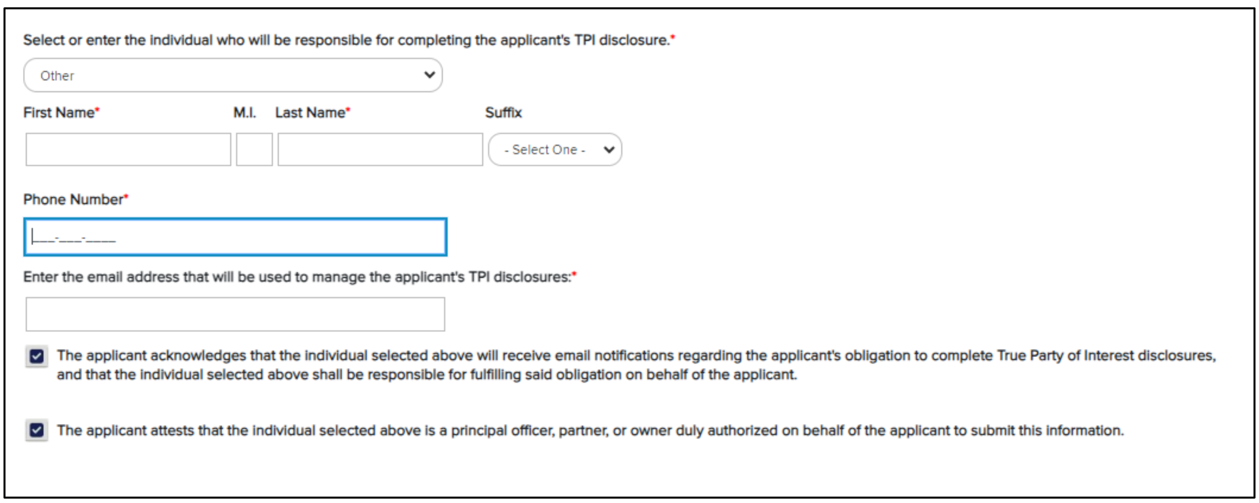
# True Party of Interest (TPI) Portal Instructions

A significant portion of a cannabis license application focuses on true parties of interest (TPI) disclosure. TPI includes individuals and entities with any financial stake in or control over the applicant, including parties with direct or indirect financial or controlling interest (DIFCI) and passive investors (PI).Certain TPI, those with DIFCI as well as PI above certain thresholds, will be required to complete personal or entity history disclosures (see the TPI Portal FAQ for further details). This set of instructions explains the functionality of the TPI Portal, which was developed to capture the necessary information relevant to an applicant and their TPI in consideration of the eligibility of the cannabis license application.

## For the Applicant

**Initiating an Applicant Entity History Disclosure in TPI Portal**

On a cannabis license application, the applicant will be asked to identify someone as the "responsible party" who will complete that applicant's entity history disclosure in the TPI portal.


Select or enter the individual who will be responsible for completing the applicant's TPI disclosure.*

Other

First Name* M.I. Last Name* Suffix

- Select One -

Phone Number*

Enter the email address that will be used to manage the applicant's TPI disclosures:*

☑ The applicant acknowledges that the individual selected above will receive email notifications regarding the applicant's obligation to complete True Party of Interest disclosures, and that the individual selected above shall be responsible for fulfilling said obligation on behalf of the applicant.

☑ The applicant attests that the individual selected above is a principal officer, partner, or owner duly authorized on behalf of the applicant to submit this information.

Submission of the applicant entity history disclosure is mandatory for an application to be considered complete by the Office. The applicant entity history disclosure is the mandatory first step in the submission of all of the required TPI disclosures for an application.

After submitting the cannabis license application, the responsible party will receive an email with a link to the TPI portal, a four-digit PIN, and additional guidance on submitting the applicant entity history disclosure.

1. Click the link in the email to the TPI Portal.
2. If you are not automatically logged in, log in to the TPI Portal with your NY.GOV ID.

