

Hotel License Renewal Application Supplement

Definition: The terms “*hotel operator*” or “*operator*” mean any person who owns, leases, or manages a hotel and controls its day-to-day operations, including employment of the people who work at the hotel, by virtue of their ownership, management agreement, lease, or other legal construct.

Instructions: The hotel operator must complete this form by providing current information for the business and affirming that the responses are true and complete. For the purposes of this form, the terms “you,” “your,” and “Applicant” refer to the business entity applying to renew a license.

You must submit a license renewal application for each hotel you operate.

To review Hotel or Hotel Owner(s) information, visit nyc.gov/BusinessToolbox to access DCWP’s Business Portal and log in to your account. Email LicensingHotelUnit@dcwp.nyc.gov with any questions.

I. GENERAL INFORMATION ABOUT APPLICANT
(All applicants must complete this section.)

Applicant / Licensee Information:	
<p>(A) Legal Name of Hotel Operator: <i>(Must be exactly as filed with the New York State Secretary of State or County Clerk.)</i></p>	<p>(B) Doing-Business-As (DBA)/Trade Name, if applicable:</p>
<p>(C) DCWP License Number:</p>	

Collective Bargaining Agreement:

Are you a party to a Collective Bargaining Agreement (CBA) between the hotel and the employees of the hotel that expressly incorporates the requirements of NYC Code Title 20, Chapter 2, Subchapter 38 (summarized in Section III.)?

- Yes No

If NO:

- *You must read Sections II. and III. and complete Section IV.*
- Check the box if you previously submitted a CBA to DCWP but are no longer a party to that agreement.

If YES:

Check the box that applies to you.

- 1.** You previously submitted a qualifying CBA that was approved by DCWP within the last 10 years and there has been no change to the agreement.

*You do NOT need to resubmit your CBA at the time of license renewal.
You may skip Sections II. through IV.*

OR

- 2.** You have become a party to a qualifying CBA since submitting your most recent license application or renewal.

You must submit a copy of the signed CBA to DCWP to establish your compliance.*
You may skip Sections II. through IV.

OR

- 3.** You previously submitted a qualifying CBA that was approved by DCWP, but the content of the CBA has changed.

You must submit a copy of the signed CBA to DCWP to establish your compliance.*
You may skip Sections II. through IV.

OR

- 4.** You previously submitted a qualifying CBA that was approved by DCWP, but the expiration date of the CBA has changed.

You must submit a copy of the signed CBA to DCWP to establish your compliance.*
You may skip Sections II. through IV.

*DCWP has the authority to review the CBA submitted for compliance. If the CBA submitted to DCWP is modified during the license term, you must notify DCWP within 10 days of the change.

II. COMPLIANCE WITH LAWS AND RULES

(Applicants who answered NO to Collective Bargaining Agreement question must review this section.)

Licensees must comply with all federal, state, and City laws, regulations, and rules applicable to doing business as a hotel, including but not limited to the following:

- Title 20 of the New York City Administrative Code (NYC Code) at Chapter 1 beginning at § 20-101 and Title 6 of the Rules of the City of New York (6 RCNY) beginning at § 1-01 (License Enforcement law and rules)
- NYC Code Title 20, Chapter 2, Subchapter 38 (§ 20-565 - § 20-565.8) and 6 RCNY, Chapter 2, Subchapter MM
- NYC Code Title 20, Chapter 5 and 6 RCNY, Chapter 5, including § 20-851 Notice requirements
- All applicable worker protections. Visit nyc.gov/workers.

All laws and rules of the City of New York are accessible via nyc.gov/dcwp.

III. SPECIFIC REQUIREMENTS FOR LICENSED HOTELS

(Applicants who answered NO to Collective Bargaining Agreement question must review this section.)

Department of Consumer and Worker Protection (DCWP) License Display and Inspections

- The hotel operator must comply with NYC Code § 20-565.3(a) and (b), including but not limited to:
 - Conspicuously display the DCWP license in a publicly visible area of the hotel.

Service Requirements and Prohibitions Against Short Duration Bookings and Facilitating Human Trafficking

- The hotel operator, as well as any hotel owner, will comply with NYC Code § 20-565.4, including but not limited to the following requirements:
 - The hotel operator must schedule at least one employee to provide continuous front desk coverage.
 - *Exception:* During an overnight shift, a hotel operator may schedule a security guard who is able to assist guests and has undergone human trafficking recognition training instead of front desk staff.

