



LIC-4004-FORM

Applicant Entity Name: \_\_\_\_\_

Business Premises Location: \_\_\_\_\_

DCR Record No.: \_\_\_\_\_

**Instructions:** This attestation form is intended to support compliance with Los Angeles Municipal Code (LAMC) Section 104.03(a), which sets forth prohibitions on Owners and Primary Personnel if they have been convicted of certain criminal offenses, among other restrictions. **Each Owner and Primary Personnel disclosed on the List of Primary Personnel and Owners (LIC-4003-FORM) must submit a signed, notarized version of this form.**

Please carefully review the definitions below to ensure you are either a Primary Personnel or Owner and that you understand the relevant restrictions. **These restrictions apply to all Primary Personnel and Owners, including those who are verified Tier 1 or Tier 2 Social Equity Applicants.**

**“Primary Personnel”** means any of the following: (i) a natural person with at least a 20% aggregate ownership stake or equity interest in the in the Person (as defined below) applying for a License or a Licensee, unless the interest is solely a security, lien, profit sharing, or encumbrance; (ii) a natural person who manages, directs, or controls the operations of the commercial cannabis business, including but not limited to: a chief executive officer, president, vice president, officer, general manager, a member of the board of directors, a general partner, a managing member or a non-member manager, and/or a trustee(s) or persons who have control of the trust; (iii) if the Applicant or Licensee is owned in whole or in part by an entity and the entity includes natural persons who manage, direct, or control the operations of the Applicant or Licensee, those natural persons shall also be disclosed as Primary Personnel; and (iv) DCR may determine, in its sole discretion on a case-by-case basis, that additional natural persons have the ability to manage, direct, or control the commercial cannabis business and meet the criteria of Primary Personnel. Upon notification by DCR, the Applicant or Licensee must disclose the natural person(s) as a Primary Personnel. (LAMC § 104.01(a)(39).)

**“Owner”** means a Person (as defined below) with at least a 20% aggregate ownership stake or equity interest in the Applicant or Licensee, unless the interest is solely a security, lien, profit sharing, or encumbrance. Aggregate means the total ownership interest held individually or through an entity. For example, an individual owning 50% of an entity that owns 50% of a cannabis business would have a 25% aggregate ownership interest in the cannabis business. (LAMC § 104.01(a)(37).)

**“Person”** includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular. (LAMC § 104.01(a)(38).)

Primary Personnel convicted of any of the following offenses within the time specified are disqualified and are prohibited from applying for or holding a Temporary Approval of License in the following circumstances:

- Illegal volatile Cannabis manufacturing under Health and Safety Code Section 11379.6 for a period of five years from the date of conviction.
- A violation of any State or local law involving wage or labor for a period of five years from the date of conviction.
- A violation of any law involving distribution of Cannabis to minors for a period of five years from the date of conviction.
- Illegal Commercial Cannabis Activity after April 1, 2018, for a period of five years from the date of conviction.
- A violation of any State or local law involving distribution or sales of tobacco or alcohol to minors for a period of five years from the date of conviction.
- A violent felony as defined in California Penal Code Section 667.5, a serious felony conviction as defined in California Penal Code Section 1192.7, or a felony conviction for violating any law involving violent crimes, sex trafficking, rape, crimes against children, gun crimes or hate crimes for a period of 20 years from the date of conviction or completion of a term of imprisonment, supervised release or probation imposed as a sentence for the conviction, whichever is later.
- A felony conviction for a crime involving fraud, deceit, or embezzlement for a period of 20 years from the date of conviction. In addition, an individual with a felony conviction under this paragraph shall be prohibited from serving as an authorized agent or agent for service of process on any Application.
- A civil judgment concerning illegal Commercial Cannabis Activity for a period of 5 years from the date of the judgment.

Owners are disqualified and prohibited from applying for or holding a Temporary Approval or License in the following circumstances:

- The Owner is an individual who holds office in, is employed by, or is appointed to, any agency of the State of California and any of its political subdivisions, including the City and any of its agencies, departments, commissions or boards, when the individual's duties include the enforcement or regulation of Commercial Cannabis Activity or any other penal provisions of law of the State of California prohibiting or regulating Commercial Cannabis Activity.
- The Owner is an entity that is incorporated outside of the United States.

Please note that Primary Personnel and Owners may be required to complete a LiveScan criminal history background check when directed by DCR. A material misrepresentation or false statement on this form, or a failure to knowingly disclose a material fact, is grounds for denial of a License. (LAMC § 104.06(a)(1)(iii).)

The Applicant may be permitted to amend their application to remove any disqualified Owner or Primary Personnel unless that person is the Social Equity Individual Applicant who is an Owner on an application subject to processing under Section 104.06.1. (LAMC § 104.03(e)(2).) Any amendments are subject to payment of the applicable modification fees. (See LAMC § 104.19.)

**Attach additional signature pages, if necessary, for each Owner and Primary Personnel disclosed on the List of Primary Personnel and Owners Form (LIC-4003-FORM).**

Applicant Entity Name: \_\_\_\_\_

Business Premises Location: \_\_\_\_\_

I, \_\_\_\_\_, hold the following position(s) within the Applicant Entity identified above: \_\_\_\_\_

I attest that I am eligible for licensure under the requirements of Los Angeles Municipal Code Section 104.03(a) concerning criminal convictions and other prohibitions listed on the previous page.

I attest that the information provided in this form is true, correct, and complete as of the date of my signature below. I have the authority to make the attestations contained within this form on behalf of the Applicant Entity identified above. I understand that submission of false or misleading information or the failure to disclose material facts may result in denial of the application, the suspension or revocation of the license, and/or any other penalties allowed by law.

Please check one of the following and sign below. I am:            Owner            Primary Personnel

<i>Name</i>	<i>Title/Role</i>	<i>Signature</i>	<i>Date</i>
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**NOTARY ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On \_\_\_\_\_ before me, \_\_\_\_\_ (insert name and title of the officer) personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)