TPI Portal FAQ

Regulatory Requirements

1. **Will the Office of Cannabis Management (Office) collect and review information about True Parties of Interest (TPI)?**

Yes. Applicants will be required to disclose all TPI with a financial or controlling interest in the applicant and passive investors over a certain threshold, who then must submit their own personal or entity history disclosures to the Office for review. All required TPI disclosures must be received and reviewed before a license may be issued. More information is available about TPI rules at the TPI guidance.

The Office will only consider for a final license an applicant whose ownership structure does not violate any of the rules under the Cannabis Law or regulations and that otherwise meets all eligibility requirements.

2. **Which TPI are required to be disclosed?**

An applicant must disclose the following TPI:

- Any TPI with a non-ownership interest in the applicant or the disclosed entities in its ownership structure, such as executive officers and other persons with control over the business; and
- If the applicant is a privately held entity, any owner TPI with a proportional ownership stake over 10%;
- If the applicant is a publicly traded entity, any owner TPI with a proportional ownership stake over 5%; and
- Any owner who contributes to the applicant's Social and Economic Equity (SEE) certification; and
- any other TPI as determined by the Office.

If a TPI qualifies as both a non-owner TPI and an owner TPI (for example, a privately held company President who owns 8% of the company's shares), they must be disclosed per the non-ownership disclosure rules.

3. **Will a person or business with less than 10% ownership stake in privately held entity, or less than 5% stake in a publicly held entity need to be disclosed to the Office?**

That depends on if the person or business is also a TPI by any other definition. Some other ways that such person or business may qualify as requiring disclosure includes but is not limited to having: control over the applicant; a future right to ownership over the disclosure thresholds; a profit-sharing agreement that exceeds 50% of the payor licensee's net profit; or being a spouse to a disclosed TPI. See the definition of control set out in section 118.1 of the adult-use regulations for reference.

4. **Who is responsible for submitting the TPI disclosures?**

Each TPI is responsible for submitting their own history disclosure.

5. **How will my TPI submit their required history disclosures?**

On your application, you will designate a "responsible party" to submit the applicant's own TPI disclosure (referred to as the "applicant entity history disclosure"). On this disclosure, in addition to the other items required for a TPI disclosure, you will provide the following information for all owners, managers, and other TPI, which includes:

- Individual or entity name
- Contact phone number and email address
- Title and role in their associated entity
- Ownership stake in their associated entity.

Every individual or entity listed as a TPI on the applicant's own TPI disclosure will be emailed and asked to submit their own history disclosures through a secure portal. You will not be required to collect or submit any personal information from TPI beyond their contact information and ownership stake. Be sure to include an accurate, active email address for each TPI. **Be advised that a delay in your TPIs submitting their disclosures can delay your application's review and could result in your application being considered incomplete.**

Any TPI deemed to have a financial and controlling interest will also be required to obtain a **fingerprint-based background check** and to undergo a New York State Department of Taxation and Finance tax clearance check.

Applications will not be deemed complete by the Office until **all** TPI disclosures have been submitted. The applicant is responsible for ensuring that all their identified TPIs submit this disclosure, but the Office will allow missing TPI disclosures to be remedied via the deficiency corrections process.

6. **Do I need to list spouses as TPI on my applicant entity history disclosure?**

No, spouses are the only TPI who do not need to be listed on the applicant entity history disclosure unless requested by the Office. When each individual TPI is submitting their disclosure, they will be asked information about their spouse, and their spouse will be emailed and prompted to complete a disclosure if required.

7. **Do I need to include my management as TPI on my applicant entity history disclosure?**

Yes. Due to limitations in the TPI Portal, the management of the applicant entity itself (including all executives and others with organizational control) must be entered as "Additional TPI". The management of all other TPI businesses that are owners of the applicant entity can be entered on the Management Structure screen of the TPI Portal.

8. How long do I and my TPI have to submit my applicant entity disclosure?

Applications will not be deemed complete until all TPI disclosures have been submitted. An application that has been chosen for review that is missing TPI disclosures will have a 30-day cure period to submit the missing disclosures as part of the deficiency corrections process. If all TPI disclosures have not been submitted by the end of that period, the application will be deemed void.

