

Applicant Name:

Serial Number:

The undersigned, with intent and knowledge that the New York State Liquor Authority will rely thereon, hereby represents and agrees as follows:

1. The Trust is irrevocable.
2. The Trust is not interested, directly or indirectly, in any premises where any alcoholic beverage is sold at retail; or in any business devoted wholly or partially to the sale of any alcoholic beverage at retail (except where specifically allowed by the Alcoholic Beverage Control Laws (“ABCL”).
3. The Trustees are not interested, directly or indirectly, in any premises where any alcoholic beverage is sold at retail; or in any business devoted wholly or partially to the sale of any alcoholic beverage at retail (except where specifically allowed by the ABCL).
4. All Trustees are of legal age to be licensed by the New York State Liquor Authority under the laws of the State of New York.
5. No Trustee has ever been convicted of a crime addressed by the provisions of Section 126 of the ABCL, and he or she may not remain as Trustee if he or she is ever convicted of such a crime, unless a certificate of relief from disabilities, and an affidavit explaining the details of the conviction, have been reviewed and explicitly approved in writing by the Authority.
6. No Trustee is a police officer, as is defined within Section 128 of the ABCL, and no Trustee will become a police officer as long as he or she still serves as a Trustee. Any Trustee that becomes a police officer will be immediately removed as a Trustee of the Trust.
7. No Trustee will be removed as Trustee unless an application for such removal is submitted, and approved in writing, by the New York State Liquor Authority. In the event of a Trustee’s resignation, removal by court order, or death, the licensee will notify the Authority within ten (10) days and promptly submit an application for removal and, if necessary, the appointment of a new Trustee.
8. No Trustee will be added or removed from the Trust unless an application for such additional or removal is submitted, and approved in writing, by the Authority. All future Trustees will be required to meet all the requirements set forth within this Trust Stipulation.
9. There will be no transfer of interest in a licensed entity to or from the Trust until and unless an application is approved, in writing, by the New York State Liquor Authority.
10. It is explicitly stipulated and agreed that the beneficiaries, whether individually or collectively, have no control over the investment and management of the Trust and its assets, nor any control over the Trustees or the Trustees’ ownership and administration of the Trust assets.
11. The information provided on the attached Trust Disclosure Form is true, complete, and accurate.
12. All the representations and agreements herein contained shall continue during the entirety of the license period, and continue during all renewals of the license. The licensee’s failure to operate the licensed premises in accordance with these statements and representations may result in revocation of any license for which this stipulation was submitted. Any false statement or misrepresentation will constitute cause for disapproval of the application, or revocation, or non-renewal of any license for which this stipulation is submitted.

Signature of Trustee

Date

Signature of Trustee

Date

Signature of Attorney

Date

Trust Disclosure Form

Applicant Name:

Serial Number:

Name of Irrevocable Trust:

Names of Grantors:

Names of Trustees¹:

Please provide/attach an organizational chart to show applicant company and any other entities with a financial interest.

¹The trustees will each be required to complete a personal questionnaire and be listed as principals on the license, unless there are more than ten shareholders and the trust owns less than ten percent of the company or corporation applying for the liquor license.” The failure to provide detailed information as requested may result in a significant delay, or ultimately the disapproval, of an application.