

SUPPLEMENTAL ENTITY PREQUALIFICATION

Supplemental Entity Prequalification Application

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Supporting Documents

Entity Information Documents

- Copy of Governing Documents (e.g., Operating Agreement, Bylaws)
- Certificate of Good Standing
- Approval to Conduct Business Transactions in Michigan (if applicable)
- Certificate of Assumed Name (if applicable) (obtained from LARA Corporations Division)
- Authorizing Resolution

Debt, Insolvency, or Bankruptcy Documents

- Copy of Discharge Documentation (if applicable)

Tax Liability and Delinquency Documents

- Copy of Initial Notice and Notice of Release (if applicable)
- Copy of Payment Plan Documentation (if applicable)

Regulation Documents

- Copy of Marijuana Licenses (if applicable)
- Copy of Any Other Commercial Licenses or Any Comparable License from Other Jurisdictions (if applicable)
- Summary of Facts and Circumstances Concerning License Denial, Restriction, Revocation, Suspension, or Nonrenewal (if applicable)

Litigation Documents

- Copy of Complaint (if applicable)
- Copy of Judgment (if applicable)

SUPPLEMENTAL ENTITY DEMOGRAPHICS

DEMOGRAPHIC INFORMATION

Please provide the following information regarding the supplemental entity.

Entity Name (as appears on official business documents)	Assumed Name (attach copy of filed assumed name certificate, if applicable)
Entity Mailing Address	FEIN
City State Zip Code	Entity Phone Entity Email Address

PERSON COMPLETING APPLICATION

Please provide the following information regarding the person completing this application.

Name (First, Middle, Last)	Date of Birth (mm/dd/yyyy)
Mailing Address	Phone
City State Zip Code	Email Address

<u>VALIDATION - FOR DEPARTMENT USE ONLY</u>
CRA RECEIPT

ATTESTATION A – ENTITY
ACKNOWLEDGMENT, AGREEMENT, & CONSENT
(To be completed and submitted by the applicant)

On behalf of _____, I _____,
Name of Entity Name & Title of Individual Authorized to Sign on Behalf of Entity

acknowledge that I am the person responsible for submitting this application and supporting documents.

I hereby acknowledge that the Cannabis Regulatory Agency (Agency) may require supplemental materials in order to carry out its statutory duties. I hereby agree to submit such supplemental materials as requested by the Agency in a timely manner. I understand that if the Agency identifies a deficiency in an application, the Agency shall notify the applicant and the applicant shall submit the missing information or proof that the deficiency has been corrected to the agency within 5 days of the date the applicant received the deficiency notice. I acknowledge that failure to provide requested disclosures and documentation or to correct any notice of deficiency within 5 days of its receipt may result in the **denial** of an application.

I hereby acknowledge that any issuance of a license is a privilege. I have the responsibility to prove that it is eligible, suitable, and qualified to be licensed. I must accept any risk of adverse public notice, embarrassment, criticism, or other action, or financial loss, which may result from action with respect to an application or the public disclosure of information requested in this application, and expressly waive any claim for damages as a result thereof. Information not called for in this application or in addition to that provided in response to this application, may be requested.

I, as the applicant submitting this application, hereby certify that I do not have an interest in any other state operating license that is prohibited by the Medical Marihuana Facilities Licensing Act, 2016 PA 281 (MMFLA).

I hereby acknowledge that I am under a continuing duty to promptly disclose to the Agency any changes in the information provided in the application and supporting documents submitted to the Agency. To comply with this requirement, I hereby acknowledge that I must submit a letter to the Agency stating any changes with reference to the specific information within the application to which the changes pertain.

I hereby consent to investigations of compliance, regular inspections, examinations, searches, seizures, and auditing of books and records as provided in MMFLA Section 303(1)(c)(i) to (iv) and the MMFLA Administrative Rules, and to disclose to the Agency and its agents of otherwise confidential records, including tax records held by any federal, state, or local agency, or credit agency or financial institution, while applying for or holding a state operating license. This consent is authorization to review and inspect tax records administered under the Michigan Revenue Act, 1941 PA 122.

