Business Integrity Commission

# INSTRUCTIONS

# TRADE ASSOCIATION REGISTRATION APPLICATION

Definitions of terms used in the application are set forth in Title 22, Chapters 1-A and 1-B of the Administrative Code of the City of New York ("Code") and in Title 66, Subchapter A-1 and D of the Rules of the City of New York. Certain of these definitions have been excerpted and attached as Appendix A to the application. Before completing this application, the applicant and all others required to execute documents hereunder should read and familiarize themselves with Title 22 of the Code and the related rules. These instructions are not a substitute for such a complete review and may not be relied on in lieu of the law and rules. Copies of statute and rules are available at the office of the New York City Business Integrity Commission ("Commission").

Attached is the application for a trade association registration. If a question is not applicable, write "not applicable" or "N.A." An application that has not been completed properly may be denied as incomplete and/or on the basis of the Commission's investigation and review of the incomplete application, or the application may be returned to the applicant without being processed. An application returned as incomplete will not be deemed submitted.

## DOCUMENTS TO BE SUBMITTED

In addition to the application form, a number of documents must be submitted to the Commission in order for the application to be considered. The applicant must submit the following documents (to the extent applicable), some of which are described in these instructions, some in the body of the application and attachments, and some in the applicable rules. Samples of some of the required documents include but are not to the following:

- Trade Association Registration Application
- Notarized Certification (signed by an officer)
- Notarized Release (signed by an officer)
- Documents relating to any forfeiture, receivership or independent monitoring
- Trade Association Officer Registration Disclosure Form (for each officer of the trade association) $600.00 disclosure fee.
- $4,000 Registration Fee. BIC accepts payment by VISA, MasterCard, Discover and checks.

**THE APPLICANT MUST SUBMIT AN ORIGINAL AND ONE COPY OF THE APPLICATION AND ALL DOCUMENTS.**

**THE COMMISSION WILL NOTIFY THE APPLICANT WHEN THE APPLICATION IS APPROVED AND WILL SCHEDULE AN APPOINTMENT FOR A OFFICER OF THE APPLICANT TO APPEAR AT THE OFFICES OF THE COMMISSION TO:**

- Sign a Registration Order

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**All applications may be submitted in person or mailed to:**

**NYC Business Integrity Commission**
**100 Church Street, 20th Floor**
**New York, 10007**

**If you have any questions about this application, please call 212-676-6222.**

## TRADE ASSOCIATION REGISTRATION APPLICATION

Each page submitted by the applicant must contain in the lower left hand comer the applicant's social security or tax identification number and each page must be numbered sequentially as "Page __ of __ pages" (e.g., if a twenty-five page application were submitted, the first page would be marked: "Page 1 of 25 pages").

Applicant requiring additional space to complete any answer may attach additional pages to the application. Indicate on the top of each such additional page, the Part and question number to which the additional page relates. The Schedules in the application also may be copied if additional schedule pages are needed. All additional pages and Schedules also must be identified in the lower left-hand corner with the applicant's social security or tax identification number. Each added page must be numbered sequentially like the rest of the application (e.g., "Page of pages").

The applicant is under a continuing obligation to update answers to application questions marked with an asterisk (*). Any change in the answer to such a question, must be provided to the Commission in writing, as specifically set forth in Title 22, Chapters 1-A and 1-B of the Code and the rules promulgated thereunder, or otherwise no later than thirty (30) days after the change occurs. The applicant's continuing obligation begins upon submission of the registration application and extends throughout the processing period and any registration term.

### NOTARIZED CERTIFICATIONS

Upon completion of the application and all of its attachments, a notarized certification form and a notarized release form must be executed. Officers of the applicant business must separately provide the Officer Registration Disclosures as noted below.

### TRADE ASSOCIATION OFFICER INFORMATION DISCLOSURES

Each officer, as that term is defined, must complete an officer information form and the notarized certification attached to the Trade Association Officer Registration Disclosure Form (in addition to the notarized certification for the license application itself).

Business Integrity Commission

# TRADE ASSOCIATION
# REGISTRATION APPLICATION

----------**OFFICE USE ONLY**----------

**APPLICATION #:** _____ **DATE RECEIVED:** _____

**RECEIVED BY:** _____

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*1. Name of the applicant trade association:

_____

*2. Main Office: _____

*3. Mailing Address:_____

*4. Business telephone number(s): _____ Fax Number: _____

*5. E-Mail Address: _____ Website, if any: _____

*6. Agent for Service of Process in **New York City**. State the name, address, and telephone number of the person of suitable age and discretion who shall be designated as Applicant's agency for service of process in New York City.

