



THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
100 CHURCH STREET, 20TH FLOOR
NEW YORK, NEW YORK 10007

**PUBLIC WHOLESALE MARKETS
LOADING LICENSE APPLICATION**

-----OFFICE USE ONLY-----

APPLICATION #: _____ DATE RECEIVED: _____

RECEIVED BY: _____

PART I – APPLICANT BUSINESS IDENTIFYING INFORMATION

*1. Name of applicant business. Also list trade name and registration application name, if different:

Business Name: _____

Trade Name: _____

*2. Main Office: _____

*3. Mailing Address: _____

*4. Business telephone number(s): _____ Fax Number: _____

*5. Cellular Number: _____

*6. Electronic Addresses:

Website: _____ E-mail Address: _____

*7. **Agent for Service of Process in New York City.** State the name, address, and telephone number of the person of suitable age and discretion who shall be designated as applicant business' agent for service of process in New York City. **The agent for service of process must be located with the five boroughs of New York City.**

Name: _____

Address: _____

Telephone No.: _____ Fax Number: _____

*** (Asterisk) denotes material information on the application. Any material change in the information shall be reported to the Business Integrity Commission, in a notarized writing, within thirty (30) calendar days of the material change. However, the Commission shall be notified at least ten (10) business days of the proposed addition of a new principal.**

Tax ID or SSN: _____

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8. **Type of Organization** (check one):

a. _____ Sole Proprietorship (i.e., company is not incorporated and does business under the name of a person having ownership interest or under an assumed name, doing business as name, or trade name). **Attach a certified copy of the Certificate of Doing Business filed with the County Clerk.**

b. _____ Partnership. (Check one). **Attach copy of current partnership agreement and Certificate of Partnership, certified by the County Clerk.**

_____ General Partnership

_____ Limited Partnership (L.P.)

_____ Limited Liability Partnership (L.L.P.)

c. _____ Corporation. **Attach copy of the Certificate of Incorporation filed with the Secretary of State.**

9. If applicant business is a corporation, provide the tax identification number. Or, if a partnership or sole proprietorship, provide the social security numbers of all principals.

10. **Past Names Used By Applicant Business.** List all names and address which the applicant has done business under, including but not limited to trade names, doing business as (d/b/a), and aliases, and the time periods.

Name and Address	From (Year)	To (Year)

*11. **Affiliated Companies.** List all affiliates (i.e., parent and subsidiaries) of the applicant business.

Name and Address of Affiliated Company	Nature of Relationship (parent, subsidiary, partner, etc.)	Length of Relationship

Tax ID or SSN: _____

***12. Current Principals.** On **Schedule A**, identify all individuals who are current principals of applicant business and provide the information requested. **A principal disclosure form shall be submitted for each current principal who shall also appear at the Business Integrity Commission to be photographed and fingerprinted.**

13. Past Principals. Identify and provide below information for any person or entity who was a principal of the applicant business at any point during the past (10) ten years.

	Past Principal #1	Past Principal #2
Name (first, middle and last) Also include maiden name where Applicable		
Home Address (es)		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Title in Applicant Business		
From (date) to (date)		
Percentage of Ownership		
Number of Shares		
Business Name and Address		
Business Telephone Number		

Tax ID or SSN: _____

13. Past Principals (cont.)

	Past Principal #3	Past Principal #4
Name (first, middle and last) Also include maiden name where Applicable		
Home Address (es)		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Title in Applicant Business		
From (date) to (date)		
Percentage of Ownership		
Number of Shares		
Business Name and Address		
Business Telephone Number		

Tax ID or SSN: _____

14. **Beneficial Interest.** Identify below all individuals, not already identified in question 12 or question 13 above, who have or have had beneficial interest¹ in the applicant business at any point during the past 10 years, and disclose the required information.

	Beneficial Holder #1	Beneficial Holder #2
Name (first, middle and last) Also include maiden name where Applicable		
Home Address		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Name of Employer and Address of (if applicable)		
Employer Telephone Number		
If Employed by Applicant, State Job Title and Dates During Which Job Was Held		
Nature and Percentage of Beneficial Interest in Applicant Business		
How Beneficial Interest Was Acquired (i.e. purchase & purchase price, inheritance, etc.)		

¹ As defined in Appendix A to this application.

14. Beneficial Interest (cont.)

	Beneficial Holder #3	Beneficial Holder #4
Name (first, middle and last) Also include maiden name where Applicable		
Home Address		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Name of Employer and Address of (if applicable)		
Employer Telephone Number		
If Employed by Applicant, State Job Title and Dates During Which Job Was Held		
Nature and Percentage of Beneficial Interest in Applicant Business		
How Beneficial Interest Was Acquired (i.e. purchase & purchase price, inheritance, etc.)		

