

N.J.R.C. USE ONLY			
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ID NO.:			

**OFF-TRACK WAGERING LICENSE  
APPLICATION (B)**

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

N.J.R.C. USE ONLY	
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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. 13:74-2.1(a) and 4.1, the Commission has prescribed the within “off-track wagering license application” to be completed by an applicant who seeks the transfer or assignment to it of the rights to an off-track wagering license (and the issuance of an off-track wagering license to the applicant) previously issued to the New Jersey Sports & Exposition Authority (“Authority”). Upon the filing of this completed 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.

Any 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. 13:74-2.1(m) or 2.3(k), as appropriate.

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Pursuant to the Act, the undersigned hereby makes application for the assignment or transfer to it of the rights to an off-track wagering license (and the issuance to it of an off-track wagering license) held by the Authority, as designated immediately below, to the Commission:

- ( ) Initial Application, which application is accompanied by a non-refundable filing fee of \$2,500. [see N.J.A.C. 13:74-2.1(a)].

In making this application, the applicant acknowledges that it is required to provide full and complete answers and disclosures to all questions asked, and that any 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 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.

1) Set forth the location and full address of the proposed off-track wagering facility?

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a) Identify the County within which the proposed off-track wagering facility will be located?

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b) Identify the local municipality in which the proposed off-track wagering facility is to be sited?

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c) Is the proposed off-track wagering facility to be 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 to be sited issued any and all approvals necessary to be issued by it?

Yes \_\_\_\_\_ No \_\_\_\_\_

- e) Are any additional governmental approvals, aside from the approval of the Racing Commission, necessary for the off-track wagering facility to be situated at such location?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain the nature of those required governmental approvals with regard to the proposed off-track wagering facility and whether or not each has been accomplished?

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- 2) Set forth the full and proper name of the applicant?

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- 3) Set forth the principal address of the applicant?

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

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- 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?

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8) Provide the name, address and telephone number of the natural person who is authorized to accept service of process on behalf of each party to the participation agreement?

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

Yes \_\_\_\_\_ No \_\_\_\_\_

10) Attach an addendum to this application, pursuant to the requirements of N.J.A.C. 13:74-2.1(c), consisting of the physical plan of the proposed off-track wagering facility and a description including:

- the space relationship between wagering and non-wagering related amenities;
- the number of jobs expected to be created at the proposed facility;
- the gross revenues expected to be generated by the facility;
- the fire evacuation plan for the proposed facility;
- the type of food and beverages to be available;
- if alcoholic beverages are to be served at the facility, whether the requirements of the Act have been satisfied; and
- the proposed hours of operation of the off-track facility.

Is such an addendum attached?

Yes \_\_\_\_\_ No \_\_\_\_\_

a) Does the off-track wagering facility physical plan include provisions for the installation of 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 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 include the establishment of 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 proposed off-track wagering facility, as required by N.J.A.C. 13:74-2.1(d) and 13:74-2.3(f). Is such an addendum attached?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, indicate whether the internal control procedures include the following:

a) Procedures to be implemented to effectively operate and manage the proposed off-track wagering facility [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 [see N.J.A.C. 13:74-2.1(d)]?

Yes \_\_\_\_\_ No \_\_\_\_\_

c) 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 [see N.J.A.C. 13:74-2.1(d)]?

Yes \_\_\_\_\_ No \_\_\_\_\_

d) A procedure 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 \_\_\_\_\_

12) Has the applicant 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 application, to a successor in interest?

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. 13:74-4.1 as a condition precedent to such assignment or transfer?

Yes \_\_\_\_\_ No \_\_\_\_\_

13) Does the applicant 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, as required by N.J.A.C. 13:74-1.1?

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- a) Is this the same hub facility being utilized in connection with account wagering [see N.J.A.C. 13:74-8.1(b)].

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, is the applicant as part of this 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 application being utilized by each other off-track wagering facility presently licensed in this State?

Yes \_\_\_\_\_ No \_\_\_\_\_ Not applicable as no \_\_\_\_\_ other off-track wagering license has been issued as of the date of this 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 proposed off-track wagering facility?

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 proposed off-track wagering facility subject of this application?

Yes \_\_\_\_\_ No \_\_\_\_\_

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

Yes \_\_\_\_\_ No \_\_\_\_\_

17) Does the applicant intend to devise an identification tag to be worn by its employees at the premises of the off-track wagering facility [see N.J.A.C. 13:74-5.7]?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, as part of this application, is the applicant seeking approval of the particular identification tag format to be utilized, as required by N.J.A.C. 13:74-5.7?

Yes \_\_\_\_\_ No \_\_\_\_\_

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

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 application?

Yes \_\_\_\_\_ No \_\_\_\_\_

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

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\_\_\_\_\_

- 20) Attach a “Table of Organization” setting forth with specificity:
- a) the identity of the 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 applicant), affiliate or agent of the 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.

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 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 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:

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

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, provide the particulars?

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22) To the applicant’s knowledge, has any entity or person disclosed in completing this 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?

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

Yes \_\_\_\_\_

No \_\_\_\_\_

If yes, give particulars?

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

Yes \_\_\_\_\_

No \_\_\_\_\_

If yes, give particulars?

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

Yes \_\_\_\_\_

No \_\_\_\_\_

If yes, give particulars?

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

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\_\_\_\_\_  
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\_\_\_\_\_

27) 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 application are to the best of his or her knowledge are true, accurate and complete, as required by N.J.A.C. 13:74-2.1(e) or 2.3(g).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, being duly authorized to execute this 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 \_\_\_\_\_