9. What information do I need to prepare for my TPI disclosure?

If you are submitting a personal history disclosure, you will be asked to provide the following information:

- Personal identification information, including a valid photo ID
- Residence and employment history for the last five years
- Convictions, sanctions, and other disciplinary actions, including documentation
- Cannabis licenses or applications in other states, including documentation
- All goods and services agreements that you are party to, including documentation
- Disclosure of all cash or loans that you have with an applicant or licensee, including documentation.

If you are a submitting an entity history disclosure, you will be asked to provide the following information:

- Business identification information
- Business structure, formation, and history, including documentation
- Business finances
- Litigations and violations involving the business, including documentation
- Cannabis licenses or applications in other states, including documentation
- All goods and services agreements that the business is party to, including documentation
- Disclosure of all cash or loans that the business has with an applicant or licensee, including documentation.

10. What specific documents do I need to prepare for my TPI disclosure?

Individuals that are TPI must upload the following documents in PDF or png (picture) format:

- Valid Photo ID
- Documents related to any convictions, including an affidavit, certificate of disposition, and/or certificate of relief from disabilities (if applicable)
- Documents related to any pending charges, including the accusatory instrument (if applicable)
- Cannabis licenses from outside New York State (if applicable)
- Documents describing the nature of all cash or loans given to a cannabis licensee or applicant (if applicable)

Entities that are TPI must upload the following documents in PDF or png. (picture) format:

- Certificate(s) of Good Standing for all states where the entity is authorized or approved to do business
- Agreements, contracts, mergers, consolidation, other financial arrangements with other New York State cannabis businesses (if applicable)
- Formation documents, such as:
- Articles of Organization, Certificate of Incorporation, or similar documentation
- Charter
- Operating agreement, bylaws, or partnership agreement
- Any goods and service agreements entered into by the TPI (if applicable)
- Bonds, loans, trust deeds, notes, debentures, or other forms of indebtedness
- Court documents, including a list of all parties involved in legal actions, for (if applicable):
- Litigation within the last three years;
- Violations of state or federal regulations, statutes, or codes; and
- Judgment, orders, consent decrees, or consent orders.
- Cannabis licenses from outside New York State (if applicable)
- Documents describing the nature of all cash or loans given to a cannabis license applicant (if appliable)

11. Can I change my TPI after submitting my application?

Applicants can change their TPI prior to receiving their final license through the corrections and deficiency process.

The Office will make guidance available on the process to submit and request a change to the TPI, and the associated fees, after a license has been issued.

SEE applicants may only modify their TPI prior to receiving their final license in accordance with the sole control requirements; more information is available about these requirements in *Question 66* in the General Adult-Use FAQ.

NEW YORK STATE | Office of Cannabis Management

Technical Issues and Solutions

12. What is a TPI PIN? How do I use this?

The TPI PIN system is the way that each TPI can submit their own disclosure in the TPI Portal and link that disclosure to an application. Each PIN is unique to that TPI and application. PINs must be validated in TPI Portal and each PIN can only be validated once. If you are a TPI on multiple applications, you will receive a PIN for each application that you are listed on. If you are listed as TPI multiple times on an application (for example, as both an owner and a manager), then you will receive a PIN for each instance where you are listed. Detailed instructions on how to navigate TPI Portal are available at TPI Portal Instructions.

13. How do TPI PINs get issued?

After submission of a license application in NYBE, the applicant's designated responsible party is emailed a TPI PIN that allows them to submit the applicant's own TPI disclosure. When the responsible party submits the applicant's disclosure, every individual or entity listed as a TPI requiring disclosure is then emailed their own TPI PIN and asked to submit their own history disclosures. This is all accomplished through the TPI Portal, accessible at ocmlicensing.ny.gov.

14. Why did my TPI not get their PINs?

Your TPI will not receive TPI PINs until after your applicant disclosure has been submitted. TPI PINs are sent to the email address provided for that TPI by the applicant on the applicant's disclosure, so please be sure to include an accurate email address.

TPI PINs are only sent to those TPI that the system identifies as requiring disclosure as outlined in Question 2 above. This may mean that additional TPI may need to be added to the disclosure during Office review of an application.

If you have submitted your applicant disclosure, all your TPI have email addresses listed, and all of the TPI listed meet the criteria in Question 2 above, but your TPI still have not received their TPI PINs, please contact the Office at AULicensing@ocm.ny.gov.