Tax ID or SSN: _____

15. Has the applicant business acquired another business(es) within the past 10 years?
 _____ Yes _____ No

If "yes," provide the information below, and **attach a copy of any purchase and sale agreement.**

	Acquisition #1	Acquisition #2	Acquisition #3	Acquisition #4
Seller's Name and Address				
Date of Purchase				

*16. Does the applicant business share any office space, staff or equipment, including but not limited to telephone lines, with any other business or organization
 _____ Yes _____ No

If "yes," provide details below, including what is shared, under what terms, and the name(s) of entity(ies) or individual(s) with whom it is shared.

17. How many individuals (not including principals) does the applicant currently employ? _____

18. Are individuals employed by the applicant (including principals of the applicant) members of a union?
 _____ Yes _____ No

If "yes," provide the name(s) of the union(s), including the local(s) if applicable, and the number of employees/principals of the applicant business belong to each union.

Name and Address of Union and Local	Number of Applicant Business' Employees and Principals Who Are Members

*19. **Employee Information.** On Schedule B, list the names, resident addresses, phone numbers, dates of birth, social security numbers, positions, work hours per week, and date hired for all employees hired or will be hired by the applicant business.

Tax ID or SSN: _____

*20. **Operators of Vehicles.** On Schedule C, list each employee and principal who will operate a vehicle during the conduct of the applicant business, and provide the operator’s name, driver’s license number(s), class(es) and expiration date.

*21. **Vehicles.** On **Schedule D**, list all vehicles, including but not limited to “hi-los,” used during the course of the applicant business, and disclose vehicle identification numbers, registration numbers and license plate numbers for each vehicle. If none, state “none.”

*22. Does the applicant business, any of its parents, subsidiaries, or affiliates have any interest in another business(es)?
 _____ Yes _____ No

If “yes,” provide details below.

Name of Applicant Business, Parent, Subsidiary or Affiliate	Name and Address of Business	Type of Business	Nature and Amount of Interest

*23. Has the applicant business, any of its parents, subsidiaries, affiliates or any of the applicant’s principals ever been issued a license, permit, registration or authorization to operate from any government agency
 _____ Yes _____ No

Name of Holder	Type of License, Permit, etc.	Term of License, Permit, etc.	Date of Issuance	Issuing Authority	Status (Current, Expired)

*24. Has the applicant business, any of its parents, subsidiaries, affiliates or any of the applicant's principals ever had a license, permit, registration or authority to operate from any government agency denied, suspended or revoked?

_____ Yes _____ No

If "yes," provide the following information.

Name of Holder	Date of Denial, Suspension or Revocation	Agency	Reason

PART II – CRIMINAL, ADMINISTRATIVE AND INVESTIGATIVE HISTORY

25. Has the applicant business or any of its present principals presently or previously held any position(s), office(s), trusteeship(s), directorship(s) or fiduciary position(s) with any other business entity?

_____ Yes _____ No

If “yes,” provide details below.

26. Has the applicant business or any of its principals been denied, suspended or removed from any trusteeship or any other fiduciary position?

_____ Yes _____ No

If “yes,” provide details below.

27. Has the applicant business, any of its parents, subsidiaries, affiliates, current principals, or past principals (who were principals of the applicant business within the last three (3) years) been convicted of any misdemeanor or felony in any jurisdiction? Do not include traffic violations.

_____ Yes _____

If “Yes,” provide the details below.

Name	Date of Arrest	Date of Conviction	Indictment No.	Charges and Sentence	Court and Jurisdiction

*28. Are there any misdemeanor or felony charges pending against the applicant business, its parents, subsidiaries, affiliates, current principals, or past principals (who were principals of the applicant business within the last three (3) years) in any jurisdiction?
 _____ Yes _____ No

If "Yes," provide the details below.

Name	Date of Arrest	Indictment No.	Charge	Status	Court and Jurisdiction

*29. Are there any civil actions brought by a government agency pending against the applicant business, its parents, subsidiaries, affiliates, current principals, or past principals (who were principals of the applicant business within the last three (3) years) in any jurisdiction?
 _____ Yes _____ No

If "Yes," provide the details below.