I hereby acknowledge that the finding of prequalification status for a pending application is valid for two years after the Agency issues a notice of prequalification status unless otherwise determined by the agency. The entity understands that after two years have expired, the entity may be required to submit a new application and pay a new nonrefundable application fee.

ATTESTATION B – ENTITY
AUTHORIZATION TO RELEASE INFORMATION
(To be completed and submitted by the applicant)

To all courts, probation departments, selective service boards, employers, educational institutions, banks, financial and other such institutions, and all governmental agencies federal, state and local, without exception, both foreign and domestic:

On behalf of _____, I _____,
Name of Entity Name & Title of Individual Authorized to Sign on Behalf of Entity

authorize the Cannabis Regulatory Agency (Agency) and its agents to conduct a full investigation into the background and activities of the applicant for purposes of determining the applicant’s eligibility for a marijuana facility prequalification and state operating license.

I understand that by the signing of this authorization, a financial background check will be performed. I authorize any financial institution to surrender to the Agency a complete and accurate record of such transactions that may have occurred with that institution, including, but not limited to, internal banking memoranda, past and present loan applications, financial statements and any other documents relating to my personal financial records in whatever form and wherever located. I authorize my employers to release any employment information required to validate my financial history. I understand that the financial background check will include a credit history examination and that my credit report, credit history, and credit capacity information will be obtained.

I understand that by signing this authorization, a financial background check of my tax filing and tax obligation status will be performed. I authorize my respective state taxing agency to surrender to the Agency a complete and accurate record of any and all tax information or records relating to me for the purposes of this application. I authorize the Agency to obtain, receive, review, copy, discuss, and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as “confidential” or “nonpublic” under the provisions of state or federal laws.

I understand that by signing this authorization, a criminal history background check will be performed. I authorize the Agency to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located for purposes of completing this application. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and the sentence was discharged pursuant to law. I authorize the release of this type of information, even though this record may be designated as “confidential” or “nonpublic” under the provisions of state or federal laws.

Therefore, you are hereby authorized to release any and all information pertaining to this applicant, documentary or otherwise, as requested by any employee or agent of the Agency, provided that he or she certifies to you that said applicant has an application pending before the Agency or that said applicant is a licensee or other person required to be qualified under the provisions of the Michigan Medical Marijuana Facilities Licensing Act (MMFLA).

This authorization shall supersede any prior request or authorization to the contrary and shall be in effect during the pendency of this application. A photocopy of this authorization will be considered as effective and valid as the original.

ATTESTATION C – ENTITY
VERIFICATION & AFFIDAVIT OF FULL DISCLOSURE
(To be completed and submitted by the applicant)

Add additional pages of this form if authorizing more than one contact person.

On behalf of _____, I _____,
Name of Entity Name & Title of Individual Authorized to Sign on Behalf of Entity

confirm the following:

1. I am the individual responsible for submitting this application and have full authority to execute this affidavit of full disclosure.
2. I authorize _____ to be a contact person for the Cannabis Regulatory Agency (Agency). I understand that this person will have access to records and material submitted to the Agency for the purposes of this application. Further, I understand that this person will retain access and receive communication from the Agency regarding the applicant/licensee until the applicant/licensee submits an official request to remove this person's access and cease communication with this person. Please provide the information for this contact person below.

E-mail Address: _____ Phone Number: _____

Accele Citizen Access Login User ID (if applicable): _____

3. I authorize the person listed as the Person Completing Application within the demographic section of the application to be a contact person for the Agency. I understand that this person will have access to records and material submitted to the Agency for the purposes of this application. Further, I understand that this person will retain access and receive communication from the Agency regarding the applicant/licensee until the applicant/licensee submits an official request to remove this person's access and cease communication with this person.
4. I affirm that the information contained in this application is true, complete, and accurate to the best of my knowledge and belief.
5. Except as reported in this application, I have no agreements or understandings with any person or entity and no present intent to hold as agent, nominee, or otherwise any interest in the application.
6. Except as reported in this application, I have no agreements or understanding with any person or entity and no present intent to pay any sums of money or give anything of value as, including but without limitation, a finder's fee or commission to any person or entity related to the interest in this application.
7. I understand that the entity has an ongoing obligation to notify the Agency should the entity enter into any such agreement contemplated by this attestation.