3. Click "Validate TPI PIN".
    a. Enter the four-digit PIN from the email.
    b. Enter the application number from the email.
4. Enter the FEIN of the applicant. This step verifies whether or not the entity is already in the TPI system as a TPI on another application.
5. Accept your role as the responsible party for the applicant entity.
6. Click "Continue" to begin the applicant entity history disclosure.

**If you are submitting multiple license applications for the same business entity, please use the following order when completing your applicant entity TPI disclosures:**

1. Verify the first PIN that you received over email in the TPI Portal.
2. Complete your applicant entity disclosure and submit it.
3. Verify your second PIN that you received in the TPI Portal and re-submit the disclosure.
4. Repeat step 3 with as many PINs as you have, re-submitting the disclosure after each PIN verification.

If you verify your second (or additional) PINs in the TPI Portal before submitting your applicant disclosure, the system will not properly recognize the affiliation of your TPI with each application associated with each PIN. Please follow the order listed above when verifying multiple TPI PINs.

**Completing an Applicant Entity History Disclosure in TPI Portal**

After initiating an applicant entity history disclosure, the responsible party should be immediately taken to the disclosure.

1. The following pages provide general information about the entity:
    a. Entity Information
    b. Entity General Background
    c. Entity Business Structure
    d. Entity Finances
    e. Entity Litigation and Violations
    f. Cannabis License History
2. The following pages list all True Parties of Interest associated with the application:
    a. True Parties of Interest – Direct Ownership
        i. This includes the applicant's direct owners who were already entered in the cannabis license application in NYBE.
        ii. For each of the people and businesses in the "Direct Owners" table, click on the "Add Missing Info" button.
            1. Complete all required fields for that TPI. <u>That TPI will be contacted at the email address you provide, so make sure it is a valid contact for that TPI.</u>
            2. If the TPI is a business entity, provide the names of all owners of that business at the very bottom of the pop-up. The names provided here

will populate on the next page of the disclosure, “TPI Indirect Ownership”, for collection of additional details.

a. If none of that business’s owners are required to be disclosed per the TPI disclosure thresholds, no owners need to be listed here.

b. True Parties of Interest – Indirect Ownership
    i. This includes TPI who were entered as owners of a business that is an owner of the applicant.
    ii. For each of the people and businesses in the table, click on the “Edit” button.
        1. Complete all required fields for that TPI. That TPI will be contacted at the email address you provide, so make sure it is a valid contact for that TPI.
        2. If the TPI is a business entity, provide the name ofall owners of that business at the very bottom of the pop-up. The names provided here will populate new records on this same page of the disclosure, “TPI Indirect Ownership”, for collection of additional details.
            a. If none of that business’s owners are required to be disclosed per the TPI disclosure thresholds, no owners need to be listed here.

c. True Parties of Interest – Management Structure
    i. You must provide the names and contact information for all the executives, officers, directors, and other management at each of the TPI businesses.
        1. Complete all required fields for that TPI. That TPI will be contacted at the email address you provide, so make sure it is a valid contact for that TPI.

d. Additional True Parties of Interest
    i. You must provide the names and contact information for any other person who is a TPI of the applicant. This includes any persons with control over the applicant entity, including the applicant’s executives and managers.
        1. Complete all required fields for that TPI. That TPI will be contacted at the email address you provide, so make sure it is a valid contact for that TPI.

3. The following pages provide details about any agreements that the applicant is a party to:
    a. Proposed or Executed Agreements
        i. You must provide details on any agreement that the applicant has that meets any of the criteria listed on this page, such as non-exempt goods and services agreements, agreements that grant control, or agreements that would result in payments above the 10%/50%/$250,000 threshold.
    b. Agreements and Contracts
        i. You must provide details on any goods and services agreement that the applicant has with another applicant or licensee, for example if the applicant is a landlord to another licensee.
    c. Financial Disclosure

i. You must provide details on any agreement that the applicant has for cash, borrowed funds, or expenses that will be covered by another party.

