:

- All incorporation documents/articles of incorporation
- Charter
- Bylaws
- Certificates of good standing from all states in which the entity is incorporated.

3b. If the entity is not incorporated:

i. How is the entity organized (partnership, LLP, LLC etc.)

ii. Identify in what states it is authorized/approved/registered to conduct business:

iii. Is the entity in good standing in all states in which it is authorized/approved/registered to conduct business?

Yes    No

If not, list the states in which it is not in good standing:

iv. Has the entity entered into any agreement, contract, merger, consolidation, lending agreement, or financial agreement with any other New York cannabis related business?      Yes      No

If so, include copies of said documents with this disclosure.

v. Include the following with this disclosure:

- All certificates of good standing and/or any documents reflecting that the entity is not in good standing
- All documents reflecting the formation of the entity, including, but not limited to: charter, bylaws, operating agreements and any other governing document

## 4. Corporate Structure

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List all former names of the entity:

List all parents, subsidiaries, affiliates, and predecessors of the entity. Describe the business engaged by the parent, subsidiary, affiliate, or predecessor of the entity, and the approximate time during which each identified business has been conducted. Include additional pages if necessary.

Company	Relationship	Business Engaged	Years
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List all sales, mergers, and/or consolidations involving the entity within the last three years. Include additional pages if necessary.

Company	Action	Years
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## 5. Owners, Principals, And Financial Sources, Including Members, Board Members, Shareholders, Directors, And Trustees

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Provide the following information for each owner; principal; partner; member; board member; shareholder; director; trustee; person with the right to receive some or all of the revenue, gross profit or net profit from the entity; or person with a current or future right to ownership or investment in the entity. Each of the foregoing must complete a Personal History Disclosure Form that is to be filed with this Entity History Disclosure. Include additional pages if necessary.

Name	Association with Entity	Taxpayer ID (include dashes)	Current or Future % of Ownership Interest	Compensation Last Calendar Year	Form of Compensation
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## 6. Officers

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Provide the following information for each officer of the entity or any individual that has authority to or exercises control over the entity. Officers include, but are not limited to, all persons serving as president, secretary, treasurer, vice-president. Each officer and person with control of the entity must complete a Personal History Disclosure Form that is to be filed with this Entity History Disclosure. Include additional pages if necessary.

Name	Title	Taxpayer ID (include dashes)	Current or Future % of Ownership Interest	Compensation Last Calendar Year	Form of Compensation
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## 7. Managers and Supervising Employees

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Provide the following information regarding each person not listed in the previous Sections 5 and 6 who is a staff member and/or employee of the entity. Include additional pages if necessary.

Name	Position	Position Held From	To
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## 8. Long-Term Debt

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Describe of the nature, type, terms, covenants, conditions and priorities of all outstanding bonds, loans, mortgages, trust deeds, notes, debentures, or other forms of indebtedness issued or executed, or to be issued or executed, by the entity or on its behalf. Include a copy of any such executed bonds, loans, mortgages, trust deeds, notes, debentures, or other forms of indebtedness with this Disclosure. Include additional pages if necessary.

## 9. Holders of Long-Term Debt

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Provide the following information for each person, entity or financial institution holding any outstanding bonds, loans, mortgages, trust deeds, notes, debentures, or other forms of indebtedness described in Section 8 and any person that guaranteed any of the foregoing. Include additional pages if necessary.

Name	Type and Class of Debt or Guarantor	Original Dollar Amount	Current Balance
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## 10. Other Debt

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Describe the nature, type, terms, covenants, conditions and priorities of all outstanding loans, mortgages, trust deeds, pledges, lines of credit, or other evidence of indebtedness or security devices utilized by the entity other than those described in Section 8. Include additional pages if necessary.

## 11. Holders of Other Debt

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Provide the following information for each person, entity or financial institution holding any outstanding loans, mortgages, trust deeds, pledges, lines of credit, or other evidence of indebtedness or security devices described in Section 10, and any person that guaranteed any of the foregoing. Include additional pages if necessary.

Name	Type and Class of Debt or Guarantor	Original Dollar Amount	Current Balance
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## **12. Financial Institutions**

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List each bank, savings and loan association, or other financial institution, whether domestic or foreign, at which the entity has or has had an account within the past three (3) years. Include additional pages if necessary.

Name	Type of Account	Account Number	Account Held From	To
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## **13. Stock Held**

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List each entity in with the entity holds stock. Include additional pages if necessary.

