

**For Questions call
(614) 644-3156
Office hours - 8:00 a.m. to 5:00 p.m.**

**Ohio Department of Commerce
Division of Liquor Control
6606 Tussing Road, P.O. Box 4005
Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>**

APPLICATION FOR TRANSFER OF OWNERSHIP OR OWNERSHIP & LOCATION OF ALL PERMIT CLASSES LISTED BELOW
CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING. RETURN TO ADDRESS ABOVE

A. Processing Fee of \$100.00 made payable to the Division of Liquor Control (Non-Refundable)
 B. Application completed in its entirety, notarized and signed. Indicate "Buyer Name" as it appears on permit.
 C. If Individual, list Social Security Number at the right. _____
 D. If Partnership, you must submit a **completed** DLC Form 4031, along with a copy of the Partnership Agreement.
 E. If Corporation, you must submit a **completed** DLC Form 4030.
 F. If Limited Liability Company, you must submit a **completed** DLC Form 4032.
 G. If Court Appointed Transfer - you must submit Court documents. (See page 4 for further details).
Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

Seller (Individual, Corporation, Partnership or LLC)		Buyer (Individual, Corporation, Partnership or LLC)	
DBA (doing business as)		DBA (doing business as)	
Premises Address		Premises Address	
Township (if outside city limits)	County:	Township (if outside city limits)	County:
City & Zip Code		City & Zip Code	
Email:		Email:	
Mailing Address		Mailing Address	
Phone Number:		Phone Number:	
Attorney's Name & Address		Attorney's Name & Address	
Attorney's Telephone Number:	Seller's Permit Number	Attorney's Telephone Number:	

SELECT Class(es) of Permit(s) Being Transferred: A1 A1A A2 A3 A4 B1 B2 B3 B4 B5
 C1 C2 C2X D1 D2 D-2X D3 D3A D3X D5 D6 D7 OTHER _____

SELECT Type of Transaction: SALE GIFT MERGER CORPORATE NAME CHANGE
 CONVERSION OTHER _____

SELECT Type of Business: INDIVIDUAL PARTNERSHIP CORPORATION LLC

FOR DIVISION USE ONLY

Data Entry Initials: _____		Data Entry Action:		Comments/Notes:
RECEIPT NUMBER:		Violations: <input type="checkbox"/> YES <input type="checkbox"/> NO If "YES", what type _____		
TAXING DISTRICT	FEE CODE	Ren Status: <input type="checkbox"/> ISSD <input type="checkbox"/> PEND		
SELLERS NUMBER		Proc. Fee Pd: <input type="checkbox"/> YES <input type="checkbox"/> NO		
BUYERS NUMBER		BCI Fee Amount Paid: \$ _____		
		BUS. TYPE		

1. Do you or any partner, office holder, managing member, 5% stockholder or member, spouse, or other person involved in this permit hold or have any interest in another permit business? YES NO
If YES, Give permit number & address on the line provided _____

- 2a. Have you or any partner, office holder, managing member, 5% stockholder or member, spouse, or other person involved in this permit ever been convicted of a felony or misdemeanor, including any alcohol-related offenses? YES NO
If YES, attach a written explanation.
- 2b. If applicant is a sole proprietor or partnership, will spouse work on the permit premises? YES NO
 If YES, indicate spouse's full name _____

3. Have you or any partner, office holder, managing member, 5% stockholder or member, spouse, or other person involved in this permit ever been refused a permit, denied a renewal, or had a permit revoked from another state, by this Division, or the Liquor Commission? **If YES,** attach a written explanation. YES NO

4. Does applicant own the real estate on which the proposed business will be located? YES NO
If NO, return a completed signed and dated copy of your LEASE **OR** RENTAL CONTRACT **OR** Summary of Tenancy Rights (DLC4085).

5. Will the applicant be the sole owner of the business and equipment? YES NO
If NO, and the fixtures or equipment are rented, submit signed and dated copy of rental agreement.