ATTESTATION D – ENTITY
ACKNOWLEDGMENT OF FEDERAL LAW & RELEASE OF LIABILITY
(To be completed and submitted by the applicant)

On behalf of _____, I _____,
Name of Entity Name & Title of Individual Authorized to Sign on Behalf of Entity

hereby acknowledge and affirm the following:

The Federal Controlled Substances Act, Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. § 801 *et seq.*, regulates marijuana as a Schedule I controlled substance, for which there is “no currently accepted medical use in treatment in the United States.” 21 U.S.C. § 812(b)(1)(B). Although the State of Michigan has recognized and authorized the use of medical marijuana pursuant to the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430, has authorized the issuance of state operating licenses to medical marijuana facilities pursuant to the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 to MCL 333.27801, and has provided for a statewide monitoring system in the Marihuana Tracking Act, 2016 PA 282, MCL 333.27901 to 333.27904, these state authorized activities remain prohibited by federal law.

I understand that a state operating license does not insulate or shield me or my business from federal seizure and/or forfeiture as allowed by federal law and does not insulate me from federal criminal arrest and/or prosecution.

I understand that choosing to file an application for a state operating license and, if issued a license, choosing to establish and operate a marijuana facility pursuant to that license, is done so at my own risk.

By my signature and attestation to this form, I hereby completely release and forever discharge the State of Michigan, the Michigan Department of Licensing and Regulatory Affairs, the Cannabis Regulatory Agency, and its respective employees, agents, facilities, insurers, indemnors, successors, heirs and/or assigns from any and all past, present or future claims, demands, obligations, actions, causes of action, wrongful death claims, rights, damages, costs, losses of services, expenses and compensation of any nature whatsoever, whether based on a tort, contract or other theory of recovery, which I may now have, or which may hereafter accrue or otherwise be acquired, on account of, or may in any way arise out of my application for a state operating license and, if issued a license, my operation of a marijuana facility.

ATTESTATION F – SUPPLEMENTAL ENTITY
CONFIRMATION OF TAX COMPLIANCE

(To be completed by the designee of the Michigan Department of Treasury and submitted by the applicant)

PART A (to be completed by the applicant before submitting to the Department of Treasury):

On behalf of _____, I _____,
Name of Entity Name & Title of Individual Authorized to Sign on Behalf of Entity

understand that I am submitting this Attestation in compliance with the Medical Marihuana Facilities Licensing Act (MMFLA) and the Administrative Rules. I hereby attest that the statements that will be confirmed in Part B below are true to the best of my knowledge and belief. I further affirm that if I have been making sales, I am registered and remitting sales tax to the Michigan Department of Treasury, as required.

The Revenue Act, 1941 PA 122, MCL 205.28(1)(f), makes taxpayer information acquired in the administration of a tax confidential. I authorize the Michigan Department of Treasury to furnish tax returns and provide tax return information to the Cannabis Regulatory Agency for the limited purpose of determining my qualification and fitness for licensure under MMFLA. This limited authorization relates to all tax types administered under the Revenue Act. This limited authorization continues for two years from the date of my signature below or until the applicant is no longer licensed, whichever is later.