Name	Type of Stock Held	Purchase Price per Share	Shares Held	% of Ownership
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## **14. Litigation and Arbitration**

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Describe all existing or past litigation within the past three years (including any arbitrations or other forms of alternative dispute resolution) to which the entity or any parent, subsidiary, affiliate, or predecessor, was a party, whether in this state or in another jurisdiction. This description must include the title and docket number of the litigation, the name and location of the court before which it is or was pending, all parties to the litigation, the general nature of all claims made, and the adjudication (if any). Include additional pages if necessary.

## **15. Statutory and Regulatory Violations**

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If the entity or any parent, subsidiary, affiliate, or predecessor has been charged with a violation of any state or federal statute, regulation, or code; or if the entity had any judgment, order, consent decree, or consent order entered against it or any parent, subsidiary, affiliate, or predecessor; list each charge, judgment, order, consent decree, or consent order. Additionally, include all documentation relating to each charge, judgment, order, consent decree, or consent order with this Disclosure. Include additional pages if necessary.

Date	Nature of Offense	Docket Number	Name and Address of Court or Agency	Judgement, Decree, or Order	Date Entered
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## **16. Bankruptcy or Insolvency Proceedings**

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If the entity or any parent, subsidiary, affiliate, predecessor, has had any petition under any provision of the Federal Bankruptcy Code filed by or against it; or if the entity or any parent, subsidiary, affiliate, predecessor, has sought relief under any state insolvency law; list each bankruptcy or insolvency proceeding. Include additional pages if necessary.

Date	Entity Involved	Docket Number	Name and Address of Court or Agency	Judgement or Relief	Date Entered
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## **17. Licenses Denied, Suspended, or Revoked**

If the entity or any parent, subsidiary, affiliate, or predecessor has ever had any license or certificate issued by a government agency in this state or any other jurisdiction, denied, suspended, or revoked, list each license or certificate denied, suspended, or revoked. Include additional pages if necessary.

Type of License	Entity Involved	Agency and Jurisdiction	Action Taken	Date	Reason for Action
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## **18. Cannabis Licenses**

If the entity or any parent, subsidiary, affiliate, or predecessor has ever applied in any jurisdiction for a license to cultivate, process, distribute, test, sell, or deliver cannabis, list each license below. Include additional pages if necessary.

Agency	Entity Involved	Application Date	Disposition	Type of License	License Number
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## 19. Attestations

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I, \_\_\_\_\_, the \_\_\_\_\_, understand that the Office of Cannabis Management will rely on each and every answer in the application and accompanying documents in reaching its determination and state, under penalty of perjury, that all statements and representations therein are true to the best of my knowledge and belief; and

I attest that all required items are included with this form and/or have been submitted to a third party as specified by the Office of Cannabis Management at the time this document was submitted.

I attest that the entity shall not have a direct or indirect financial or controlling interest in more than three conditional adult-use retail dispensary licenses in New York State until the expiration of the conditional period; and

I attest that the entity shall not hold an adult-use cultivation, processor, microbusiness, cooperative or distributor license in New York State pursuant to article four of the Cannabis Law or be registered as a registered organization pursuant to article three of the Cannabis Law, except for such organizations licensed pursuant to sections sixty-eight-a and sixty-eight-b of this article; and

I attest that the entity shall not be interested, directly or indirectly, in any cultivator, processor, distributor, cooperative, registered organization, or microbusiness operator licensed in New York State by stock ownership, interlocking directors, mortgage or lien on any personal or real property or by any other means. Any lien, mortgage or other interest or estate, however, now held by such licensee or true party of interest on or in the personal or real property of such manufacturer or distributor, which mortgage, lien, interest or estate was acquired on or before December 31, 2019, shall not be included within the provisions of this paragraph; provided, however, the burden of establishing the time of the accrual of the interest comprehended by this paragraph, shall be upon the person who claims to be entitled to the protection and exemption afforded hereby; and

By submitting this application, I agree to allow the Department of Taxation and Finance to share the confidential tax information of the above identified taxpayer with the Office of Cannabis Management for purposes of determining the taxpayer eligibility to receive or hold a license to conduct an adult-use cannabis business. I certify that I am making the foregoing release on behalf of either: myself, a partnership of which I am a partner, or a limited liability company or corporation of which I am a president, secretary or other principal officer authorized to make such release.

I attest that I am a principal officer, partner, or owner duly authorized on behalf of the named entity in question 1a above to complete and submit this form on behalf of the named entity.

Signed:  
OCM-06003 (11/22)

Date: