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## INFORMATION AND PROCEDURE BULLETIN

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LIC-4003-IPB

### TEMPORARY APPROVAL

This bulletin<sup>1</sup>, in conjunction with the [Temporary Approval Workflow \(LIC-4003-WF\)](#), provides information regarding the procedures and requirements for an Applicant to obtain Temporary Approval to engage in Commercial Cannabis Activity in the City of Los Angeles.

Los Angeles Municipal Code (“LAMC”) Section 104.01(a)(47) defines Temporary Approval as a Department of Cannabis Regulation (“DCR”) issued temporary license that authorizes an Applicant to engage for a limited period of time in Commercial Cannabis Activity as would be permitted under the privileges of a non-temporary license of the same type. Temporary Approval does not waive or otherwise circumvent other City or State requirements or necessary permits from the City, State, or other public agencies, including, but not limited, to, a Certificate of Occupancy, permit or authorization from the State. Therefore, DCR may immediately suspend a Temporary Approval if the Applicant is conducting Commercial Cannabis Activity without all necessary permits, inspections or similar clearances to operate from another City, State or other public agency, or if the Applicant is conducting Commercial Cannabis Activity without an active State license for that Commercial Cannabis Activity. (LAMC Section 104.06(d).)

LAMC Section 104.03(a) requires that an Applicant undergo a Pre-Application Review process prior to filing a Temporary Approval Application to engage in Commercial Cannabis Activity so that DCR can determine Business Premises **location compliance and eligibility**. During the Pre-Application Review process, DCR determines whether or not the proposed Business Premises location is eligible under LAMC Section 104.03(a)(3) and compliant under LAMC Section 105 *et seq.*

If the proposed Business Premises location is both compliant and eligible based on the requirements and restrictions in LAMC Section 104.03(a)(3) and LAMC Section 105 *et seq.*, the Pre-Application Review record status will be updated in the DCR Licensing Portal to “Eligible for Processing” and the Applicant will receive a notification of this status update via email. **Once a Pre-Application’s record status is “Eligible for Processing,” the applicant has completed the Pre-Application Review process and may submit a Temporary Approval Application.** For detailed information regarding the Pre-Application Review process, please refer to the [Pre-Application Review Information and Procedures Bulletin \(LIC-4002-IPB\)](#).

Applicants must submit all required Temporary Approval application information, forms, and documents to DCR through the DCR Licensing Portal within **one (1) calendar year** of the date their Pre-Application Review record status is updated to “**Eligible for Processing.**” If all required Temporary Approval Application information, forms and documents are not submitted within one

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<sup>1</sup> This document is intended to serve as an informational guide only. It does not replace or supersede the Los Angeles Municipal Code and does not constitute legal advice. This document is subject to change and may not constitute the most up-to-date or complete information. Applicants are encouraged to conduct their own due diligence and research to ensure that they are in compliance with all legal requirements.

calendar year of receiving an updated Pre-Application Review record status of “Eligible for Processing,” the Pre-Application Review record may be abandoned pursuant to LAMC Section 104.03(h). Please review the next section of this IBP, “Required Temporary Approval Application Information,” for detailed information regarding the required information, documents and forms for the Temporary Approval Application process.

### **Required Temporary Approval Application Information**

#### Required Form(s):

- List of Primary Personnel and Owner(s) ([LIC-4003-FORM](#))
- Primary Personnel and Owner Attestation ([LIC-4004-FORM](#))
- Indemnification Agreement ([LIC-4005-FORM](#))
- Labor Peace Agreement Attestation ([LIC-4006-FORM](#))
- Landowner Attestation: Commercial Cannabis Activity ([LIC-4007-FORM](#))
- Ownership and Financial Interest Holder Form ([LIC-4008-FORM](#))
- Temporary Approval Attestation ([LIC-4010-FORM](#))
- No Alcohol or Tobacco Applicant Attestation ([LIC-4020-FORM](#))
- [Business Premises Diagram](#) (DCC Form)
- [Financial Information Form](#) (DCC Form)
- Social Equity Program - Owner Compliance Attestation ([SEP-6001-FORM](#)) [**Social Equity Applicants ONLY**]

#### Required Document(s):

- Executed lease agreement or property deed, or other evidence of legal right to occupy the Business Premises
- Business formation and organization documents. Common examples include:
  - California (CA) Secretary of State documents, including any formation or registration documents and/or Statement of Information forms;
  - Articles of Incorporation, or Certificate of Organization for LLCs, and any amendments or restated Articles of Organization or Certificates of Organization.
  - Certificate of Limited Partnership, and any amendments or Restated Certificates of Limited Partnership;
  - Statement of Partnership Authority;
  - Bylaws;
  - Operating Agreements;
  - Partnership Agreements;
  - Merger documents;
  - Conversion documents;
  - Purchase agreements.
- Equity Share Documents. Applicants and Licensees subject to LAMC Section 104.20 shall provide Equity Share Documents, including but not limited to, all information, business records and agreements necessary to demonstrate that the Social Equity Individual Applicant owns the minimum Equity Share required under LAMC Section 104.20(a)(2). [**Social Equity Applicants ONLY**]

### **Temporary Approval Application Procedure**

**Before submitting a Temporary Approval Application, an Applicant must complete the Pre-Application Review process and receive a record status of “Eligible for Processing.”**

1. **Applicant Submits Information Required for the Temporary Approval Application via the Licensing Portal.** Applicants seeking Temporary Approval shall submit all required information, forms and documents through the DCR Licensing Portal within one calendar year of the date the Pre-Application Review record is updated to a status of “Eligible for Processing.”
2. **DCR Issues Invoice for Application Fee(s) and a Determination of Eligibility.** Once an Applicant submits a Temporary Approval Application through the DCR Licensing Portal, related invoices will be generated and available in the DCR Licensing Portal. Applicants shall be invoiced for the Temporary Approval Application Fee(s) per activity or the SEP Temporary Approval Application Fee(s) per activity. Applicants will also be invoiced for the LAFD Inspection fee at this time. The invoices will be located in the “Documents” section of the DCR Licensing Portal.
3. **Applicant Pays Fee(s) within 30 Days.** The invoice will be located in the “Documents” section of the record within the DCR Licensing Portal. Payments must be submitted to the Office of Finance. Applicants must download and print the invoice to submit to the Office of Finance with the payment. Please visit the Office of Finance [website](#) for information related to business hours, locations, and payment methods. These fee(s) must be paid on or before the “Void if Not Paid on or by” date listed on invoice. Failure to timely submit payment may result in the abandonment of the Temporary Approval Application record.

Applications are deemed filed after the submission of all required Temporary Approval fees, information, forms, and documents. When DCR determines that an Applicant timely submitted all fees and all required information, forms and documents, the record status will be updated to “Application Received.”

4. **DCR Reviews Application for Completeness.** DCR will review the Application for completeness and communicate any deficiencies to the Applicant. If, within one calendar year of receiving a status of “Eligible for Processing,” the Applicant submits the required Temporary Approval Application information, forms, and documents and the DCR determines that the Application is not complete, upon notification from DCR, the Applicant shall be provided 30 days to submit corrected information, documents, and/or forms subject to the payment of any additional fee(s), if applicable.

Please note that Applicants who submit Temporary Approval Application information, forms and documents early may have multiple opportunities to submit corrected information, documents, and/or forms subject to the payment of any additional fee(s), if applicable.

Once DCR determines that an Applicant has submitted all required information, forms and documents, the record status will be updated to “Local Compliance Underway.”

5. **DCR Emails the Applicant Confirming Application Completeness and Next Steps.**
  - a. **Record Status Update: Local Compliance Underway.** DCR will send an email titled “Record Status Update - Local Compliance Underway” to notify the Applicant of the record status update. If the California Department of Cannabis Control (DCC) requests that DCR verify the status of the Applicant, DCR will confirm with the DCC that the Applicant’s status is “Local Compliance Underway.”

- b. **Initial Inspection.** DCR will send an email titled “Notice of Application Completeness & Next Steps” to notify the Applicant that they may request an Initial Inspection. This email will include information detailing how to request an Initial Inspection.
- c. **Equity Share Review.** DCR will send an email titled “Notice of Application Completeness & Next Steps” to notify the Applicant that if the Applicant is subject to requirements of the City’s Social Equity Program, the Application has entered the queue for “Equity Share Review.” This email will also include information detailing the Equity Share Review Process.

**6. Initial Inspection.**

- a. **Prepare for the Initial Inspection.** An “Initial Inspection” is a required inspection of the Business Premises conducted by DCR prior to the issuance of a Temporary Approval. Review and complete the [Initial Inspection Attestation Form \(LIC-4021-FORM\)](#) to confirm that the Business Premises is ready for inspection. Any pre-existing deficiencies should be corrected before DCR conducts the Initial Inspection of the Business Premises.
- b. **Schedule the Initial Inspection.**
  - Applicants should not request an Initial Inspection until after they receive an Initial Inspection notification from DCR via email.
  - Request an Initial Inspection. After receiving the Initial Inspection notification, the Applicant may request to schedule an Initial Inspection by emailing [dcrlicensing@lacity.org](mailto:dcrlicensing@lacity.org) with the subject line “*Request for Initial Inspection - [Application Number]*”. Please provide at least three preferred dates and times at least three business days after the email is sent. Proposed dates and times within three business days of the request may be accommodated subject to the payment of applicable Expedited Services fee(s). The Applicant must attach the [Initial Inspection Attestation Form \(LIC-4021-FORM\)](#) to the email.
  - DCR will respond to the email to confirm the date and time for the Initial Inspection. The Applicant may confirm the Initial Inspection date.
  - Requests to reschedule or cancel an Initial Inspection must be emailed at least 48 hours to [dcrlicensing@lacity.org](mailto:dcrlicensing@lacity.org) with the subject line, “Reschedule Initial Inspection Request - Application No. LA-X-YR-XXXXXX-XX-XX-APP”.
  - Unless rescheduled or canceled at least 48 hours in advance, failure to appear for the Initial Inspection for any reason will result in a “Failed Inspection.” Applicants who receive a “Failed Inspection” status must schedule another inspection and shall pay for a new Standard Inspection Fee pursuant to LAMC 104.19(h).
- c. **Initial Inspection**
  - On the date of the Initial Inspection, DCR will give a brief introduction and provide information on how the Initial Inspection will be conducted.
  - DCR will conduct the Initial Inspection, checking compliance with the items included in the [Initial Inspection Attestation Form \(LIC-4021-FORM\)](#).
  - At the conclusion of the Initial Inspection, DCR will conduct a debrief with the Applicant discussing the Initial Inspection results and any next steps.
  - The Initial Inspection result will either be a Pass or Fail. If passed, the Applicant will continue with the Temporary Approval Application process.
- d. **Additional Inspection(s).** If DCR finds any deficiencies during the Initial Inspection which cannot be immediately corrected, those deficiencies will be documented, and a copy of the

Initial Inspection Report will be uploaded to the Applicant's record. A "Failed" inspection will require an additional Initial Inspection and payment of related fees.

Prior to conducting any additional Initial Inspections, DCR will issue an invoice to cover the cost of the additional Initial Inspection. The invoice will be located in the "Documents" section on the DCR Licensing Portal. Payments must be submitted to the Office of Finance. Applicants must download and print the invoice to submit to the Office of Finance with the payment. Please visit the Office of Finance [website](#) for information related to business hours, locations, and payment methods. All fee(s) must be paid on or before the "Void if Not Paid on or by" date listed on invoice. Failure to timely submit payment shall result in the abandonment of the Temporary Approval Application record.

After the required Initial Inspection fee is paid, Applicants may request an additional Initial Inspection by emailing [dcrlicensing@lacity.org](mailto:dcrlicensing@lacity.org) with the subject line "*Request for Initial Inspection - [Application Number]*" and following the Initial Inspection Scheduling instructions.

7. **Social Equity Program - Entity Verification: Equity Share Review.** If participating in the Social Equity Program, Applicants are required to provide information to DCR to demonstrate compliance with LAMC Section 104.20. During the Equity Share Review, DCR will review all previously submitted Temporary Approval Application information, documents, and forms, including Equity Share documents, to determine if the Application complies with the Social Equity Program and related Equity Share requirements. For more information regarding the Social Equity Program and related Equity Share requirements, please review the [Social Equity Program - Entity Eligibility Verification Information and Procedure Bulletin \(SEP-6001-IPB\)](#).
8. **Temporary Approval.** Once DCR determines that all Temporary Approval Application requirements have been met, DCR will update the record status to "Temporarily Approved" and the Applicant will receive notification of Temporary Approval via email.

Questions regarding these procedures may be referred to [dcrlicensing@lacity.org](mailto:dcrlicensing@lacity.org).