 Signature of Individual Authorized to Sign on Behalf of Entity _____
Date

 Entity FEIN

Return Address for Completed Form:

 Name

 Representative Name (if applicable)

 Return Email Address or Mailing Address

 Phone Number

Treasury Phone: 517-636-6925 | Treasury Email: Treas-MI-Marihuana-Tax@michigan.gov

PART B (to be completed by a designee of the Michigan Department of Treasury and returned to the applicant):

I, _____ (designee) of the Michigan Department of Treasury, hereby confirm to the Cannabis Regulatory Agency (Agency) that the applicant for a state operating license as named above in Part A:

- does not have a federal employer identification number, therefore, Treasury cannot verify the applicant has no delinquency in payments.
- has no delinquency in payments and has satisfied all obligations for any sales or any other taxes that were to be levied on the sale of marijuana in accordance with the treasury bulletin titled “Marihuana Provisioning Center Tax and Sales and Use Tax Treatment of Marihuana” which was issued January 18, 2018 as updated. This attestation is provided in accordance with the Medical Marihuana Facilities Licensing Act, 2016 PA 281 (MMFLA), and the Administrative Rules.

So long as Treasury can verify the applicant has no delinquency in payments, I further confirm that:

1. The applicant is in good standing with the Michigan Department of Treasury for any taxes for which the applicant is responsible.
2. There are no outstanding obligations for any taxes levied for which the applicant is responsible.
3. Any tax delinquencies for which the applicant is responsible, have been satisfied, if applicable.

 Signature of Treasury Designee _____
Date

ACKNOWLEDGMENT OF ATTESTATIONS

(To be completed and submitted by the applicant)

Do not sign until notary is present

On behalf of _____, I _____,
Name of Entity Name & Title of Individual Authorized to Sign on Behalf of Entity

hereby swear, acknowledge, and consent to the following attestations (check all that apply to indicate the applicant's acknowledgment and consent):

- Attestation A: Acknowledgment, Agreement & Consent
- Attestation B: Authorization to Release Information
- Attestation C: Verification & Affidavit of Full Disclosure (with contact designated, if applicable)
- Attestation D: Acknowledgment of Federal Law & Release of Liability
- Attestation F: Confirmation of Tax Compliance

Further, I affirm, under the penalties of perjury, that the information set forth in this application and all supporting documents is true, complete, and correct, and that no material information has been omitted.

Signature of Individual Authorized to Sign on Behalf of Entity Date

Subscribed and sworn to by _____ before me on _____.
(Authorized Individual Name) (Date)

(Notary Public Signature) (Notary Public Printed Name)

State of _____, County of _____, Acting in the county of _____,
(County) (State)

My commission expires: _____.

DISCLOSURE 1 – SUPPLEMENTAL ENTITY INFORMATION

Entity Name _____	Phone No. _____
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(1) ENTITY STRUCTURE

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Limited Liability Company (LLC) | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Privately Held Corporation | <input type="checkbox"/> Trust |
| <input type="checkbox"/> Publicly Held Corporation | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Publicly Held Corporation | |

(2) ENTITY PRIOR NAMES

Provide any prior name used by the entity during the past 3 years, if applicable. Add additional pages if necessary.

Entity Prior Name	Date Use Began	Date Use Ceased

(3) ENTITY PRIOR ADDRESSES

Provide any prior address used by the entity during the past 3 years, if applicable. Add additional pages if necessary.

Entity Prior Street Address	City, State, Zip Code	Date Use Began	Date Use Ceased

(4) ENTITY OTHER BUSINESS INTERESTS

Provide any other business interests of the supplemental entity, regardless of whether the business is related to the marijuana industry. Add additional pages if necessary.

Name of Other Business Interest	Type of Business Entity (e.g., LLC, Corporation, Sole Proprietor, etc.)	Type of Business Conducted	Extent of Involvement

DISCLOSURE 5 - TAX & TAX COMPLIANCE

Entity Name	Phone No.
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(1) TAXING AGENCIES

Has the supplemental entity been subject to taxation during the last year?

Yes No

If you answered **yes**, provide the information requested below for each federal, state, local, and foreign jurisdictions in which the supplemental entity was subject to taxation during the last year. Add additional pages if necessary.

Taxing Agency	Type of Tax (E.g., Federal income tax, state income tax, sales tax)

(2) TAX COMPLIANCE

Has the supplemental entity ever been served with, or had filed against it, a complaint or other notice regarding the delinquent payment of any tax required under federal, state, local, or foreign jurisdictions?