Name:_____

Address: _____

Telephone No.: _____ Fax Number: _____

7. **Attach to this application a copy of the applicant trade association's By-Laws and Rules as well as a copy of any association certificate filing with governmental agencies such as the Secretary of State or County Clerk.**

* (Asterisk) denotes material information on the application. Any material change in the information shall be reported to the Business Integrity Commission, in a notarized writing, within thirty (30) calendar days thereof.

Tax ID or SSN: _____

Page _____ of Pages _____

*8. Does the applicant trade association share office space, staff or equipment (including but not limited to telephone lines) with any other business or organization?
_____ Yes _____ No

If "Yes," provide details below:

_____

_____

_____

_____

*9. On Schedule A below, identify all current officers, including Board members. For each individual, provide the following information.

**SCHEDULE A – CURRENT OFFICERS OF THE APPLICANT**

| | Current Officer #1 | Current Officer #2 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Employer's Name, Address and Telephone Number | | |
| Position in Trade Association | | |
| From (date) to (date) | | |

9. Cont. **SCHEDULE A – CURRENT OFFICERS OF THE APPLICANT**

| | Current Officer #3 | Current Officer #4 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Employer's Name, Address and Telephone Number | | |
| Position in Trade Association | | |
| From (date) to (date) | | |

9. Cont. **SCHEDULE A – CURRENT OFFICERS OF THE APPLICANT**

| | Current Officer #5 | Current Officer #6 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Employer's Name, Address and Telephone Number | | |
| Position in Trade Association | | |
| From (date) to (date) | | |

10. On Schedule B below, identify all individuals who had been officers, including past Board members, of the applicant trade association at any point during the past ten (10) years. For each individual, provide the following information.

**SCHEDULE B – PAST OFFICERS OF THE APPLICANT**

| | Past Officer #1 | Past Officer #2 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where Applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Business Name and Address | | |
| Position Held | | |
| From (date) to (date) | | |
| Reason for Leaving | | |

10. Cont. **SCHEDULE B – PAST OFFICERS OF THE APPLICANT**

| | Past Officer #3 | Past Officer #4 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where Applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Business Name and Address | | |
| Position Held | | |
| From (date) to (date) | | |
| Reason for Leaving | | |

11. How many individuals does the applicant trade association currently employ? _____

*12. On Schedule C below, identify the current employees of the applicant trade association and provide the following information.

**SCHEDULE C – LIST OF EMPLOYEES**

| | Employee #1 | Employee #2 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where Applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Title or Position and Brief Description of Duties | | |
| Hours Worked Per Week | | |
| Employment Start Date | | |
| Salary | | |
| Does employee or any of his or her relatives any ownership or control over any businesses operating in the public wholesale market? If so, identify the business. | | |

12. Cont. **SCHEDULE C – LIST OF EMPLOYEES**

| | Employee #3 | Employee #4 |
|---|---|---|
| Name (first, middle and last)<br>Also include maiden name where Applicable | | |
| Home Address (es) | | |
| Home Telephone Number | | |
| Cellular Number | | |
| E-mail Address | | |
| Date of Birth | | |
| Social Security Number | | |
| Title or Position and Brief Description of Duties | | |
| Hours Worked Per Week | | |
| Employment Start Date | | |
| Salary | | |
| Does employee or any of his or her relatives any ownership or control over any businesses operating in the public wholesale market? If so, identify the business. | | |

*13. **Members of the Applicant Trade Association.** List all members of the applicant trade association and provide the following information:

| Member Name | Member Address | Member Telephone No. |
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Tax ID or SSN: _____



Page _____ of _____ Pages

13. Cont. **Members of the Applicant Trade Association**

| Member Name | Member Address | Member Telephone No. |
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14. During the past five (5) years, has the applicant trade association or any past officer, including past Board member, been convicted of any misdemeanor or felony in any jurisdiction?
_____ Yes _____ No

If "Yes," provide the details below.

| Name | Date of Arrest | Date of Conviction | Indictment No. | Charges and Sentence | Court and Jurisdiction |
|---|---|---|---|---|---|
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*15. Are there any misdemeanor or felony charges pending against the applicant trade association or any past officer, including past Board member, in any jurisdiction?
_____ Yes _____ No

If "Yes," provide the details below.

| Name | Date of Arrest | Indictment No. | Charge | Status | Court and Jurisdiction |
|---|---|---|---|---|---|
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*16. Are there any civil actions pending against the applicant trade association or any past officer, including Board member, in any jurisdiction?
_____ Yes _____ No

If "Yes," provide the details below.

| Name of Trade Association | Docket or Case No. and Date | Charge | Status | Court and Jurisdiction |
|---|---|---|---|---|
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17. During the past five (5) years, has the applicant or any past officer, including past Board member, ever been:

a. been the subject, party, or target of any criminal or civil investigation by a federal, state or local prosecutorial agency, investigative agency, regulatory agency, or committee?
_____ Yes _____ No

b. received a subpoena or been asked to testify before any court, grand jury, or legislative, civil, criminal or administrative body?
_____ Yes _____ No

c. received a subpoena requiring the production of documents in connection with a federal, state or local investigation?
_____ Yes _____ No

