



**Consumer and
Worker Protection**

COVID-19 ALERT

For health and safety reasons, the Department of Consumer and Worker Protection (DCWP) Licensing Center and NYC Small Business Support Center cannot serve walk-ins, and in-person service is limited and by appointment only.

Given the brief window to apply for the Tobacco Retail Dealer License Lottery, **DCWP encourages you to apply online at nyc.gov/BusinessToolbox**. The online service is available 24/7.

ATTENTION: APPLICANTS

Tobacco Retail Dealer licenses are available in the following Community Districts only:

- Bronx Community District 1
- Bronx Community District 9
- Brooklyn Community District 5
- Brooklyn Community District 16

The period to apply for the lottery begins Tuesday, November 1, 2022 and ends Wednesday, November 30, 2022. **DCWP must receive your completed Available Tobacco Retail Dealer License Lottery Application by 5:00 p.m. on November 30, 2022.**

This packet includes the following:

- Notice published in *The City Record* on October 3, 2022
- Available Tobacco Retail Dealer License Lottery Application **(due by 5:00 p.m. on November 30, 2022)**
- Frequently Asked Questions: Tobacco Retail Dealer License Lottery Application

Important:

- DCWP will accept only one Lottery Application Form per applicant in a particular Community District.
- If your business is randomly selected to apply for a Tobacco Retail Dealer license, you must submit a complete license application within **65 days** of receiving DCWP's offer to apply. Receiving an offer to apply does not mean you are automatically licensed.

NOTICE

*Notice of Tobacco Retail Dealer License Lottery,
published October 3, 2022 in The City Record*

By law, the Department of Consumer and Worker Protection (DCWP) has conducted a review of Tobacco Retail Dealer licenses in each Community District to determine if the number of current licenses has fallen below the Community District cap. DCWP determined that the following Community Districts have available licenses:

Community District	Available Licenses
Bronx Community District 1	6
Bronx Community District 9	1
Brooklyn Community District 5	11
Brooklyn Community District 16	1

As set forth below, DCWP will begin accepting Lottery Application Forms for the available Tobacco Retail Dealer licenses in these Community Districts only.

Application Period:

DCWP will accept Lottery Application Forms from November 1, 2022 to November 30, 2022. Lottery Application Forms submitted after the Application Period will not be considered.

Lottery Application Form Submission Guidelines:

- DCWP will only accept the DCWP-approved Lottery Application Form, which is available online at nyc.gov/BusinessToolbox.
 - All Lottery Application Forms must be completed and submitted by 5:00 p.m. on November 30, 2022.
 - DCWP will accept only one Lottery Application Form per applicant in a particular Community District.
 - Visit <https://communityprofiles.planning.nyc.gov> to look up a Community District based on a business address.
 - Submit your Lottery Application Form in ONE of the following ways only:
 - Online at nyc.gov/BusinessToolbox (recommended)
 - In person by appointment* only at:
 - DCWP Licensing Center, 42 Broadway, Lobby, New York, NY 10004 OR
 - NYC Small Business Support Center, 90-27 Sutphin Blvd., 4th floor, Jamaica, NY 11435
- *To schedule an appointment, email LicensingAppointments@dcwp.nyc.gov or call (212) 436-0441 (Monday - Friday, 8 a.m. - 4 p.m.).

Selection Process:

- At the close of the Lottery Application Period, DCWP will assign each accepted application a “Priority Number” using a computer-generated random number selection program.
 - If the number of accepted Lottery Application Forms exceeds the number of available Tobacco Retail Dealer licenses for the Community District, DCWP will issue offers to apply for the license in the order of the assigned Priority Numbers.
- Businesses randomly selected to apply for a Tobacco Retail Dealer license in a Community District will receive notification from DCWP by mail and email, if provided. Within 65 days of receiving that notice, an applicant must submit a complete Tobacco Retail Dealer license application and satisfy all requirements under New York City laws and rules.

- DCWP's offer to an applicant will be void, the applicant removed from the application pool, and an offer made to the applicant with the next Priority Number in the following situations:
 - Applicant fails to submit a complete application within the allotted time.
 - DCWP denies the application because applicant previously had a revoked Tobacco Retail Dealer license or a Tobacco Retail Dealer license has already been issued to the specific premises location.
 - The business does not qualify for a license for any other reason.



DEPARTMENT OF CONSUMER AND
WORKER PROTECTION (DCWP)
LICENSING CENTER
42 Broadway, Lobby
New York, NY 10004

By Appointment Only Hours:

Monday-Thursday: 8 a.m. – 4 p.m.
Last appointment: 3:30 p.m.

