

CALIFORNIA GAMBLING CONTROL COMMISSION

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Memorandum

Date: August 24, 2023

To: Paula LaBrie, Chairperson
Cathleen Galgiani, Commissioner
Eric Heins, Commissioner
William Liu, Commissioner
Edward Yee, Commissioner

Cc: Stacey Luna Baxter, Executive Director
Regulations Rulemaking List

Via: Rebecca Kirk, Deputy Director, Legislative and Regulatory Affairs

From: Josh Rosenstein, Regulatory and Legislative Specialist

Subject: Consideration of Regulations Concerning Spousal Licensing

Introduction

On October 19, 2022, the California Gambling Control Commission (Commission) held a public meeting in conjunction with a 45-day comment period for a rulemaking action titled Spousal Form Update, CGCC-2022-02-R.¹ In advance of the meeting and at the public meeting itself, the Commission received multiple comments that were not on the topic of the proposed rulemaking action. These comments were related to the licensing requirements for spouses who hold a community property ownership interest in a cardroom or third-party provider of proposition player services (TPPPS), but are uninvolved in the business. The Commission rejected these comments in the context of the rulemaking action, but also instructed Commission staff to conduct additional research and consider possible options for a future possible rulemaking action regarding the concerns raised by industry representatives.

Additionally, in May and July 2023, the Commission received additional comments from industry representatives in the context of licensing applications from individuals who had not yet substantiated declarations that their ownership interest in the cardroom or TPPPS is sole and separate property, to the satisfaction of the Bureau in accordance with current regulations. In some cases, these comments were more broadly related to the current regulations regarding substantiation of a sole and separate property

¹ OAL Matter Number 2023-0510-02, approved June 22, 2023, effective October 1, 2023

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declaration and licensing requirements for spouses who hold a community property ownership interest in a cardroom or TPPPS, rather than directly limited to the individual applications being considered.

After conducting its review and in response to the comments, Commission staff has prepared additional background information and two options for the Commission's consideration.

Pertinent Statutory Requirements

Business and Professions Code section 19823.

(a) The responsibilities of the commission include, without limitation, all of the following:

(1) Assuring that licenses, approvals, and permits are not issued to, or held by, unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.

(2) Assuring that there is no material involvement, directly or indirectly, with a licensed gambling operation, or the ownership or management thereof, by unqualified or disqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.

(b) For the purposes of this section, "unqualified person" means a person who is found to be unqualified pursuant to the criteria set forth in Section 19857, and "disqualified person" means a person who is found to be disqualified pursuant to the criteria set forth in Section 19859.

Business and Professions Code section 19850.

Every person who, either as owner, lessee, or employee, whether for hire or not, either solely or in conjunction with others, deals, operates, carries on, conducts, maintains, or exposes for play any controlled game in this state, or who receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, or carrying on any controlled game in this state, shall apply for and obtain from the commission, and shall thereafter maintain, a valid state gambling license, key employee license, or work permit, as specified in this chapter. In any criminal prosecution for violation of this section, the punishment shall be as provided in Section 337j of the Penal Code.

Business and Professions Code section 19851.

(a) The owner of a gambling enterprise shall apply for and obtain a state gambling license. The owner of a gambling enterprise shall be known as the owner-licensee.

(b) Other persons who also obtain a state gambling license, as required by this chapter, shall not receive a separate license certificate, but the license of every such person shall be endorsed on the license certificate that is issued to the owner of the gambling enterprise.

Business and Professions Code section 19852.

Except as provided in Section 19852.2, an owner of a gambling enterprise that is not a natural person shall not be eligible for a state gambling license unless each of the

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following persons individually applies for and obtains a state gambling license:

...

(h) Each person who receives, or is to receive, any percentage share of the revenue earned by the owner from gambling activities.

...

Business and Professions Code section 19984.

Notwithstanding any other law, a licensed gambling enterprise may contract with a third party for the purpose of providing proposition player services at a gambling establishment, subject to the following conditions:

...

(b)(1) The commission shall establish reasonable criteria for, and require the licensure and registration of, any person or entity that provides proposition player services at gambling establishments pursuant to this section, including owners, supervisors, and players. The commission may impose licensing requirements, disclosures, approvals, conditions, or limitations as it deems necessary to protect the integrity of controlled gambling in this state, and may assess, and the department may collect, reasonable fees and deposits as necessary to defray the costs of providing this regulation and oversight.

...

