

3772-4-01 Instructions for the casino owner/operator/, management company/, and holding company license application.

The following instructions shall apply to the application for a license as a casino operator, management company, or holding company:

(A) A casino operator/, management company/, or holding company that desires to conduct casino gaming shall apply for a license in accordance with Chapter 3772. of the Revised Code by completing an application form prescribed by the ~~Ohio casino control~~ commission.

(B) Applicants for a license are seeking a privilege.

(C) The burden of proving qualifications to receive such a license is at all times borne by the applicant.

(D) The applicant must accept any risk of adverse public notice, embarrassment, criticism, or other action, or financial loss, which may result from action or inaction by the ~~Ohio casino control~~ commission with respect to any application, and Applicant expressly waives any claim for damages as a result thereof.

(E) The ~~Ohio casino control~~ commission may request additional information not prescribed in the application form. The applicant shall provide all information, documents, materials and certifications at the applicant's sole expense and cost.

(F) The applicant is under a continuing duty to promptly disclose any changes in the information provided in the application and requested materials submitted to the ~~Ohio casino control~~ commission. The duty to make such disclosures shall continue throughout any period of the license that is granted by the commission.

(G) All entries on the application form must be typed or printed in block lettering.

(H) Initials or signatures must be in handwriting, unless otherwise stated by the ~~Ohio casino control~~ commission, by the person providing the information. If the application is being completed by someone other than the chief executive officer of the applicant, the chief executive officer must also sign the application. Illegible answers or responses may be grounds for denying the application.

(I) The applicant, if an individual, or the individual authorized to complete the form on behalf of the applicant, must initial only those pages that are so marked.

(J) If additional pages are required in order to answer any question, additional pages may be used and must be attached to the application form. Be sure to indicate the number(s) of the question(s) being answered and initial each additional page. Some schedules may require disclosure of information for more than one individual or entity or type of information. If there are multiple disclosures, applicant must complete the schedule for each individual or entity. ~~each~~Each person

required to submit a criminal background check must complete and return an authorization to release criminal record form, exhibit 18a.

(K) All notices regarding the application will be sent to the address the ~~Applicant~~applicant provides on the application form. The applicant must promptly notify the ~~Ohio casino control~~ commission of any change of address.

(L) Failure to answer any question completely and truthfully may result in denial of the application and/or revocation of the license.

(M) If a thorough and complete response to any question cannot be provided at the time of application submission, an applicant must indicate the reason and indicate a date by which a thorough and complete response will be provided.

(N) An applicant should clearly identify those portions of the application that it deems to be confidential, proprietary commercial information or trade secrets. Applications shall be open to public inspection to the extent permitted by sections [149.43](#) and [3772.16](#) of the Revised Code. ~~An applicant is advised that, upon request by a third party for information that the applicant has clearly identified as protected from disclosure, the Ohio casino control commission will notify the Applicant and, following such notification, will make a determination whether the information must be disclosed. If it is determined by the Ohio casino control commission that the information is to be disclosed to a third party, the commission shall notify the applicant of its decision. Following that notification, the information shall be provided to the third party within a reasonable period of time unless otherwise prohibited from being released. An applicant waives any liability of the state of Ohio, the Ohio casino control commission, the employees of the commission and its instrumentalities and agents for any damages resulting from any disclosure or publication in any manner.~~

(O) The applicant must answer every question completely and not leave blank spaces. ~~if~~If a question does not apply to the applicant, the applicant must write "does not apply" in response to that question. ~~if~~If an exhibit or addendum does not apply to the applicant, the applicant must write "does not apply" on the exhibit or addendum.

(P) Appendices are to be provided by the applicant. The required appendices are listed on the application checklist.

(Q) The applicant must submit ~~three hard copies of the~~ completed application ~~and one additional copy in an electronic format as determined in the manner and to the location prescribed~~ by the ~~Ohio casino control~~ commission.

(R) After initial submission of the application, the applicant must submit a request to the ~~Ohio casino control~~ commission to amend the application along with the proposed amendment. The ~~Ohio casino control~~ commission shall then determine whether the proposed amendment will be allowed.

~~(S) The completed application must be filed in the Ohio casino control commission's office at: "10 West Broad Street, 6th Floor Columbus, Ohio 43215."~~

~~(T)~~ A renewal application must be filed prior to the expiration of deadlines established by the ~~Ohio casino control~~ commission.

~~(U)~~~~(T)~~ An application shall be deemed filed when the completed application forms, including all required documents, materials, photographs and the application fee, have been submitted and the ~~Ohio casino control~~ commission has stamped the application as received. A background investigation will not be initiated by the ~~Ohio casino control~~ commission until it has received a complete application.