Name	Docket or Case No. and Date	Charge	Status	Court and Jurisdiction

30. During the past five (5) years, has the applicant business, any of its parents, subsidiaries, affiliates, current principals, or past principals (who were principals of the applicant business within the last three (3) years) in any jurisdiction:

a. been the subject, party, or target of any criminal or civil investigation by a prosecutorial agency, governmental agency, court, committee, grand jury or investigative body (municipal, state, county, provincial, federal, etc.)?
 Yes No

b. received a subpoena or been asked to testify before any court, grand jury, or legislative, civil, criminal or administrative body?
 Yes No

c. received a subpoena requiring the production of documents in connection with a federal, state or local investigation?
 Yes No

d. been called to testify before any agency specified in question 18(a) above?
 Yes No

If you answered "yes" to any of the questions 30(a)-(d) above, provide the following details.

Name	Name and Address of Court or Agency	Nature of Proceedings or Investigation	Name and Position of Person Who Provided Testimony	Date on Which Testimony was Given	Date of Investigation

31. During the past five (5) years has the applicant business, any of its parents, subsidiaries, affiliates, current principals, or past principals (who were principals of the applicant business within the last three (3) years) in any jurisdiction:

a. been cited for contempt of any court, grand jury, or legislative, civil, criminal or administrative body?
 Yes No

b. entered a plea of nolo contendere, judicial consent decree, administrative order on consent or similar agreement, or been the subject of a default decree?
 Yes No

c. been subject to an injunction in any judicial action or proceeding ?
 Yes No

d. been granted immunity from prosecution for any conduct constituting a crime under state for federal law?
 Yes No

e. refused to testify or answer any question in any criminal, civil or administrative proceeding?
 Yes No

f. been the subject of administrative charges for which the potential sanction was suspension or revocation of a license, permit or registration or a fine, penalty or settlement of \$5,000 or more?
 Yes No

If you answered “yes” to any of the questions 31(a)-(f) above, provide the following details.

Name	Name and Address of Court or Agency	Nature of Proceedings or Investigation	Name and Position of Person Who Provided Testimony	Date on Which Testimony was Given	Date of Investigation or Consent Decree

32. Has the applicant business, any of its parents, subsidiaries, affiliates, current principals, or past principals (who were principals of the applicant business within the last three (3) years) ever engaged in, or knowingly permitted to occur any of the following:

a. filed with a government agency or submitted to a government employee, in any jurisdiction, any document which you knew contained a false statement or false information?

_____ Yes _____ No

b. falsified the records of any business or enterprise of any kind?

_____ Yes _____ No

c. given, or offered to give, money or any other benefit to a public servant with intent to influence that public servant with respect to any of his or her official acts, duties or decisions?

_____ Yes _____ No

d. given, or offered to give, money or other benefit to an official or employee of a private business with intent to induce that official or employee to engage in unethical or illegal business practices?

_____ Yes _____ No

e. given, or offered to give, money or thing of value to a labor official with intent to influence that labor official with respect to any of his or her official acts, duties or decisions as a labor official?

_____ Yes _____ No

f. given any money or thing of value to a labor union or labor official or representative that was not expressly permitted by section (c) of the Taft-Hartley Act, 29 U.S.C. Section 186?

_____ Yes _____ No

If you answered "yes" to any of the questions 32(a)-(f) above, provide the following details.

Name of Labor Union or Organization	Name of the Agency Involved	Name of the Public Official Involved	Date of Occurrence	Amount of Money Involved	Document Involved

33. Has the applicant business, any current principals, or any past principals (who were principals of the applicant business within the last three (3) years) ever been subject to any investigation by a municipal, state or federal agency of any alleged violation of civil law involving racketeering or the potential forfeiture of any asset?
 _____ Yes _____ No

If you answered "Yes," provide the following details.

Name	Agency or Court	Nature of Investigation or Charges	Indictment, Docket, or Index No.	Status

*34. Are there any other charges, including, but not limited to, administrative charges by municipal, state or federal agencies, such as the Department of Health, Department of Environmental Protection, Environmental Protection Agency, Department of Labor, or Occupational Safety and Health Administration, presently pending against the applicant business or any current or past principal of the applicant business?
 _____ Yes _____ No

If "yes," provide the details below.

Agency or Court	Nature of the Investigation/Charges	Status

PART III – FINANCIAL INFORMATION

35. **Financial Accounts.** List each financial account, domestic or foreign, used by the applicant business during the past five (5) years, including but not limited to, any right of ownership in, control over or interest in any bank account, safe deposit box, credit union, accounts at brokerage firms or other financial institutions, regardless of whether such account was held in the name of the corporation, a nominee of the corporation or was otherwise under the direct or indirect control of the corporation, and provide the following information.

