

N.J.R.C. USE ONLY			
LIC. NO.	YR	LOC	NUMBER
RCPT. NO.	YR	LOC	NUMBER
ID NO.:			

**OFF-TRACK WAGERING
LICENSE RENEWAL
APPLICATION (C)**

NEW JERSEY RACING
COMMISSION
P.O. BOX 088
TRENTON, NJ 08625-0088
609-292-0613

N.J.R.C. USE ONLY	
RCPT. DATE	OPER
CHECK	\$
MO	\$

The New Jersey Racing Commission (hereinafter “Commission”), pursuant to N.J.S.A. 5:5-127 et seq., known as the “Off-Track and Account Wagering Act” (hereinafter “Act”), has the full power to prescribe rules, regulations and conditions under which an off-track wagering license is issued in this State and to revoke, suspend or refuse to renew a license if in the opinion of the Commission the revocation of, suspension of or refusal to renew such license is in the public interest.

Pursuant to the powers vested in it by the Act, the Commission has promulgated regulations governing the conduct of off-track wagering in this State, which appear at N.J.A.C. 13:74 et seq. In accordance with the Act and N.J.A.C. 13:74-2.3, the Commission has prescribed the within “off-track wagering license renewal application” to be completed by an applicant who seeks the renewal of an off-track wagering license previously issued to that applicant. Upon the filing of this completed renewal application, the Commission shall consider such application pursuant to the procedure set forth in Chapter 74 of Title 13 of the New Jersey Administrative Code.

In addition to this application, the Racing Commission, pursuant to N.J.S.A. 5:5-133, will require a written submission by the New Jersey Sports & Exposition Authority, (hereinafter “Authority”), where the license in question was originally issued to the Authority and subsequently assigned to the renewal applicant. Of course, this submission is not required for an off-track wagering license issued to the Authority, which license was not subsequently transferred.

Any renewed off-track wagering license issued to the applicant shall specify the effective dates of the license, the location of the off-track wagering facility subject of the license, the periods of time during the calendar year and the maximum hours of operation during which off-track wagering is permitted at the facility and such other terms or conditions which may be imposed by the Commission in accordance with the Act and N.J.A.C. 13:74-2.3, as appropriate.

In making this renewal application, the applicant acknowledges that it is required to provide full and complete answers and disclosures to all questions asked (answers as “on file”, or the like, are not acceptable), and that any renewal license granted to it by the Commission is predicated upon the accuracy and completeness of the information provided in this application.

If the space allotted within this application form is not sufficient to provide an accurate and complete answer, or where the submission of an attachment is specifically required, the applicant shall attach such additional pages as are necessary and complete the response thereupon. Where the applicant elects to furnish an attachment to this application in response to any question, the applicant shall insert the phrase "see attached" in the answer space on this application form. In all cases, the applicant shall label the attachment page with the corresponding question number within this application.

Pursuant to the Act and Chapter 74, the undersigned hereby makes application to the Commission for an off-track wagering license as designated immediately below:

- () Renewal Application, which application is accompanied by a non-refundable filing fee of \$1,250 and is to be filed with the Commission by October 15 of the year preceding the year for which the license renewal is sought [See N.J.A.C. 13:74-2.3(c)]. If the \$1,250 filing fee is not attached, do not check box and explain why not below.

- 1) Set forth the location and full address of the off-track wagering facility subject of this renewal application?

Is the OTW facility, subject of this application, operational and open to the public? If yes, provide the date the OTW facility was first operational and open to the public. If no, explain the circumstances and projected opening date.

Yes _____ No _____

Set forth below, in detail, the proposed hours of operation of the otw facility for the license renewal term.

a) Identify the County within which the off-track wagering facility is located, or if not operational, is to be located?

b) Identify the local municipality in which the off-track wagering facility is sited, or if not operational, to be sited?

c) Is the off-track wagering facility presently sited in an area zoned commercial or industrial [See N.J.S.A. 5:5-131(h)]?

Yes _____ No _____

d) Has the governing body of the local municipality within which the proposed off-track wagering facility is located, or if not operational to be located, issued any and all approvals necessary to be issued by it for the operation of the facility during the license renewal term?

Yes _____ No _____

2) Set forth the full and proper name of the owner applicant (hereinafter "applicant")?

3) Set forth the principal address of the applicant?

4) Set forth the principal telephone number of the applicant?

5) Provide the name, address and telephone number of the natural person who is authorized to accept service of process on behalf of the applicant?

6) Is the applicant , or racetrack permit holder affiliated with the applicant, required to comply with minimum live race date prerequisites of the Act, [See N.J.A.C. 13:74-2.1(b)1 or 13:74-2.3(d)1]?

Yes _____ No _____

If yes, is the said applicant in compliance with those requirements?

Yes _____ No _____

7) Attach to this renewal application a copy of a fully executed participation agreement which the applicant has entered into, and any amendments thereto [See N.J.A.C. 13:74-2.3(d)2]. Is such participation agreement attached?