Yes No

If you answered **yes**, provide the requested information for each delinquent tax payment and provide all applicable required supporting documents (e.g., copy of notice of tax liability due). Add additional pages if necessary.

Taxing Agency	Type of Tax	Tax Year	Amount	Disposition

DISCLOSURE 6 - GOVERNMENT REGULATION

Entity Name _____	Phone No. _____
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Is the supplemental entity subject to regulation by a public agency in any other jurisdiction (e.g., Does the supplemental entity hold any license, certificate, permit, etc., that is regulated by a department of a local, state, federal, or foreign government)?

Yes No

Does the supplemental entity hold any commercial licenses? (Not including the license in which they are currently applying.)

Yes No

Has the supplemental entity ever applied for or been granted any commercial license or certificate issued by a licensing authority in Michigan, or any other jurisdiction, that has been denied, restricted, suspended, revoked, or not renewed?

Yes No

(1) MARIJUANA BUSINESS INTERESTS

Provide the requested information for any interest that the supplemental entity has in any other corporation, partnership or other business entity that is directly or indirectly involved in the *growing, processing, testing, transporting, or sale of marijuana*. Add additional pages if necessary.

Marijuana Business Entity Name	License Number	State of Issuance	Country of Issuance

(2) COMMERCIAL LICENSES OR CERTIFICATES

Provide the requested information for all non-marijuana commercial licenses or certificates held by the supplemental entity. Add additional pages if necessary.

License or Certificate Type	License Number or Other Identifying Number	Issuing Agency

DISCLOSURE 6 - GOVERNMENT REGULATION, CONTINUED

Entity Name _____ Phone No. _____

(3) COMMERCIAL LICENSES OR CERTIFICATES DENIED, RESTRICTED, SUSPENDED, REVOKED, OR NOT RENEWED

Provide the requested information for all commercial licenses or certificates with which the supplemental entity has had an application or license denied, restricted, suspended, revoked, or not renewed. Add additional pages if necessary.

#	License or Certificate Type	License Number or Other Identifying Number	Issuing Agency
1	Action Taken	Reason for Action	
	Date Action Taken		
#	License or Certificate Type	License Number or Other Identifying Number	Issuing Agency
2	Action Taken	Reason for Action	
	Date Action Taken		
#	License or Certificate Type	License Number or Other Identifying Number	Issuing Agency
3	Action Taken	Reason for Action	
	Date Action Taken		

(4) PENDING LICENSES OR CERTIFICATES

Disclose any application for a commercial license or certificate in this state or any other jurisdiction that is currently pending and for which a determination has not been made. Do not include this current application for a marijuana license or any commercial license or certificate previously disclosed on this application. Add additional pages if necessary.

License or Certificate Type	Issuing Agency	Application Number or Other Identifying Number

DISCLOSURE 8 – LITIGATION HISTORY

Entity Name _____	Phone No. _____
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(1) LITIGATION HISTORY

Has the supplemental entity been a party to any litigation during the past five years (e.g., fraud, environmental, food safety, alcohol, tobacco, labor, employment, worker's compensation, discrimination, and tax laws and regulations)?

Yes No

If you answered **yes**, provide the requested information for all litigation related to the main applicant entity (e.g., fraud, environmental, food safety, labor, employment, worker's compensation, discrimination, and tax laws and regulations) pending or concluded, for the past 5 years. Add additional pages if necessary.

Case Caption	Docket/Case No.	Name & Location of Court	Cause of Action	Disposition

(2) PENDING LITIGATION

For any cases that are currently initiated or pending, provide a brief explanation regarding the allegations of the case. Add additional pages if necessary.

(3) GOVERNMENT CHARGES & INVESTIGATIONS

Disclose any charges and government investigations, whether initiated, pending, or concluded, related to the supplemental entity's business operations unless they have been previously disclosed on this application (e.g., fraud, environmental, food safety, alcohol, tobacco, labor, employment, worker's compensation, discrimination, and tax laws and regulations). Add additional pages if necessary.