4. You can save and return to the applicant's draft disclosure at any time from your TPI Portal dashboard.
5. Submit the disclosure once you have completed all the required sections.
6. Upon submission of the applicant entity history disclosure, all TPI who were listed will be emailed with a link to the TPI Portal so that they can complete their own TPI disclosures.
7. You can view a summary of the submitted applicant entity history disclosure from your TPI Portal dashboard.

**Monitoring Your Applicant's TPI Disclosure Submissions in TPI Portal**

You can see the status of your disclosure and each of your TPI's disclosures in the TPI Portal. Submission of a history disclosure by all TPI of an applicant is mandatory for an application to be considered complete by the Office.

1. View the status of your applicant disclosure in the "My Disclosures" table.
    a. If a correction is required, the status will say "Additional Information Required" and there will be a button that says "Start Correction".
2. From the "My disclosures" table on your TPI Portal dashboard, find your submitted applicant entity history disclosure. Select "All TPIs page" to view all your application's TPI who have started their disclosures. (In the future, this page should list all of your TPI irrespective of disclosure status.)
    a. You will be able to see the status of each TPI and their disclosure.
    b. You can request removal of a specific TPI from your application.

## For Non-Applicant TPI

**Submitting a Personal or Entity History Disclosure in TPI Portal**

After the applicant has submitted their applicant entity history disclosure, each TPI listed on that disclosure will receive an email with a link to the TPI portal, a four-digit PIN, and additional guidance on submitting the disclosure.

1. Click the link in the email to the TPI Portal.
2. If you are not automatically logged in, log in to the TPI Portal with your NY.GOV ID.
3. Click "Validate TPI PIN".
    a. Enter the four-digit PIN from the email.
    b. Enter the application number from the email.
4. Enter the Taxpayer ID (SSN, TIN, or FEIN) of the TPI. This step verifies if the person or business is already in the TPI system as a TPI on another application.
    a. If the TPI is a person without an SSN or Taxpayer ID, they can enter their birth date for verification instead.

5. Review the details provided by the applicant about the TPI, including name, ownership stake, title, role, and ownership and management structures (for TPI that are businesses in the applicant's ownership structure).
    a. If any of this information is incorrect, describe what needs to be corrected. The applicant will be required to update this information on their disclosure. <u>The corrections process is not yet live so any corrections initiated here cannot be followed up on at this time, however the information will be saved for later implementation.</u>
6. Accept your role as TPI for the applicant.
    a. If you do not accept your role as a TPI for this applicant, describe why you should be removed . The applicant and OCM will review and make a determination about your TPI status. <u>The corrections process is not yet live so any corrections initiated here cannot be followed up on at this time, however the information will be saved for later implementation.</u>
7. Click "Continue" to begin your individual or business history disclosure.
8. You can save and return to your draft disclosure at any time from your TPI Portal dashboard.
9. Submit the disclosure once you have completed all the required sections.
10. You can view a summary of your submitted disclosure from your TPI Portal dashboard.

**Monitoring Your TPI Disclosure(s)**

You can see the status of all your TPI disclosures on the dashboard of your TPI portal.

1. You can submit a new TPI disclosure for any TPI that you are responsible for, or update an existing disclosure after being listed on a new application, by clicking "Validate TPI PIN" and following the pop-ups.
2. The "My Disclosures" table lists all the TPI disclosures associated with your NY.GOV account. This could include multiple entity disclosures if you are the party responsible for completing the disclosures on behalf of multiple businesses, as well as your own personal TPI history disclosure. You have the following actions on this table:
    a. View a summary of each submitted disclosure at any time by clicking "View".
    b. Resume a draft disclosure by clicking "Resume".
    c. Correct a deficient disclosure by clicking "Start Correction".
3. The "My Affiliations" table lists all your TPI disclosures affiliated with applications and licenses. This could include multiple affiliations with different applications and licenses for each of the TPI disclosures that you are responsible for (either yourself as an individual TPI or a business that you are responsible for). You have the following actions on this table:
    a. See the status of your relationship with this applicant or licensee.
    b. Request removal of a TPI that you are responsible for from an associated application.