



IN-PERSON SERVICE BY APPOINTMENT ONLY

In-person service at the Department of Consumer and Worker Protection (DCWP) Licensing Center and NYC Small Business Support Center is by appointment only. Given the brief window to apply for the Tobacco Retail Dealer and Electronic Cigarette Retail Dealer License Lottery, **DCWP encourages you to apply online at nyc.gov/BusinessToolbox**. The online service is available 24/7.

ATTENTION: LOTTERY APPLICANTS

Licenses are available in the following Community Districts only:

| Community District | TOBACCO RETAIL DEALER Available Licenses | ELECTRONIC CIGARETTE RETAIL DEALER Available Licenses |
|---------------------------------|---|--|
| Manhattan Community District 9 | 6 | |
| Manhattan Community District 10 | 8 | 5 |
| Manhattan Community District 11 | 8 | |
| Manhattan Community District 12 | 26 | 3 |
| Bronx Community District 1 | 22 | 3 |
| Bronx Community District 2 | 2 | |
| Bronx Community District 3 | 10 | 2 |
| Bronx Community District 4 | 13 | 4 |
| Bronx Community District 5 | 11 | |
| Bronx Community District 6 | 2 | |
| Bronx Community District 7 | | 6 |
| Bronx Community District 9 | 24 | |
| Bronx Community District 12 | 2 | |
| Brooklyn Community District 1 | 6 | |
| Brooklyn Community District 2 | 7 | |
| Brooklyn Community District 3 | 24 | |
| Brooklyn Community District 4 | 9 | |
| Brooklyn Community District 5 | 34 | 4 |
| Brooklyn Community District 8 | 13 | |
| Brooklyn Community District 9 | 7 | |
| Brooklyn Community District 13 | 2 | |
| Brooklyn Community District 14 | 6 | |
| Brooklyn Community District 16 | 18 | 1 |
| Brooklyn Community District 17 | 5 | |
| Queens Community District 12 | 15 | |

The period to apply for the lottery begins Wednesday, May 1, 2024 and ends Friday, May 31, 2024. **DCWP must receive your completed lottery application by 5:00 p.m. on May 31, 2024.**

This packet includes the following:

- Notice published in *The City Record* on April 1, 2024
- Lottery Application (**due by 5:00 p.m. on May 31, 2024**)
- Frequently Asked Questions

NOTICE

*Notice of Tobacco Retail Dealer and Electronic Cigarette Retail Dealer License Lottery,
published April 1, 2024 in The City Record*

By law, the Department of Consumer and Worker Protection (DCWP) has conducted a review of Tobacco Retail Dealer and Electronic Cigarette 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:

Tobacco Retail Dealer

| Community District | Available Licenses |
|---------------------------------|---------------------------|
| Manhattan Community District 9 | 6 |
| Manhattan Community District 10 | 8 |
| Manhattan Community District 11 | 8 |
| Manhattan Community District 12 | 26 |
| Bronx Community District 1 | 22 |
| Bronx Community District 2 | 2 |
| Bronx Community District 3 | 10 |
| Bronx Community District 4 | 13 |
| Bronx Community District 5 | 11 |
| Bronx Community District 6 | 2 |
| Bronx Community District 9 | 24 |
| Bronx Community District 12 | 2 |
| Brooklyn Community District 1 | 6 |
| Brooklyn Community District 2 | 7 |
| Brooklyn Community District 3 | 24 |
| Brooklyn Community District 4 | 9 |
| Brooklyn Community District 5 | 34 |
| Brooklyn Community District 8 | 13 |
| Brooklyn Community District 9 | 7 |
| Brooklyn Community District 13 | 2 |
| Brooklyn Community District 14 | 6 |
| Brooklyn Community District 16 | 18 |
| Brooklyn Community District 17 | 5 |
| Queens Community District 12 | 15 |

Electronic Cigarette Retail Dealer

| Community District | Available Licenses |
|---------------------------------|--------------------|
| Manhattan Community District 10 | 5 |
| Manhattan Community District 12 | 3 |
| Bronx Community District 1 | 3 |
| Bronx Community District 3 | 2 |
| Bronx Community District 4 | 4 |
| Bronx Community District 7 | 6 |
| Brooklyn Community District 5 | 4 |
| Brooklyn Community District 16 | 1 |