Yes _____ No _____

9) Without incorporating the participation agreement by reference in your response, attach an addendum to this renewal application explaining the Authority’s participatory role in the off-track wagering facility during the license renewal term, if any, and the participatory role of persons (including the applicant) other than the Authority in the off-track wagering facility during the license renewal term. Is such an addendum attached?

Yes _____ No _____

10) Attach an addendum to this renewal application, pursuant to the requirements of N.J.A.C. 13:74-2.1(c) and 2.3, consisting of the physical plan of the off-track wagering facility and a description including the following (if this answer differs from last year, explain in detail the changes).

- the space relationship between wagering and non-wagering related amenities;
- the number of jobs at the facility;
- the gross revenues generated by the facility since date of operation on a monthly basis;
- the fire evacuation plan for the proposed facility;
- the type of food and beverages available;
- the requirements of the Act have been satisfied concerning the availability of alcoholic beverages at the facility; and

Is such an addendum attached?

Yes _____ No _____

a) Does the off-track wagering facility physical plan, for the license renewal term, continue to include provisions for security and surveillance equipment in public and non-public areas of the facility (to include closed circuit television) to enhance safety and the integrity of wagering [See N.J.A.C. 13:74-6.1(a)4]?

Yes _____ No _____

If yes, is the physical plan, for the license renewal term, consistent with allowing the Racing Commission access to the system or its signal to the same extent as the employees of the proposed off-track wagering facility [See N.J.A.C. 13:74-6.1(a)4]?

Yes _____ No _____

b) Does the off-track wagering facility physical plan, for the license renewal term, continue to include a “money room” within the premises of the facility as contemplated by N.J.A.C. 13:74-6.11(a) and (d)?

Yes _____ No _____

11) Attach as an addendum to this application a copy of the applicant’s internal control procedures regarding the off-track wagering facility, for the license renewal term, as required by N.J.A.C. 13:74-2.1(d) and 13:74-2.3(f). If any changes have been made thereto, compared to the prior license year, explain in detail the changes. Is such an addendum attached?

Yes _____ No _____

Do the internal control procedures include the following:

a) Procedures to be implemented to effectively operate and manage the off-track wagering facility, during the license renewal term [See N.J.A.C. 13:74-2.1(d)]?

Yes _____ No _____

b) Procedures to be implemented to effectively maintain the integrity of wagering and the proceeds from wagering associated with the off-track wagering facility, during the license renewal term [See N.J.A.C. 13:74-2.1(d)]?

Yes _____ No _____

c) A procedure, applicable during the license renewal term, designed to accurately account for and track proceeds from wagering from the time the related wager is placed through delivery to the money room and ultimate distribution therefrom [See N.J.A.C. 13:74-6.11(a)].

Yes _____ No _____

- d) A procedure to foster and insure that the off-track wagering licensee complies with the requirement of the Act creating a right of first refusal as to certain individuals for certain employment opportunities associated with the off-track wagering facility?

Yes _____ No _____

- 12) Has the applicant or any related entity entered into a contract or agreement to assign or transfer any off-track wagering license, which may be issued to it by the Racing Commission as a result of the within license renewal application, to a successor in interest?

Yes _____ No _____

If yes, answer the following additional question:

- a) As part of this license renewal application, is the applicant seeking the regulatory approvals required by N.J.A.C. 13:74-4.1 as a condition precedent to such assignment or transfer?

Yes _____ No _____

- 13) For the license renewal term, does the applicant or any related entity intend to enter into a contract or agreement with a person or entity to conduct or operate the off-track wagering facility for it, and/or for such person or entity to act as its agent in off-track wagering matters approved by the Commission, as set forth in N.J.A.C. 13:74-4.2?

Yes _____ No _____

If yes, answer the following additional question:

- a) As part of this application, is the applicant seeking the regulatory approvals required by N.J.A.C. 13:74-4.2 as a condition precedent to entering into such a written contract or written agreement?

Yes _____ No _____

- 14) Identify the proposed location (complete address) of the hub facility within this State, which facility shall service the off-track wagering facility during the license renewal term, as required by N.J.A.C. 13:74-1.1?

- a) Is this the same hub facility to be utilized, during the license renewal term, in connection with the New Jersey account wagering system [See N.J.A.C. 13:74-8.1(b)].

Yes _____ No _____

If no, is the applicant as part of this license renewal application seeking Racing Commission approval to utilize a hub facility different from that being utilized in connection with account wagering [see N.J.A.C. 13:74-8.1(b)]?

Yes _____ No _____

- b) Is the hub facility proposed to be utilized by the off-track wagering facility subject of this license renewal application being utilized by all other off-track wagering facilities presently licensed and operating in this State?

Yes _____ No _____ Not applicable as no _____ other off-track wagering facility is operational as of the date of this renewal application.

- 15) Identify the following information concerning the proposed vendor of the hub facility, as defined in N.J.A.C. 13:74-1.1, which facility is to be utilized in connection with the off-track wagering facility during the license renewal term?