6. Will any person, partnership, LLC, or corporation, excluding banks, building and loan associations, or the seller have **ANY** financial interest (such as money, loans, installment contracts, property or other interest) or share in the profits in your business or your property, real or personal? YES NO
If YES, attach a written explanation. **NOTE: Ohio Revised Code Section 4303.293 provides a criminal penalty for failure to answer this question completely and correctly.**

7. If transferring C or D class permits, do you or any partner, office holder, managing member, member, stockholder, employee, spouse or any other person involved in this permit own any stock or have any interest in the business of a manufacturer or wholesale distributor of alcoholic beverages? **If YES,** attach a written explanation. YES NO

8. If transferring A or B class permits, do you or any partner, office holder, managing member, member, stockholder, employee, spouse or any other person involved in this permit own any stock or have any interest in the business of a retail permit holder? **If YES,** attach a written explanation. YES NO

THE FOLLOWING MUST BE COMPLETED BY THE SELLER(S):

I, _____, hereby authorize the Division of Liquor Control to process this application

Print Name(s)

 (Signature and Title)

 (Residence Address)

 (City)

 (State)

 (Zip Code)

 (Area Code & Phone No.)

THE FOLLOWING MUST BE COMPLETED BY THE BUYER(S):

WARNING: Ohio Law provides that as a proposed buyer you could be liable as a successor of the permit holder's unpaid sales, use, and withholding tax liabilities. The Division of Liquor Control will be unable to transfer the permit until the tax and assessment matters are resolved to the satisfaction of the particular agency. The buyer should request that seller obtain a sales tax release certificate, by contacting the Ohio Department of Taxation, Sales and Use Tax Division, Release Unit. A Withholding Tax Release Certificate Request should be made by contacting the Ohio Department of Taxation, Withholding Tax Division, Business Billing Unit. Also, the current permit holder may still owe Unemployment Compensation payments. To discuss these possible liabilities, you should contact the Ohio Department of Job & Family Services.

**DELIBERATE MISREPRESENTATION OF ANY OF THE INFORMATION ON THE APPLICATION CAN
 RESULT IN THE DIVISION'S REFUSING TO APPROVE THIS APPLICATION.**

 (Signature of Individual, Partner, Officer, Managing Member,
 or 5% or more Stockholder or Member)

 (Print Name)

 (Title)

 (Date)

 (Residence Address)

 (City)

 (State)

 (Zip Code)

 (Area Code & Phone No.)

(To be completed by Notary Public)

Sworn to before me and subscribed in my presence this _____ day of _____, 20 _____.

 (Notary Public)

 (Notary Expiration)

NOTE: ALL DOCUMENTS BECOME PART OF THE PERMIT FILE AND WILL NOT BE RETURNED

IMPORTANT - PLEASE READ FIRST

Dear Applicant:

The Division of Liquor Control (“Division”) is eager to process your application. In order to process your application in a timely and efficient manner it will be necessary for you to file a complete package in accordance with the items listed on the “Application Required Documents” check off sheet. Please follow and complete this list as you gather the items necessary for your transaction. **If your application is filed without all of the documents, the application will not be accepted and will be returned to you.** It is our goal to provide you with the most efficient and courteous service while processing your application. Your assistance in providing us with a complete application will ensure prompt service. In order to minimize inquiries regarding the status of your application, the following is an outline of the process used in completing your application.

Once your application is received, provided all required documents are submitted, the following process begins:

1. The Division logs your application into a computerized system for processing.
2. The Division will send an Official Notice to the legislative authority of the municipality, city council, or township trustees and county commissioners of your application. Note: Any of these entities has the right to object to your application, provided that they do so within 30 days of that notification. The Division also sends a separate notice to the local law enforcement agency however they do not have a right to formally object to the issuance of your permit.
3. The Division works with the Ohio Bureau of Identification and Investigation (“BCI&I”) to have conducted a required background check on all persons involved in your business. In order for the Division and BCI&I to conduct this background check, you are required to provide the Division with the proper documentation/information so that a background check can be performed. Please see the enclosed Form DLC 4191 to determine whether you or persons involved in your business should submit a completed **paper** fingerprint card or be fingerprinted **electronically** via a “Web Check” system.
4. The Division will send the Personal History Background Form(s) you provided to the law enforcement agency in the municipality or township of your permit premises in order to have a background check conducted with them.
5. A Division Compliance Officer will contact you to set up an appointment to conduct an initial physical inspection of your premises. At the time your inspection is completed our compliance officer will survey the area surrounding the proposed permit premises to determine if there are any institutions such as schools, churches, libraries, public playgrounds, or township parks within 500 feet. By law, any of these institutions within 500 feet of your premises can object to the issuance of your permit within 30 days of notification. If the business is not in operation or the premises did not meet all requirements at the initial inspection, a final inspection will need to be conducted at a later date. Please allow two weeks when notifying the Division for a final inspection.
6. The Division will work with your County Board of Elections to determine the wet/dry status of your proposed permit premises. Note: This information is not needed on applications for transfer of ownership.
7. Where required, the Food Service Operation or Food Establishment License must be in the **exact** name as the liquor permit applicant.

It is our goal to process your application in a timely and efficient manner. Many factors determine the length of time it takes to complete the processing of your application. Your assistance in providing us with a completed application and necessary documents will help in accomplishing our goal.

Licensing Section

REQUIRED DOCUMENTS FOR ACCEPTANCE OF A TRANSFER PERMIT APPLICATION

Please use the list below to check off all items as you complete them, to submit with the application packet
CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING.

FAILURE TO SUBMIT THE FOLLOWING DOCUMENTS MAY RESULT IN THE RETURN OF YOUR APPLICATION, UNRECEIPTED, WITH THE POSSIBLE LOSS OF PRIORITY ON THE QUOTA LIST.

- Application:** Application must be completed in full, all questions answered, signed, and notarized.
- Application Processing Fee:** \$100.00 - Check made payable to Division of Liquor Control.
- Background Check:** PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191
- Personal History Background Form (DLC4121):** Section A. ONLY must be completed in full for each stockholder or officer for whom a background check will be performed by the Ohio Bureau of Identification and Investigation (BCI&I).
- Lease or Tenancy Agreement:** Submit copy of signed and dated lease, tenancy agreement, or may submit DLC Form 4085 "Summary of Tenancy Rights" completed in full.

REQUIRED DOCUMENTS TO BE FILED WITH COURT APPOINTED TRANSFERS

- Certified copy of the Journal Entry from the Court approving the sale, **OR** a certified copy of the Journal Entry of Distribution in Kind, **OR** a certified copy of the FINAL ACCOUNT showing distribution of the assets.

REQUIRED DOCUMENTS TO BE FILED WITH INDIVIDUALS ONLY

See list above "Required for All Types of Entities". No other documents are needed, unless requested during processing.

Note: If you are terminating your partnership and transferring to yourself as an individual, a copy of the DISSOLUTION AGREEMENT or COURT ORDER ending the partnership will be required.

REQUIRED DOCUMENT TO BE FILED WITH NON PROFIT ENTITIES

- 4029 Form:** To be filed with Governmental or Educational entities, or other non-profit businesses. Form must be completed in full. List the top five officer, including social security numbers. This form must be notarized.

