

**3772-4-01 Instructions for the casino 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) ~~An applicant~~~~A casino operator, management company, or holding company~~ that desires to conduct ~~or participate in the conduct of~~ casino gaming ~~must~~~~shall~~ apply for a license in accordance with Chapter 3772. of the Revised Code, ~~including submission of a complete by completing an~~ application ~~in the manner and to the location~~~~form~~ prescribed by the 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 commission with respect to any application, and ~~the~~ applicant expressly waives any claim for damages as a result thereof.

~~(E) The applicant must sign and accept any and all conditions set forth by the commission for a casino operator.~~

~~(F)(F)~~ The commission may request additional information not prescribed in the application form. The applicant ~~must~~~~shall~~ provide all information, documents, materials, and certifications, ~~either required by the application or subsequently requested~~, at the applicant's sole expense and cost.

~~(F)(G)~~ 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 commission. The duty to make such disclosures ~~continues~~~~shall continue~~ throughout any period of the license that is granted by the commission.

~~(A)~~ All ~~answers and responses~~~~entries on the application form~~ must be ~~legible; illegible~~~~typed or printed in block lettering~~.

~~(G)(H)~~ ~~Initials or signatures must be in handwriting, unless otherwise stated by the 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.

~~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.~~

~~(H)(I)~~ 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 and date~~~~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, ~~the~~ applicant must complete the schedule for each individual or entity. Each

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

~~(H)~~(J) All notices regarding the application will be sent to the address the applicant provides on the application form. The applicant must promptly notify the commission of any change of address.

~~(H)~~(K) Failure to answer any question completely ~~or~~ truthfully may result in [administrative action, including rejection or](#) denial of the application ~~and/or~~ revocation of the license.

~~(K)~~(L) 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.

~~(L)~~(M) An applicant should clearly identify those portions of the application that it deems to be confidential, proprietary commercial information, or trade secrets. Applications ~~are~~ shall be open to public inspection to the extent permitted by [Ohio's Public Records Act sections 149.43](#) and [section 3772.16](#) of the Revised Code.

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

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

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~~(B)~~ A license expires three years after ~~The applicant must submit~~ the ~~date~~ completed application in the manner and to the location prescribed by the commission.

~~(C)~~ After initial submission of licensure. A complete the application, the applicant must submit a request to the commission to amend the application along with the proposed amendment. The commission shall then determine whether the proposed amendment will be allowed.

(P) A-renewal application must be filed [not less than one hundred and eighty days](#) prior to the expiration of [the license deadlines established by the commission](#).

~~(D)~~ 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 commission has stamped the application as received. A background investigation will not be initiated by the commission until it has received a complete application.