Vendor Name: _____

Principal Address: _____

Principal Telephone Number: _____

- 16) Has the applicant entered into a written contract or agreement with the vendor, as described in the response to question 15 to this application, in connection with the hub facility to be utilized in connection with the off-track wagering facility during the license renewal term?

Yes _____ No _____

If yes, attach a copy of the written contract or agreement. Is such copy attached?

Yes _____ No _____

If no, explain the circumstances.

- 17) Has the applicant devised an identification tag to be worn by its employees at the premises of the off-track wagering facility, which tag was previously approved by the Commission [see N.J.A.C. 13:74-5.7]?

Yes _____ No _____

As part of this application, is the applicant seeking approval of a new or revised identification tag format to be utilized during the license renewal term?

Yes _____

No _____

- 18) Provide the following information concerning the primary bank utilized by the applicant (name, address, telephone number) in connection with its off-track wagering facility.

- 19) Has the applicant entered into any financing arrangement with any bank, financial institution, individual or third party to provide funding to be used in connection with the off-track wagering facility subject of this renewal application?

Yes _____

No _____

If yes, identify the parties subject of the financing arrangement and the details concerning the financing?

- 20) Attach a "Table of Organization" setting forth with specificity:

- a) the identity of the renewal applicant and its constituency (e.g., in the case of a corporation, the Board of Directors, Officers, etc.);

- b) the identity and constituency of each entity (including but not limited to the renewal applicant), affiliate or agent of the renewal applicant which will have any management, administrative and/or oversight responsibility with respect to any aspect of the off-track wagering facility; and the identity of each employee or person who will have any managerial, administrative or oversight responsibility on behalf of each identified entity, affiliate or agent during the license renewal term.

Is such a “Table of Organization” attached?

Yes _____ No _____

- c) For the applicant and each entity, affiliate or agent identified in the “Table of Organization” attached to this application in response to questions 20 a) and b), attach a “Table (or Tables) Of Ownership” identifying any parent corporation(s), parent entities (partnerships, etc.), or person(s) which holds any ownership interest in said renewal applicant, entity or agent. This question should be answered in a fashion so that the Racing Commission is fully apprised of all direct and indirect owners (except that, where a publicly traded corporation, holders of less than a 5% interest need not be disclosed) of the applicant, as well as with respect to any entity, affiliate or agent of the applicant which will have any management, administrative or oversight responsibility with regard to the off-track wagering facility subject of this renewal application.

Is such a table (or tables) attached?

Yes _____, a table for each entity, affiliate or agent is attached.

Yes _____, a table for one or more (but not all) entities, affiliates or agents is attached.

No _____, no tables are attached.

If the answer to question 20 c) is “yes, a table for one or more (but not all) entities, affiliates or agents is attached,” or “no, no tables are attached,” list each entity below for which such table is not attached and provide an explanation why that respective table is not attached:

21) To the applicant’s knowledge, has any entity or person disclosed in completing this renewal application ever been convicted of any crime?

Yes _____ No _____

If yes, provide the particulars?

22) To the applicant’s knowledge, has any entity or person disclosed in completing this renewal application ever been suspended, denied a license or ruled off by this or any other Racing Commission or turf governing body?

Yes _____ No _____

If yes, give particulars?

23) To the applicant's knowledge, is any entity or person disclosed in completing this renewal application presently the subject of any pending criminal investigation, criminal complaint, criminal charges or criminal indictment?

Yes _____

No _____

If yes, give particulars?

24) To the applicant's knowledge, is any entity or person disclosed in completing this renewal application presently subject of any civil proceeding where the potential liability may exceed \$10,000?

Yes _____

No _____

If yes, give particulars?

25) To the applicant's knowledge, is any entity of person disclosed in completing this renewal application the subject of any pending investigation or pending complaint by any federal or state regulatory body?

Yes _____

No _____

If yes, give particulars?

- 26) Is the applicant proposing any facility plan changes or operational changes concerning the subject off-track wagering facility, or other matters which require Racing Commission approval as of the date of this renewal application? If so, please specify below:

- 27) Identify the full name, job title, telephone number, cell phone number (if assigned), fax number, and email address of each manager (general, food service, mutuels, security, etc.), with description of area of responsibility, at the off-track wagering facility during the license renewal term. In answering this question, please bear in mind that the Commission's purpose is to update its emergency contact/business contact lists. Please answer with an attached addendum.

Is such an addendum attached to this application?

Yes _____

No _____

- 28) Identify below the name and employment position of the individual who had the primary responsibility on behalf of the renewal applicant to complete this application?

29) Identify below the name and employment position of the high managerial agent who, on behalf of the applicant and in the signature space below, is attesting that the disclosures within this renewal application are to the best of his or her knowledge are true, accurate and complete, as required by N.J.A.C. 13:74-2.3(g).

I, being duly authorized to execute this license renewal application on behalf of the applicant, certify that the answers and disclosures within this application and its attachments to the best of my knowledge are true, accurate and complete.

Sworn and subscribed to

before me this _____
day of _____.

A Notary Public of New Jersey

My Commission expires _____