Background

On January 1, 2021, the Commission's rulemaking action, titled Licensing (CGCC-GCA-2020-01-R, Office of Administrative Law [OAL] Matter Number 2020-1013-02S) became effective. The primary goal of the Licensing rulemaking action was to standardize disparate cardroom and TPPPS processes for consistency. In part, these regulations were in response to a recommendation from the California State Auditor's Office (State Auditor) that recommended "[i]n revising its regulations, the [C]ommission should increase consistency across application types while minimizing risk to the public."²

In developing the Licensing rulemaking action to increase consistency between cardroom and TPPPS licensing processes, regulations governing many previous processes were amended in one of the following ways:

- Establishing the previous cardroom process as the standardized process, also applicable to TPPPS.
- Establishing the previous TPPPS process as the standardized process, also applicable to cardrooms.
- Establishing a new or hybrid process as the standardized process applicable to both cardrooms and TPPPS.

² California State Auditor (May 2019). Bureau of Gambling Control and California Gambling Control Commission: Their Licensing Processes are Inefficient and Foster Unequal Treatment of Applicants (Report 2018-132). Page 53.

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As part of the extensive Licensing rulemaking action, the existing spousal processes were repealed. It is important to note that prior to this rulemaking action, there were two different spousal processes, one for cardrooms and one for TPPPS. This is an important distinction, because prior to the January 1, 2021, Licensing rulemaking action, the Commission's regulations were inconsistent in how they considered different license types both horizontally (comparing cardroom owners to TPPPS owners) and vertically (comparing cardroom owners to key employees or work permittees).

The cardroom spousal process in place prior to the Licensing rulemaking action was complex, required many forms, and did not require much, if any, substantiation. This former cardroom spousal process, which was repealed as part of the Licensing rulemaking action, involved six unique forms (Attachment 1):

- Cardroom Applicant's Spouse Supplemental Information for a State Gambling License, BGC-APP-009A
- Instructions to Applicant's Spouse, BGC-APP-010
- Applicant's Declaration, Acknowledgement, and Agreement (Community Property Interest), BGC-APP-011
- Applicant's Declaration, Acknowledgement, and Agreement (Sole and Separate Property), BGC-APP-012
- Spouse's Declaration, Acknowledgement, and Agreement (Community Property Interest), BGC-APP-013
- Spouse's Declaration, Acknowledgement, and Agreement (Sole and Separate Property), BGC-APP-014

When filling out an application, the cardroom applicant's spouse³ would first complete the Instructions to Applicant's Spouse, BGC-APP-010. This form provided four different spousal categories, based on whether the spouse was involved in the management of the cardroom and exercised influence or control over the gambling operation, and whether the applicant's ownership interest in the cardroom was their sole and separate property or the spouse held a community property ownership interest.

The descriptions of the four previous cardroom spousal categories provided below are excerpts from Instructions to Applicant's Spouse, BGC-APP-010, with emphasis and the titles for these spousal types added for ease of reference:

1. **Uninvolved Community Property Ownership Interest (Uninvolved CPOI):**
You are the spouse of an applicant, and your sole interest in the gambling establishment is your community property ownership interest. You will exercise no influence or control over the gambling operation and/or will not be involved in the management of the gambling operation.

³ Prior to the Licensing rulemaking action, the former process only applied to an applicant's spouse. As part of the Licensing rulemaking process, this requirement was expanded to include either a spouse or a registered domestic partner.

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2. **Uninvolved Sole and Separate Property (Uninvolved SSP):** You are a spouse of an applicant whose ownership interest is his or her sole and separate property. You will exercise no influence or control over the gambling operation and/or will not be involved in the management of the gambling operation.
3. **Involved Community Property Ownership Interest (Involved CPOI):** You are the spouse of an applicant, and your sole interest in the gambling establishment is your community property ownership interest. You may exercise influence or control over the gambling operation and/or be involved in the management of the gambling operation.
4. **Involved Sole and Separate Property (Involved SSP):** You are a spouse of an applicant whose ownership interest is his or her sole and separate property. You may exercise influence or control over the gambling operation and/or may be involved in the management of the gambling operation.

The TPPPS spousal process in place prior to the Licensing rulemaking action simply categorized spouses as individuals who might require licensure, and did not consider any specific category labeling of Uninvolved CPOI, Uninvolved SSP, Involved CPOI, or Involved SSP status. In other words, there was no formal process for TPPPS to designate ownership as community property or sole and separate property, and there was no formal way for TPPPS to request a spouse be designated as uninvolved.