The employee or security guard who staffs the front desk must be able to confirm the identity of guests checking in to the hotel.

- Each hotel must maintain safe conditions for guests and hotel workers.
- The operator of a large hotel (i.e., a hotel with more than 400 guest rooms) must schedule at least one security guard to provide continuous coverage while any guest room is occupied.
- The hotel operator must:
 - Maintain the cleanliness of guest rooms, sanitary facilities, and hotel common areas.
 - Provide every guest room with clean towels, sheets, and pillowcases before occupancy by a new guest.
 - Replace towels, sheets, and pillowcases upon guest request.
 - Clean occupied guest rooms and remove trash daily unless a guest affirmatively declines these services.
- Hotels may not charge or collect a fee for daily room cleaning or offer a discount or incentive for guests to decline this service.
- Other than an airport hotel, hotels may not accept guest room reservations lasting less than four hours.
- The hotel operator may not permit its hotel to be used for human trafficking.

Direct Employment

Definition: “Core employee” is any employee whose job classification is related to housekeeping, front desk, or front service at a hotel. This includes room attendants, house persons, bell or door staff. See NYC Code § 20-565 for more information about who is and isn’t considered a core employee.

- The hotel operator, as well as any owner of the Applicant, will comply with the requirements described in NYC Code § 20-565.5, including but not limited to the following:
 - An owner of a hotel with 100 or more guest rooms must directly employ all core employees and may not contract for core employees with any third parties, including staffing agencies or other contractors or subcontractors.
 - *Exception:* An owner of a hotel with 100 or more guest rooms may retain a single hotel operator that directly hires all core employees and manages all hotel operations involving core employees on the hotel owner’s behalf.
- The hotel operator must provide human trafficking recognition training in accordance with New York General Business Law § 205 to core employees. The hotel operator must provide training to new core employees within 60 days of employment.

Panic Buttons

- The hotel operator will comply with NYC Code § 20-565.6 by providing panic buttons to core employees, at no cost to employees, whose duties involve entering occupied guest rooms.

Retaliatory Actions Against Employees

- The hotel operator will comply with NYC Code § 20-565, including but not limited to:
 - The hotel operator must not punish any employee for:
 - Reporting a suspected violation of hotel license requirements.
 - Reporting a danger to public health or safety.
 - Refusing to perform work that may put the employee in danger and that is not normally part of the employee’s job.

IV. SELF-CERTIFICATION

(Applicants who answered NO to Collective Bargaining Agreement question must complete this section.)

- Yes** **By checking the Yes box, I certify the following on behalf of the Applicant:**
- I am authorized (e.g., owner, sole proprietor, general partner, director, corporate officer, member, or shareholder owning 10% or more of company stock of the Applicant) to complete this Self-Certification on behalf of the Applicant.
A checked box indicates my signature.
 - I have read and understand that the Applicant is responsible for complying with all federal, state, and City laws, regulations, and rules applicable to doing business as a hotel, including but not limited to those listed in Sections II. and III.

PENALTY FOR FALSE STATEMENTS AND SIGNATURE

(All applicants must complete this section.)

I am authorized to complete and submit this Hotel License Renewal Application Supplement. I have reviewed the entire Supplement. To the best of my knowledge, this Supplement is true, correct, and complete.

If any of the information in this Supplement changes, Applicant must notify the Department of Consumer and Worker Protection (DCWP) in writing within 10 days of the change.

This Supplement shall be deemed executed in the City and State of New York and shall be governed by and construed in accordance with the laws of the State of New York (notwithstanding New York choice of law or conflict of law principles) and the laws of the United States.

Penalty for False Statements:

Making a false statement or submitting fraudulent materials may be punishable by fine, imprisonment, or both, and also may result in the denial of your application or revocation of your license.

Under Section 175.35 of the New York Penal Law, you may be:

- fined up to \$5,000 or
- fined an amount that is twice the amount of money you received by making the false statement and / or
- sent to jail for up to 4 years

Punishment may also include but not be limited to fines or penalties of up to \$500 for each false statement.

If DCWP denies your license application due to false statements and/or falsified documents, DCWP may prohibit you from submitting another license application for the same license category for one year.

By signing below, I understand and agree that I am swearing or affirming that I have told the truth on this form.

If you submit this form as an electronically filled-in PDF, you may type your name in the signature field.

Signature

Print Name

Print Position/Title (if any)

Date