If you answered "Yes" to any of the questions 18(a)-(c) above, provide the following details.

| Name | Name and Address of Court or Agency | Nature of Proceedings or Investigation | Name and Position of Person Who Provided Testimony | Date on Which Testimony was Given | Date of Investigation |
|---|---|---|---|---|---|
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18. During the past five (5) years has the applicant or any past officer, including past Board member:

a. been cited for contempt of any court, grand jury, or legislative, civil, criminal or administrative body?
_____ Yes _____ No

b. entered a plea of nolo contendere, judicial consent decree, administrative order on consent or similar agreement, or been the subject of a default decree?
_____ Yes _____ No

c. been subject to an injunction in any judicial action or proceeding ?
_____ Yes _____ No

d. been granted immunity from prosecution for any conduct constituting a crime under state for federal law?
_____ Yes _____ No

e. refused to testify or answer any question in any criminal, civil or administrative proceeding?
_____ Yes _____ No

f. been the subject of administrative charges for which the potential sanction was suspension or revocation of a license, permit or registration or a fine, penalty or settlement of $5,000 or more?
_____ Yes _____ No

If you answered "Yes" to any of the questions 19(a)-(f) above, provide the following details.

| Name | Name and Address of Court or Agency | Nature of Proceedings or Investigation | Name and Position of Person Who Provided Testimony | Date on Which Testimony was Given | Date of Investigation or Consent Decree |
|---|---|---|---|---|---|
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*19. Has the applicant trade association or any past officer, including past Board member, ever engaged in, or under your supervision, knowingly permitted to occur any of the following:

a. filed with a government agency or submitted to a government employee, in any jurisdiction, any document which you knew contained a false statement or false information?
_____ Yes _____ No

b. falsified the records of any business or enterprise of any kind?
_____ Yes _____ No

c. given, or offered to give, money or any other benefit to a public servant with intent to influence that public servant with respect to any of his or her official acts, duties or decisions?
_____ Yes _____ No

d. given, or offered to give, money or other benefit to an official or employee of a private business with intent to induce that official or employee to engage in unethical or illegal business practices?
_____ Yes _____ No

e. given, or offered to give, money or any other benefit to a labor official with intent to influence that labor official with respect to any of his or her official acts, duties or decisions as a labor official?
_____ Yes _____ No

f. given any money or thing of value to a labor union or labor official or representative that was not expressly permitted by section (c) of the Taft-Hartley Act, 29 U.S.C. Section 186?
_____ Yes _____ No

If you answered "Yes" to any of the questions 20(a)-(f) above, provide the following details.

| Name of Labor Union or Organization | Name of the Agency Involved | Name of the Public Official Involved | Date of Occurrence | Amount of Money Involved | Document Involved |
|---|---|---|---|---|---|
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*20. Has the applicant trade association or any past officer, including past Board member, ever been subject to any investigation by a municipal, state or federal agency of any alleged violation of civil law involving racketeering or the potential forfeiture of any asset?
_____ Yes _____ No

If you answered "Yes," provide the following details.

| Name | Agency or Court | Nature of Investigation or Charges | Indictment, Docket, or Index No. | Status |
|---|---|---|---|---|
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*21. During the past ten (10) years, has the applicant trade association or any past officer, including past Board member, been subject to the appointment of an independent auditor, monitor, receiver or trustee?
_____ Yes _____ No

If "Yes," provide the information below.

| Name | Name and Address of Auditor, Monitor, Receiver or Trustee | Nature of Audit, Monitorship, Receivership or Trusteeship | Dates of Audit, Monitorship, Receivership or Trusteeship |
|---|---|---|---|
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# CERTIFICATION

**This certification must be completed by the applicant and all of its current officers before a notary public.**

**ANY MATERIAL FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OR REVOCATION OF A TRADE ASSOCIATION REGISTRATION, THEREBY PRECLUDING THE APPLICANT FROM OPERATING AS A TRADE ASSOCIATION IN THE CITY'S PUBLIC WHOLESALE MARKETS. IN ADDITION, SUCH FALSE SUBMISSION MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.**

I, _____, being duly sworn, state: that I am
(Full Name)

_____ of _____; and
(Title/Position) (Applicant Name)

I have read and understood the questions contained in the attached application and its attachments, which consists of _____ pages; and to the best of my knowledge the information given in response to each question and in the attachment is full, complete and truthful; that the New York City Business Integrity Commission and the New York City Department of Investigation may, by any means they or each of them deem appropriate, determine the accuracy and truth of the statements made in this application; and that all the information submitted is for the express purpose of inducing the Business Integrity Commission to issue the applicant a trade association registration to operate in the City's public wholesale markets.