15. I need to remove a TPI from my application. How do I do this?

After submission of an applicant entity history disclosure, you can request that a specific TPI be removed from your application via your "All TPIs page", which is linked on your TPI Portal dashboard. The Office will review all removal requests and determine whether the TPI can be removed.

16. I'm a TPI on multiple applications. Do I have to submit multiple disclosures?

No, you should only have to submit one disclosure for you as an individual and for each business you represent. If you are the primary owner of a business that is invested in three applicants, for example, you should only have to submit one personal TPI disclosure (for yourself) and one business TPI disclosure (for your business). When you or your business are listed as a TPI on a new application, you must complete the "Validate TPI PIN" process with the information from the new application. You will be prompted to update your existing TPI disclosure with any new information.

17. **I don't think that I qualify as a TPI who needs to submit a disclosure. How do I address this?**

If you have not already verified your status as a TPI with the applicant, you can request removal of your status as a TPI during the TPI PIN verification flow.

If you have already verified your status as a TPI with the applicant, you can request removal from that application as a TPI by selecting "Request Removal" on the appropriate record on the "My Affiliations" table of your TPI Portal dashboard.

The Office will review all removal requests and determine whether you can be removed from the application.

18. **I'm getting an error about my email address when I'm trying to log into the TPI Portal. What do I do?**

There was previously an issue with certain email addresses that were used for NY.GOV accounts while logging into TPI Portal. This has been resolved. If you encounter any new issues logging into the TPI Portal, please contact AULicensing@ocm.ny.gov. Please include a screenshot of the webpage with the error that you are receiving and the details of your name, application number, and NY.GOV username.

19. **I'm getting an error that says "We were unable to locate your TPI PIN record or you have already verified this PIN/Application Number." What do I do?**

As a first step, confirm that you have not already started your personal or entity history disclosure. If you have validated the PIN once and started a disclosure you do not need to validate the same PIN again. A started or submitted disclosure will appear on your TPI Portal dashboard.

If you have started a disclosure and it is not appearing on your TPI Portal dashboard, confirm that you are logged into the same NY.GOV account that you used to begin the disclosure. If you started the disclosure under a different NY.GOV account, it will only be visible on the dashboard when that account is logged in.

If you are a TPI on multiple applications, you will have received multiple PINs. Each PIN/ application number combination is unique. You must validate the unique PIN and application number on each email that you received from OCM.

If you continue to have issues. please confirm that you are entering the PIN and the application number in the correct field with the correct format. Your PIN is a four-digit number. Your application number should have the format of "OCMXXXX-2023-00####".

If you continue to receive the error message, please contact AULicensing@ocm.ny.gov.

20. I can't find my TPI disclosure. What do I do?

If you have started a disclosure and it is not appearing on your TPI Portal dashboard, confirm that you are logged into the same NY.GOV account that you used to begin the disclosure. If you started the disclosure under a different NY.GOV account, it will only be visible on the dashboard when that account is logged in.

If you are logged into the same account that was used to submit the applicant disclosure and your personal disclosure is not visible, you may be looking at the "All TPIs" page of TPI Portal, and not your Dashboard. Use the button in the upper right-hand corner to navigate back to your Dashboard and find your disclosure.

The Office can assist you in identifying which NY.GOV account the disclosure was submitted under if you cannot find it. Please contact AULicensing@ocm.ny.gov and we will try to assist.

If you no longer have access to the account that the disclosure was submitted under, use the "Forgot Password" function to reset your access to the account.

21. My disclosure won't save or continue and I can't submit it. What do I do?

If you are unable to save and continue on your disclosure, check if you are receiving any error messages. You may be required to submit some piece of information that you missed on the page.

If the above does not work, try logging in from a different browser or clearing your cache. This may solve the problem.

If you continue to be unable to submit, please send a description of the issue, including screenshots as applicable, and the date/time that you last attempted to submit the disclosure, to AULicensing@ocm.ny.gov.

22. My disclosure was opened for corrections but I can't edit any of the information. What do I do?

This is commonly caused by users attempting to make changes from the "Disclosure Summary" page of their disclosure in TPI Portal. After you have clicked on "Start Correction" from your Dashboard, you are first brought to your Disclosure Summary page. You cannot make any edits from this page. Use the left-hand navigation to go to the sections highlighted in yellow to actually make the necessary edits.