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

Application Period:

DCWP will accept Lottery Application Forms from May 1, 2024 to May 31, 2024. 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 May 31, 2024.
- 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.
- You can submit the Lottery Application Form even if you are not currently operating a business in a Community District with available licenses. If you are randomly selected to apply for an available license in a Community District, you must operate a business in that Community District by the deadline to submit a complete Tobacco Retail Dealer or Electronic Cigarette Retail Dealer license application.
- 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 Lottery Application Form a randomized computer-generated “Priority Number.”
 - If the number of accepted Lottery Application Forms exceeds the number of available Tobacco Retail Dealer and Electronic Cigarette 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 or Electronic Cigarette 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 or Electronic Cigarette Retail Dealer license application and satisfy all requirements under New York City laws and rules.
- If any of the following situations occur, your opportunity to submit a license application will be void:
 - You fail to submit a complete application within the allotted time.
 - There is currently an active Tobacco Retail Dealer or Electronic Cigarette Retail Dealer license at the specific premises location.
 - You do 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 submit form between May 1, 2024 and 5 p.m. on May 31, 2024

Use this form to request to apply for a Tobacco Retail Dealer license OR Electronic Cigarette Retail Dealer license if one is available in your Community District.

Note:

- If both licenses are available in your Community District, you must submit separate lottery applications.
• DCWP will accept only one Lottery Application Form per business address.
• You can submit this form even if you are not currently operating a business in a Community District with available licenses. However, if you are randomly selected to apply for an available license in a Community District, you must operate a business in that Community District by the deadline to submit a complete Tobacco Retail Dealer or Electronic Cigarette Retail Dealer license application.

After May 31, 2024, businesses randomly selected to apply for a license will receive instructions 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.

DCWP will only accept your form between May 1, 2024 and 5 p.m. on May 31, 2024.

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

LOTTERY APPLICATION:

AVAILABLE TOBACCO RETAIL DEALER LICENSE OR ELECTRONIC CIGARETTE RETAIL DEALER LICENSE

I am applying for (check one only):

- [] Available Tobacco Retail Dealer License
[] Available Electronic Cigarette Retail Dealer License

Section 1: Business Information

Business Name (Must be exactly as filed with the New York State Secretary of State or County Clerk.)

Doing-Business-As (DBA)/Trade Name, if applicable (Must be exactly as filed with the New York State Secretary of State or County Clerk. Only one trade name allowed.)

Contact Mailing Address

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

| | | | |
|---|-------------------------------|-----------|--|
| <i>Complete these fields to send notices to the attention of an individual:</i> | | | |
| First Name | Middle Name <i>(optional)</i> | Last Name | |
| Title/Position | | | |
| <i>Complete this field to send notices to the attention of a department:</i> | | | |
| Department | | | |
| Mailing Address <i>(Building Number, Street Name, Apartment/Suite/Other)</i> | | | |
| City | State | ZIP Code | Country/Region <i>(if outside USA)</i> |

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

3/27/2024

In-person service at the Department of Consumer and Worker Protection (DCWP) Licensing Center and NYC Small Business Support Center is by appointment only. Given the brief window to apply for the Tobacco Retail Dealer and Electronic Cigarette Retail Dealer License Lottery, **DCWP encourages you to apply online at nyc.gov/BusinessToolbox**. The online service is available 24/7.