Type of Account	Name and Address of Financial Institution	Account No.	Name & Telephone No. of Account Officer	Names and Addresses of All Persons Authorized to Sign on Behalf of Applicant Business

36. **Real Property.** List below each direct or indirect interest in real property currently held by the applicant business. If none, state "none."

Address	Person or Entity From Whom Acquired	Co-Owners & Addresses	Approximate Purchase or Rental Cost	Approximate Current Value

37. **Loans Owed to Applicant Business.** List below all loans made or notes held by applicant business in excess of \$5,000 which are currently outstanding. (This refers to monies that are owed to the applicant business). If none, state "none."

Name and Address of Debtor	Original Amount & Date of Loan	Terms of Loan & Security, if any	Approximate Balance Outstanding

38. **Indebtedness.** List below any indebtedness, including, but not limited to, loans, lines of credit, and mortgages on real property (other than primary residence) in excess of \$5,000 owed by the applicant business. If none, state "none."

Name and Address of Creditor	Account No.	Amount of Indebtedness	Maturity Date	Terms of Payment	Name and Telephone No. of Loan Officer

Tax ID or SSN: _____

39. In the past ten (10) years, has the applicant business, its parents, subsidiaries or affiliated companies or any predecessors of these companies ever been subject to the appointment of an independent auditor, monitor, receiver or trustee or subject to forfeiture?

_____ Yes _____ No

If "Yes," provide the information below.

Name	Name and Address of Auditor, Monitor, Receiver or Trustee	Nature of Audit, Monitorship, Receivership or Trusteeship	Dates of Audit, Monitorship, Receivership or Trusteeship

40. **Bankruptcy.** Has the applicant business, its parents, subsidiaries, affiliates or any predecessors of these companies had any petition under any provision of the Federal Bankruptcy Act or under any State insolvency law filed by or against it in the last ten (10) years?

_____ Yes _____ No

If "yes," **attach a copy of the petition** and provide the information below:

Name of Petitioner	Court/ Jurisdiction & Docket No.	Date of Filing	Status

41. Have the applicant business and all current principals of the applicant business filed all required tax returns (including, but not limited to, income, business, unincorporated business, sales, commercial rent, property taxes on New York City realty, and unemployment insurance returns) for each of the past three (3) years by the due date or within a properly obtained extension period?

_____ Yes _____ No

If “no,” provide the following information:

- a. The year(s) in which the applicant business or principal did not file by the due date or a properly obtained extension, the type of return involved, and, where applicable, whether the delayed filing relates to Federal, State or Local tax returns.

- b. The address of the applicant business or principal during the year(s) in question.

- c. The date(s) when the applicant business or principal filed the late return(s).

- d. The reason(s) for the late or non-filing.

- e. Any penalty assessed for the year(s) in question.

42. Has the applicant business and all principals of the applicant business paid all federal, state and local income and business taxes for which applicant business or principal is liable for the three (3) years preceding the date this application is submitted?

If “no,” explain why not. **(If the applicant business or any of the principals is contesting such taxes in a pending judicial or administrative proceeding, please attach the relevant documentation.)**

43. **Tax Liens.** List below any tax liens entered against the applicant business or any of its current principals by any tax authority. If none, state "none."

Name of Tax Lien Debtor	Name of Tax Authority	Original Amount of Tax Lien	Date Lien Entered & Docket No.	Amount Outstanding

44. List below any monies currently owed by the applicant business or principal to tax authorities, other than those tax debts for which liens have been entered against the applicant business or principal already listed in Question #43 above. Indicate the status of the matter (i.e., the date by which applicant business or principal will make payment, whether the tax authorities have instituted proceedings against the applicant, etc.). If none, state "none."

Name	Name of Tax Authority	Date	Amount	Status

45. Identify all persons or entities from whom the applicant business or any principal has received gifts valued at \$1,000 or more during the past three (3) years. If none, state "none."

Source of Gift, Including Name and Address	Recipient	Relationship of Source of Gift to Applicant	Nature and Amount of Gift	Date of Gift

Tax ID or SSN: _____

46. List all persons or entities to whom/which the applicant business or any principal of the applicant business has given has given gifts valued at \$1,000 or more during the past three (3) years, excluding any organization recognized by the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code. If none, state "none."

