



Office of Cannabis Management

KATHY HOCHUL

Governor

TREMAINE WRIGHT

Cannabis Control Board Chair

JESSICA GARCIA

Board Member

HOPE KNIGHT

Board Member

ADAM W. PERRY

Board Member

JENNIFER GILBERT JENKINS

Board Member

No. 2024-77
June 11, 2024

RESOLUTION TO DENY CERTAIN CONDITIONAL ADULT-USE CANNABIS LICENSES

WHEREAS, pursuant to Article 4 and Section 10(1) of the Cannabis Law, the Cannabis Control Board (Board) is given the discretion to deny licenses related to adult-use cannabis;

WHEREAS, pursuant to Article 4 of the Cannabis Law, the Board is charged with the responsibility of overseeing activities related to adult-use cannabis;

WHEREAS, pursuant to Sections 62, 64, 72 and 85 of the Cannabis Law, the Board is charged with the responsibility of overseeing applications for adult-use cannabis retail dispensary licenses, selection criteria for adult-use cannabis retail dispensary licenses, and ownership and operation of adult-use cannabis retail dispensary licenses;

WHEREAS, pursuant to Sections 8 and 11 of the Cannabis Law, the Office of Cannabis Management is charged with the responsibility of exercising the powers and duties provided by the Cannabis Law, including to advise and assist the Board in carrying out any of its functions, powers and duties;

WHEREAS, on or about August 25, 2022 through September 26, 2022, persons submitted applications with the Office for a conditional adult-use dispensary (CAURD) license;

WHEREAS, after having reviewed Cannabis Law and Title 9 of New York Codes, Rules, and Regulations, laying out the licensure criteria, the Office reviewed the applications to determine whether they satisfy the licensure criteria;

WHEREAS, upon such review, the Office determined that the CAURD applications identified on [Attachment A] do not satisfy the licensure criteria for the reasons set forth in the supporting documentation, and has recommended denial of licensure;

WHEREAS, the Chairperson of the Board, based on the Office's recommendation and supporting documentation, has made a preliminary determination to deny conditional adult-use retail dispensary licenses to certain individuals and entities that have applied for a CAURD license;

WHEREAS, the members of the Board, waive their right pursuant to Section 10(1) of the Cannabis Law to take up to 14 days from the Chairperson's preliminary determination to object to the Chairperson's preliminary determination or to request that the matter be brought before the full Board for consideration;



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WHEREAS, no member of the Board objects to the Chairperson’s preliminary determination to deny certain conditional adult-use retail dispensary licenses, and no member of the Board requests that the matter be brought before the full Board for consideration;

WHEREAS, the Board desires to deny a license to every applicant that has received the Chairperson’s aforementioned preliminary determination [**Attachment A**] to deny a CAURD license for the reasons set forth in the supporting documentation which will be conveyed to each applicant in the denial letter issued to each such applicant; now, therefore, be it

RESOLVED, that the Board denies a CAURD license to every applicant that has received the Chairperson’s aforementioned preliminary determination to deny a CAURD license and such denial shall be a final administrative decision with no further appeals process provided therefor.

[**Attachment A**]



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Attachment A

Adult-Use Applications Recommended for Denial

Application Number	Legal Business Name	Reason for Denial
OCMCAURD-2022-000424	Lemonheadz llc	Did not met the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000436	SLG-KR LLC	Did not met the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000456	Thomas Jenkins JR	Did not met the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000592	Fallen Treez NY LLC	Did not satisfy the required elements to met the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000593	ShredderRX Inc.	Did not satisfy the required elements to met the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000594	Bango New York Inc	Did not satisfy the required elements to met the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;



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Application Number	Legal Business Name	Reason for Denial
OCMCAURD-2022-000637	NAKO ONE LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000643	Greengrass Wellness LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000648	Smokes Up Inc	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000753	Variscite NY Two Inc.	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000756	Grasshopper Dispensary LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000774	High Haven NY, LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000780	Pufftastic Cannabis LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;



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Application Number	Legal Business Name	Reason for Denial
OCMCAURD-2022-000783	Simply Pure LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000804	Queen's Greens Wellness LLC	Did not met the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation
OCMCAURD-2022-000806	Coors Cannabis Corp	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000830	Wise Roots Inc.	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000844	Emin E Egriu	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000866	Realtor Extraordinaire LLC	Did not satisfy the required elements to meet the definition of a justice involved person as defined in section 116.4(a)(2)(i) (a) convicted of a marihuana-related offense in New York State prior to the thirty-first of March two thousand twenty-one;
OCMCAURD-2022-000874	Cocopuffz LLC	Did not met the definition of a qualifying business as defined in section 116.4(a)(2)(iii) hold or have held, for a minimum of two years, at least ten percent ownership interest in, and control of, a qualifying business, which means a business that had net profit for at least two of the years the business was in operation



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