Frequently Asked Questions: *Lottery for Available Tobacco Retail Dealer or Electronic Cigarette Retail Dealer Licenses*

On Monday, April 1, 2024, the Department of Consumer and Worker Protection (DCWP) published a notice in *The City Record* about available Tobacco Retail Dealer and Electronic Cigarette Retail Dealer licenses in the following Community Districts only:

| Community District | TOBACCO RETAIL DEALER Available Licenses | ELECTRONIC CIGARETTE RETAIL DEALER Available Licenses |
|---------------------------------|--|---|
| Manhattan Community District 9 | 6 | |
| Manhattan Community District 10 | 8 | 5 |
| Manhattan Community District 11 | 8 | |
| Manhattan Community District 12 | 26 | 3 |
| Bronx Community District 1 | 22 | 3 |
| Bronx Community District 2 | 2 | |
| Bronx Community District 3 | 10 | 2 |
| Bronx Community District 4 | 13 | 4 |
| Bronx Community District 5 | 11 | |
| Bronx Community District 6 | 2 | |
| Bronx Community District 7 | | 6 |
| Bronx Community District 9 | 24 | |
| Bronx Community District 12 | 2 | |
| Brooklyn Community District 1 | 6 | |
| Brooklyn Community District 2 | 7 | |
| Brooklyn Community District 3 | 24 | |
| Brooklyn Community District 4 | 9 | |
| Brooklyn Community District 5 | 34 | 4 |
| Brooklyn Community District 8 | 13 | |
| Brooklyn Community District 9 | 7 | |
| Brooklyn Community District 13 | 2 | |
| Brooklyn Community District 14 | 6 | |
| Brooklyn Community District 16 | 18 | 1 |
| Brooklyn Community District 17 | 5 | |
| Queens Community District 12 | 15 | |

This document includes Frequently Asked Questions about the lottery.

Who can apply for the lottery?

You can apply for the lottery if you operate or plan to operate a business within the Community Districts where there are available Tobacco Retail Dealer or Electronic Cigarette Retail Dealer licenses.

Exceptions:

- Pharmacies and businesses containing a pharmacy are not eligible for Tobacco Retail Dealer or Electronic Cigarette Retail Dealer licenses.

Important: **You can apply for the lottery on behalf of yourself/your business only.** The license is not transferable.

Where can I get the lottery application?

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

When can I submit my lottery application?

DCWP will accept lottery applications beginning May 1, 2024 through 5:00 p.m. on May 31, 2024.

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 lottery application by 5:00 p.m. on May 31, 2024.**
- **Submit one lottery application per business address and indicate the license for which you are requesting to apply.**
- **If both licenses are available in your Community District, you must submit separate lottery applications.**
- **You can submit the Lottery Application Form even if you are not currently operating a business in a Community District with available licenses. If you are randomly selected to apply for an available license in a Community District, you must operate a business in that Community District by the deadline to submit a complete Tobacco Retail Dealer or Electronic Cigarette Retail Dealer license application.**

How does the lottery work?

At the close of the lottery application period, DCWP will assign each accepted lottery application a randomized computer-generated priority number. If the number of accepted lottery applications exceeds the number of available Tobacco Retail Dealer or Electronic Cigarette Retail Dealer licenses in a Community District, DCWP will issue offers to apply for licenses 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 or Electronic Cigarette 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 or Electronic Cigarette Retail Dealer license and confirming next steps.

OR

2. They were not randomly selected to apply for a Tobacco Retail Dealer or Electronic Cigarette 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 **ALL** requirements listed below within **65 days** of the date you receive 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 (*in chart below*)

| | | |
|---|----------------------|----------------------------------|
| 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 |

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

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.

What do I need to do if I get an offer to apply for an Electronic Cigarette Retail Dealer license?

You must submit **ALL** requirements listed below within **65 days** of the date you receive DCWP’s offer:

- Basic License Application
- Sales Tax Identification Number OR Application Confirmation Number
- Vapor Products Dealer Certificate of Registration with New York State Department of Taxation and Finance
- Proof of Business Address
- Proof of Home Address
- Granting Authority to Act Affirmation (*if applicable*)
- License Fee (*in chart on Page 4*)

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

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

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 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 license in this lottery, will there be another opportunity to apply?

By law, the City can only issue new Tobacco Retail Dealer and Electronic Cigarette Retail Dealer licenses within a Community District when the number of current licenses has fallen below the Community District cap. Twice each year, DCWP conducts a review to determine if there are available licenses in each Community District. Every April and October, DCWP will publish a notice in *The City Record* confirming if licenses are available in any Community District and the process to apply for the 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.

Updated 3/27/2024