Recipient	Identify Principal Who Gave Gift, If Applicant Business, So State	Relationship of Recipient to Applicant Business or Principal	Nature and Amount of Gift	Date of Gift

SCHEDULE A – PRINCIPALS OF APPLICANT BUSINESS

	Principal #1	Principal #2
Name (First, Middle, and Last; include maiden name where applicable)		
Home Address(es)		
Home Telephone Number(s)		
Fax Number(s)		
Cellular Number(s)		
Date of Birth		
Social Security Number(s)		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (date) to (date)		
% of ownership		
Number of shares		

Tax ID or SSN: _____

SCHEDULE A – PRINCIPALS OF APPLICANT BUSINESS (cont.)

	Principal #3	Principal #4
Name (First, Middle, and Last; include maiden name where applicable)		
Home Address(es)		
Home Telephone Number(s)		
Fax Number(s)		
Cellular Number(s)		
Date of Birth		
Social Security Number(s)		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (date) to (date)		
% of ownership		
Number of shares		

Tax ID or SSN: _____

CERTIFICATION

This certification must be completed by the applicant business and all of its principals before a notary public.

ANY MATERIAL FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OR REVOCATION OF A PUBLIC WHOLESALE MARKET LOADING LICENSE, THEREBY PRECLUDING THE APPLICANT FROM OPERATING AS AN LOADER IN THE CITY'S PUBLIC WHOLESALE MARKETS. IN ADDITION, SUCH FALSE SUBMISSION MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state: that I am
(Full Name)

_____ of _____; and
(Title/Position) (Applicant Name)

I have read and understood the questions contained in the attached application and its attachments, which consists of _____ pages; and to the best of my knowledge the information given in response to each question and in the attachment is full, complete and truthful; that the New York City Business Integrity Commission and the New York City Department of Investigation may, by any means they or each of them deem appropriate, determine the accuracy and truth of the statements made in this application; and that all the information submitted is for the express purpose of inducing the Business Integrity Commission to issue the applicant an loading license to operate in the City's public wholesale markets.

(Signature of Applicant's Principal)

By: _____
(If corporation or partnership, state title)

Sworn to before me

this _____ day of _____, 20 _____

Notary Public

RELEASE AUTHORIZATION FOR APPLICANT

I, _____, am the _____ and a principal of _____
(Print Name) (Title/Position)
_____ (the "Applicant"); I am over the
age of 21 and I have the authority to execute this release on behalf of the applicant.

The applicant has authorized the New York City Business Integrity Commission ("Commission") to conduct an investigation into its background and the background of its principals, affiliates, agents and employees for the purpose of determining whether the applicant meets the licensing standards set forth in Local Law 28 of 1997 and Local Law 50 of 1997 of the City of New York.

The applicant hereby authorizes any and all of the entities and individuals described below to release to the Commission any and all information, documentary or otherwise, pertaining to the applicant and/or its principals, affiliates, agents and employees as may be requested by the Commission. Any such information may be requested by and released to any employee, agent or representative of the Commission.

The applicant hereby authorizes the release of any such information by any federal, state, local, or foreign government or agency, any private organization or entity, and/or any individual in his or her personal or professional capacity. These entities and individuals include, but are not limited to, accountants, attorneys, banks, bookkeepers, common carriers, courts, credit reporting companies, data systems management companies, educational institutions, employee benefits managers, employees of the applicant, employers of the applicant's principal(s), financial institutions, internet service providers, investigative firms, investment firms, labor unions, law enforcement agencies, media companies, motor vehicle departments, pension funds, probation departments, selective service boards, taxing authorities, telecommunications companies and utilities.

This release shall apply to any such entities and individuals wherever they may be located, within or without the City of New York, State of New York, or United States of America. They may convey information in whatever form and by whatever means requested by the Commission, whether by telephone, fax, mail, computer media or by any other means.

This release authorization is effective for a period of five years as of the date set forth below. A photocopy or fax of this authorization will be construed as valid as though it were the original.

In connection with the release of information pursuant to this authorization, the applicant hereby waives the benefit of any confidentiality agreement and of any privileges pertaining to confidentiality and any rights to privacy that may be accorded by federal, state or local law.

The applicant, in addition, hereby waives all liability as to the City of New York, the Commission, and its instrumentalities and agents for any and all damages that might arise in connection with the investigation of the applicant or from the release of any information resulting from such investigation, other than a willful, unlawful disclosure or publication.

NOTICE TO ENTITIES AND INDIVIDUALS RELEASING INFORMATION: The applicant hereby waives any right to be notified when an entity or individual releases information pursuant to this authorization and hereby authorizes the Commission to direct any such entity or individual not to provide such notification

Sworn to before me

(Signature of Applicant's Principal)

This _____ day of _____, 20 ____

By: _____
(If corporation or partnership, state title)

Notary Public

6/05

Tax ID or SSN: _____