In adopting the Licensing regulations applicable to spouses, the Commission elected to create a new process, one similar to the cardroom's process for determining the status of a spouse, but that utilized the TPPPS process that did not provide a unique category of ownership licensure.

The Licensing rulemaking action which became effective January 1, 2021 repealed the six existing forms and replaced the previous process with a more streamlined process involving only one form, Spousal Information, CGCC-CH2-12 (Attachment 2). This form maintained the purpose of the Instructions to Application's Spouse, BGC-APP-010, in that it was designed to assist an applicant and their spouse in determining which, if any, licensing requirements might be necessary for the spouse, while also incorporating the declarations and acknowledgements previously in the four Declaration, Acknowledgement, and Agreement forms (BGC-APP-011, BGC-APP-012, BGC-APP-013, and BGC-APP-014).

Attachment 3 provides a comparison of the previous spousal requirements for cardrooms and TPPPS, as well as the current spousal requirements applicable to both cardrooms and TPPPS, for each of the four spousal types (Uninvolved CPOI, Uninvolved SSP, Involved CPOI, and Involved SSP). These comparisons are also described below.

Involved Spouses

At a high level, licensure of spouses involved in the management or operation of a cardroom or TPPPS has always been required. The previous cardroom process required Involved CPOI spouses to submit an owner application, while Involved SSP

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spouses were required to submit, at a minimum, a key employee application. The requirements for Involved CPOI/SSP spouses under the Licensing regulations that became effective January 1, 2021 are substantially similar and have changed only as other requirements for owner and key employee applications have changed. (Note: Under the current regulations, an Involved SSP spouse is no longer necessarily required to apply as a key employee; contingent on responsibilities, an Involved SSP spouse may instead be required to apply, at a minimum, for a work permit).

Because the subject of this discussion is Uninvolved CPOI/SSP spouses, the processes for Involved CPOI/SSP spouses will not be discussed further for purposes of this memorandum.

Uninvolved Spouse – Sole and Separate Property

When ownership was the sole and separate property of the applicant, the previous cardroom process required the applicant and spouse to declare, acknowledge, and agree that the spouse did not have any ownership interest, including community property interest, and to indicate whether the spouse had involvement with any management decisions, decision-making processes, or any other conduct that would require licensure. Uninvolved SSP spouses were not required to be licensed. The applicant was required to acknowledge that the spouse could not lawfully engage in any activities requiring licensure, and that engaging in such conduct may result in denial or revocation of the applicant's license. Although the declaration was certified by the applicant under penalty of perjury, the previous process did not require the applicant to provide any documentation supporting the indicated status of the ownership as sole and separate property, with no spousal community property interest.

The previous TPPPS process did not require Uninvolved SSP spouses to be licensed as an owner. Although the previous regulations did not specifically require any documents showing that the ownership was sole and separate property, the Department of Justice's Bureau of Gambling Control (Bureau) had the general authority, and the responsibility, to ensure that the spouse was not required to be licensed.

The current process, which became effective January 1, 2021, implicitly maintains the four categories from the original cardroom licensing process (Uninvolved CPOI, Uninvolved SSP, Involved CPOI, and Involved SSP). Consistent with the previous processes, Uninvolved SSP spouses of cardroom and TPPPS owners are not required to be licensed. The primary difference under the current process is that the regulations now require supporting documentation if the applicant indicates he or she maintains ownership as sole and separate property. The required documentation substantiating that ownership is sole and separate property is one of the following:

1. Any prenuptial, post nuptial, or domestic partnership agreement which confirms the characterization of the applicant's interest in the owner category licensee as sole and separate property and complies with Family Code section 1615.

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2. Any documentation that reflects the applicant's acquisition of the interest in the owner category licensee as sole and separate property through gift or inheritance.
3. Any documentation that demonstrably shows the acquisition of the owner category licensee interest traced to sole and separate property or funds of applicant.
4. Any court orders concerning the ownership characterization of the owner category licensee interest as sole and separate property.

To Commission staff's knowledge, these documents represent the universe of methods through which an ownership interest is legally designated sole and separate property. Therefore, the requirement to provide such documentation should not be significantly burdensome on applicants who do in fact hold their ownership interest as sole and separate property. In addition, by specifically requiring these documents, the Spousal Information form now provides guidance to the applicant and their spouse regarding whether the ownership is, or is not, sole and separate property.