NYC SMALL BUSINESS
SUPPORT CENTER
90-27 Sutphin Blvd, 4th Floor
Jamaica, NY 11435

By Appointment Only Hours:

Monday-Thursday: 8 a.m. – 4 p.m.
Last appointment: 3:30 p.m.

Limited Opportunity – Must act between November 1, 2022 and November 30, 2022

Use this form to request to apply for a Tobacco Retail Dealer license during these dates if one is available in your Community District.

After November 30, 2022, businesses randomly selected to apply for a license will receive notification from DCWP by mail and email, if provided. DCWP recommends providing email because, if selected to apply, you must act quickly or lose the opportunity. The notification will include details.

AVAILABLE TOBACCO RETAIL DEALER LICENSE LOTTERY APPLICATION

DCWP will only accept your request between November 1, 2022 and 5 p.m. on November 30, 2022.

Do not submit a request if your business is or contains a pharmacy.

Section 1: Business Information

Business Name <small>(Must be exactly as filed with the New York State Secretary of State or County Clerk.)</small>				
Doing-Business-As (DBA)/Trade Name, if applicable <small>(Must be exactly as filed with the New York State Secretary of State or County Clerk. Only one trade name allowed.)</small>				
Business's Legal Structure <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <input type="checkbox"/> General Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Limited Partnership </td> <td style="width: 50%; border: none;"> <input type="checkbox"/> Nonprofit <input type="checkbox"/> S-Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other (specify): _____ </td> </tr> </table>			<input type="checkbox"/> General Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Nonprofit <input type="checkbox"/> S-Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> General Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Nonprofit <input type="checkbox"/> S-Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other (specify): _____			
Address Where You Operate Your Business <small>(Building Number, Street Name, Apartment/Suite/Other)</small>				
City	State	ZIP Code		
Borough <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input type="checkbox"/> Manhattan </td> <td style="width: 50%; border: none;"> <input type="checkbox"/> Queens <input type="checkbox"/> Staten Island </td> </tr> </table>		<input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input type="checkbox"/> Manhattan	<input type="checkbox"/> Queens <input type="checkbox"/> Staten Island	Community District (if known)
<input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input type="checkbox"/> Manhattan	<input type="checkbox"/> Queens <input type="checkbox"/> Staten Island			
Phone 1 (Primary) ()		Phone 2 (Alternate) ()		

PLEASE READ BEFORE ENTERING EMAIL – Official Notices from the Department of Consumer and Worker Protection (DCWP)

Official notices from DCWP may include license renewal applications; notices of license suspension, revocation, or denial; requests for additional application information; summonses and hearing petitions; information about fines and penalties, including settlement notices; and notices about changes in the laws and rules.

If you enter Email:

- **DCWP may send certain official notices to your email address** instead of **Address Where You Operate Your Business** or **Contact Mailing Address**, if provided.
- By providing your email address, you affirm that it is a reliable form of communication and you will update DCWP of any change within 10 days of the change.

If you do NOT enter Email:

- DCWP will send official notices to **Address Where You Operate Your Business** or **Contact Mailing Address**, if provided.

Email

Contact Mailing Address

Only complete this box if you do NOT want DCWP to use Business Email or Address to send official notices.

Complete these fields to send notices to the attention of an individual:

First Name	Middle Name <i>(optional)</i>	Last Name
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Title/Position

Complete this field to send notices to the attention of a department:

Department

Mailing Address *(Building Number, Street Name, Apartment/Suite/Other)*

City	State	ZIP Code	Country/Region <i>(if outside USA)</i>
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Section 2: Affirmation

I understand that falsification of any statement made herein is an offense punishable by a fine or imprisonment or both and will result in the voiding of this request.

Signature

Print Name

Print Title/Position (if any)

Date

COVID-19 ALERT

For health and safety reasons, the Department of Consumer and Worker Protection (DCWP) Licensing Center and NYC Small Business Support Center cannot serve walk-ins, and in-person service is limited and by appointment only.

Given the brief window to apply for the Tobacco Retail Dealer License Lottery, **DCWP encourages you to apply online at nyc.gov/BusinessToolbox**. The online service is available 24/7.

Frequently Asked Questions: Tobacco Retail Dealer License Lottery Application

On Monday, October 3, 2022, the Department of Consumer and Worker Protection (DCWP) published a notice in *The City Record* about available Tobacco Retail Dealer licenses in the following Community Districts only:

- Bronx Community District 1
- Bronx Community District 9
- Brooklyn Community District 5
- Brooklyn Community District 16

This document includes Frequently Asked Questions about the Tobacco Retail Dealer License Lottery.

Who can apply for the Tobacco Retail Dealer License Lottery?

You can apply for the lottery if you will operate your business within the Community Districts where there are available Tobacco Retail Dealer licenses.

Exceptions:

- Pharmacies and businesses containing a pharmacy are not eligible for a Tobacco Retail Dealer license.

Important: You can apply for the Tobacco Retail Dealer License Lottery on behalf of yourself/your business only. The license is not transferable.

Where can I get the Available Tobacco Retail Dealer License Lottery Application?

The lottery application is available online at nyc.gov/BusinessToolbox. Search “tobacco retail dealer.”

When can I submit my lottery application?

DCWP will accept lottery applications beginning November 1, 2022 through 5:00 p.m. on November 30, 2022.

How can I submit my lottery application?

You can submit your completed lottery application in ONE of the following ways:

1. Online at nyc.gov/BusinessToolbox ***recommended***
2. In person by appointment* only at:
DCWP Licensing Center, 42 Broadway, Lobby, New York, NY 10004 OR
NYC Small Business Support Center, 90-27 Sutphin Blvd., 4th floor, Jamaica, NY 11435

*To schedule an appointment, email LicensingAppointments@dcwp.nyc.gov or call (212) 436-0441 (Monday - Friday, 8 a.m. - 4 p.m.).

Important:

- **DCWP must receive your completed application by 5:00 p.m. on November 30, 2022.**
- **DCWP will accept only one lottery application per applicant per business address in a particular Community District.**

How will DCWP determine winners (applicants who get an offer to apply for a Tobacco Retail Dealer license)?

At the close of the lottery application period, DCWP will assign each accepted lottery application a priority number using a computer-generated random number selection program. If the number of accepted lottery applications exceeds the number of available licenses in a Community District, DCWP will issue offers to apply for the license in the order of the assigned priority numbers.

How will DCWP notify applicants about whether or not they can apply for a Tobacco Retail Dealer license?

DCWP will mail—and email, if provided—all applicants a letter stating either:

1. They are receiving an offer to apply for a Tobacco Retail Dealer license and confirming next steps.
- OR
2. They were not randomly selected to apply for a Tobacco Retail Dealer license.

What do I need to do if I get an offer to apply for a Tobacco Retail Dealer license?

You must submit the following licensing requirements within **65 days** of the date you received DCWP's offer:

- Basic License Application
- Sales Tax Identification Number OR Application Confirmation Number
- New York State Department of Taxation and Finance Registration of Retail Dealers and Vending Machines for Sales of Cigarettes and Tobacco Products
- Proof of Business Address
- Proof of Home Address
- Granting Authority to Act Affirmation (*if applicable*)
- License Fee (see chart on Page 3)

To learn more about these requirements or to download forms, go to nyc.gov/BusinessToolbox

The chart below shows the License Fee.

License Period: 2 years Expiration Date: December 31 License Fee: \$200 for full 2 years		
If You File Your Application Between These Dates:	You Will Pay:	Your License Will Expire:
From January 1 to June 30 in an odd year	\$200	December 31 of Even Years
From July 1 to December 31 in an odd year	\$150	December 31 of Even Years
From January 1 to June 30 in an even year	\$200	December 31 of Odd Years
From July 1 to December 31 in an even year	\$150	December 31 of Odd Years

Reminder: DCWP's offer will become void if you do not comply with all licensing requirements within 65 days of the date you received DCWP's offer.

Can I transfer a Tobacco Retail Dealer license to someone else after getting an offer and completing all of the requirements?

No.

If I don't receive an offer to apply for a Tobacco Retail Dealer license in 2022, will there be other opportunities to apply for one?

By law, the City can only issue new Tobacco Retail Dealer licenses when the number of current Tobacco Retail Dealer licenses has fallen below the Community District cap. Each year, DCWP conducts a review to determine if there are available Tobacco Retail Dealer licenses in each Community District. Every April and October, DCWP will publish a notice in *The City Record* confirming if Tobacco Retail Dealer licenses are available in any Community District and the process to apply for the Tobacco Retail Dealer License Lottery. DCWP will also post this information on nyc.gov/dcwp.

What if I have additional questions?

For additional information, go to nyc.gov/dcwp, email TobaccoUnit@dcwp.nyc.gov, or call (212) 436-0406.