REQUIRED DOCUMENTS TO BE FILED WITH CORPORATIONS ONLY

- 4030 Form (Corporation):** Form must be completed in full. List the top five officers, including social security numbers. Indicate all stock holders over 5% including social security numbers. Indicate total shares issued. Must be notarized.
- Certificate of Good Standing From the Secretary of State:** If not incorporated in the State of Ohio, submit a copy of CERTIFICATE OF AUTHORITY TO DO BUSINESS IN OHIO, issued by the Ohio Secretary of State. If corporation is nonprofit, submit a Certificate of CONTINUED EXISTENCE from the Ohio Secretary of State. Ohio Secretary of State: (614) 466-3910 or 1-877-767-3453 - www.sos.state.oh.us

REQUIRED DOCUMENTS TO BE FILED WITH PARTNERSHIPS

- 4031 Form (Partnership):** Form must be completed in full. Indicate all partners including social security and/or Tax ID numbers. Limited Partnerships need only indicate general partners. Must be notarized.
- Partnership Agreement (if general partnership):** If name is different from and not including the names of all partners. Must be dated within one year of the filing of this application.
- Certificate of Fictitious Name from the Secretary of State:** Ohio Secretary of State: (614) 466-3910 or 1-877-767-3453
www.sos.state.oh.us

REQUIRED DOCUMENTS TO BE FILED WITH LIMITED LIABILITY COMPANIES

- 4032 Form (LLC):** Form must be completed in full, indicating all members with 5% or more membership or voting interest, all managing members, and officers, if applicable, including social security numbers. Must be notarized.
- Certificate of Organization from the Secretary of State:** Ohio Secretary of State: (614) 466-3910 or 1-877-767-3453
www.sos.state.oh.us

**LIST OF DOCUMENTS THAT MAY BE SUBMITTED AND/OR REQUESTED
DURING THE PROCESS OF YOUR TRANSFER APPLICATION**

1. Submit a completed DLC form 4243, Summary of Purchase Agreement, OR signed and dated copy of SALES CONTRACT, stating total amount paid for the business and enclose a list of assets. If a GIFT, send a signed and notarized GIFT AFFIDAVIT. Classes of permits to be transferred must be indicated in these statements.
2. FINANCIAL VERIFICATION OF THE TRANSACTION. Please refer to Form DLC 4096, Financial Verification Worksheet for instructions.
3. **Transfers to Executors or Administrators - NO FILING FEE REQUIRED**
 - a) Send certified copy of court appointment, signed by the judge and bearing court time-stamp.
4. **Transfers to Court Appointed Representatives**
 - a) Certified copy of your COURT APPOINTMENT indicating whether you can operate, bearing signature of the judge, and the court time stamp.

CORPORATIONS:

1. If not incorporated in the State of Ohio, a copy of the CERTIFICATE OF AUTHORITY TO DO BUSINESS IN OHIO from the Ohio Secretary of State, (614) 466-3910 or 1-877-767-3453 or you may visit their web-site at www.sos.state.oh.us.
2. Copy of MERGER AGREEMENT if the transaction is a merger, and a Sec. 1701.81 (D) Certificate of Merger from the Ohio Secretary of State or whatever state the merger occurred in.

ADDITIONAL INFORMATION:

1. A RENEWAL application must be filed, in the name of the PRESENT PERMIT HOLDER, at least fifteen (15) days before the current permit's expiration date. Renewal application must be filed and signed by current permit holder.
2. A sole proprietor and all partners in a PARTNERSHIP must be a U.S. citizen.
3. Issuance of permits is subject to the **WET or DRY** status of location.
4. Return the application, all fees, and all required documents to:

**OHIO DEPARTMENT OF COMMERCE
DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005**

NOTE: **DO NOT SEND THE PERMIT OR LIQUOR PURCHASE CARD AT THIS TIME.** These documents will be requested by the Licensing Section of the Division of Liquor Control when the transfer is ready to be issued.

NOTE: If the seller of the permit business is a corporation, the seller must send a certified copy of the minutes of the stockholders meeting signed by the corporate secretary at which the sale of the permit business assets was approved by the affirmative vote of the holders of two-thirds of the shares, unless the Articles provide for the vote of a different number of shares, but not less than a majority of such shares.