_____
(Signature of Applicant)

By: _____
(If corporation or partnership, state title)

Sworn to before me

this _____ day of _____, 20_____

_____
Notary Public

Tax ID or SSN: _____



Page _____ of _____ Pages

# RELEASE AUTHORIZATION FOR APPLICANT

I,_____, am the_____and a principal of
(Print Name) (Title/Position)
_____(the "Applicant"); I am over the age of 21 and I have the authority to execute this release on behalf of the applicant.

The applicant has authorized the New York City Business Integrity Commission ("Commission") to conduct an investigation into its background and the background of its principals, affiliates, agents and employees for the purpose of determining whether the applicant meets the registration standards set forth in Local Law 28 of 1997 and Local Law 50 of 1997 of the City of New York.

The applicant hereby authorizes any and all of the entities and individuals described below to release to the Commission any and all information, documentary or otherwise, pertaining to the applicant and/or its principals, affiliates, agents and employees as may be requested by the Commission. Any such information may be requested by and released to any employee, agent or representative of the Commission.

The applicant hereby authorizes the release of any such information by any federal, state, local, or foreign government or agency, any private organization or entity, and/or any individual in his or her personal or professional capacity. These entities and individuals include, but are not limited to, accountants, attorneys, banks, bookkeepers, common carriers, courts, credit reporting companies, data systems management companies, educational institutions, employee benefits managers, employees of the applicant, employers of the applicant's principal(s), financial institutions, internet service providers, investigative firms, investment firms, labor unions, law enforcement agencies, media companies, motor vehicle departments, pension funds, probation departments, selective service boards, taxing authorities, telecommunications companies and utilities.

This release shall apply to any such entities and individuals wherever they may be located, within or without the City of New York, State of New York, or United States of America. They may convey information in whatever form and by whatever means requested by the Commission, whether by telephone, fax, mail, computer media or by any other means.

This release authorization is effective for a period of five years as of the date set forth below. A photocopy or fax of this authorization will be construed as valid as though it were the original.

In connection with the release of information pursuant to this authorization, the applicant hereby waives the benefit of any confidentiality agreement and of any privileges pertaining to confidentiality and any rights to privacy that may be accorded by federal, state or local law.

**NOTICE TO ENTITIES AND INDIVIDUALS RELEASING INFORMATION:** The applicant hereby waives any right to be notified when an entity or individual releases information pursuant to this authorization and hereby authorizes the Commission to direct any such entity or individual not to provide such notification

Sworn to before me

This _____ day of _____, 20 ____

_____
Notary Public

_____
(Signature of Applicant)

By: _____
(If corporation or partnership, state title)

Tax ID or SSN: _____



Page _____ of _____ Pages

# MARKETS APPLICATION CHECKLIST

*We have created a checklist to help you make sure that*
*Your application is complete before you submit it.*

- ☐ **Did you answer every question completely?** We do not accept applications with questions left blank or with "same" written to repeat an answer.
- ☐ **Principal Information Form** needed for every new Principal listed.
- ☐ Is there a completed **Certification and Release Authorization form** signed and notarized by each Principal?
- ☐ **Did you include payment for all appropriate fees?**

| Renewal Applications: | New Applications: |
|---|---|
| ☐ **Certificate of General Liability Insurance** | ☐ Did you include a copy of your **Certificate of Incorporation, Filing Receipt or Business Certificate filed with your County Clerk**? If your business is incorporated or registered outside of New York State, an Authority to do Business in New York State Certificate must also be submitted. |
| ☐ **Certificate of Worker's Compensation Insurance** or **Exemption from Worker's Compensation Insurance** | ☐ If applicable, documents related to:<br>o **Purchase and Sales Agreements**<br>o **Contested tax proceedings**<br>o **Forfeiture, receivership or independent monitoring** |
| ☐ **Copy of your Lease or Sublease Agreement** | ☐ For corporations, limited liability corporations and partnerships:<br>o Did you include a copy of your **Corporate or Partnership Tax Return Form** (i.e. 1120 form, 1120-S form)?<br>o Sole proprietorship include copy of your tax return |
| | ☐ **Copy of your Lease or Sublease Agreement** (if applicable) |

***** All Checks or money orders must be made payable to "NYC Business Integrity Commission".**
**Checks must be in the company's name and signed by a Principal of the applicant business*****

**All MAJOR CREDIT CARDS ACCEPTED**

New York City Business Integrity Commission
100 Church Street, 20th Floor, New York, NY 10007

***Questions? Call us at 212-676-6219***

Rev. 2/11