On, May 8, 2023, Commission staff issued *Industry Guidance for Documenting a Sole and Separate Property Interest* (Attachment 4), in response to questions raised regarding specific documentation that meets the requirements in the Spousal Information form to substantiate a declaration of sole and separate property. The Industry Guidance document, which is not itself a regulation, provides additional context and guidance on the Commission's existing regulatory requirements, without establishing any new requirements for an applicant or spouse. The guidance is intended to show how an applicant can assist the Bureau and Commission in making the important determination of whether the Uninvolved spouse of an applicant seeking an owner category license has a community property interest (therefore requiring licensure), or if the ownership interest is held as sole and separate property. This document, in part, provides legal context to the industry and the regulated public on the requirements of California law as it relates to sole and separate property compared to community property.

Uninvolved Spouse with a Community Property Ownership Interest

When an applicant's spouse held a community property interest in the applicant's ownership, but the spouse was declared uninvolved, the previous cardroom process required the applicant and spouse to declare, acknowledge, and agree that the spouse was not involved with any management decisions, decision-making processes, or any other conduct that would require full licensure. However, Uninvolved CPOI were licensed under the previous cardroom process, albeit under a unique category of licensure. The applicant was also required to acknowledge that the spouse could not lawfully engage in any activities requiring full licensure as an owner, and that engaging in such conduct may result in denial or revocation of both the applicant's and the spouse's license. The spouse was also required to pay an application fee and deposit and submit a Cardroom Applicant's Spouse Supplemental Information for a State Gambling License, BGC-APP-009A, which required less information than the Gambling

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Establishment Owner Applicant - Individual Supplemental Background Investigation Information form, BGC-APP-015A (included in Attachment 1).

Under the previous cardroom process, if approved, the spouse was licensed and designated on the cardroom business' license certificate as an "uninvolved spouse of an owner applicant," and was not entitled to engage in any activities or conduct for which another approval by the Commission was required. Additionally, in the Applicant's Declaration, Acknowledgement and Agreement (Community Property Interest, BGC-APP-011), the applicant acknowledged that the Commission's decision to grant the spouse a license as an uninvolved spouse of an owner applicant did not excuse the spouse from having to make a full and complete application for a full owner license if the spouse was directed to do so by the Commission.

The previous TPPPS process required Uninvolved CPOI spouses to be licensed as an owner, following the same process as any other applicant.

Under the process that became effective January 1, 2021, an Uninvolved CPOI spouse is fully licensed as an owner, using the same application and licensure process, and has the same abilities as the applicant, even if such authority is not exercised.

Notably, the previous processes for Uninvolved CPOI spouses of both cardroom and TPPPS owners required licensure of the Uninvolved CPOI spouse, consistent with the current process. The primary difference under the current process, which became effective January 1, 2021, is that the regulations no longer provide for a separate category of licensure for Uninvolved CPOI spouses of cardroom owners.

The Licensing Rulemaking Action

On June 19, 2020, the Commission formally commenced the rulemaking action that resulted in the new process that became effective on January 1, 2021. Prior to this meeting, Commission staff had previously presented the proposed Licensing rulemaking action to the Gaming Policy Advisory Committee at two meetings (June 23, 2016 and November 3, 2016) and held a two-day Commission workshop on August 12-13, 2019. The draft text to require specified documentation to substantiate a declaration of sole and separate property was presented in the two-day Commission workshop on August 12-13, 2019. Although the official commencement of the rulemaking action occurred on June 19, 2020, the Commission provided advanced notice to the industry on April 27, 2020, in order to extend the public comment period (traditionally 45 days) by an additional two months, for a total public comment period of more than three months. Finally, an additional meeting was held by the Commission on September 11, 2020, to consider all formal comments received during the extended public comment period.

As part of that original action, the Commission determined that for Uninvolved SSP, submittal of additional documentation to substantiate a declaration of sole and separate property was necessary to assist the Bureau in verifying the spouse has no community property ownership interest.

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Additionally, for Uninvolved CPOI, the Commission elected to remove the separate distinction for an “uninvolved spouse of an owner applicant” provided in the previous cardroom process and to use the process that existed for TPPPS, to provide that all owners (including CPOI spouses) were required to meet the same standards, and that involvement or uninvolved in the business was not a consideration when the spouse held a community property ownership interest.

These changes standardized the previously disparate cardroom and TPPPS spousal processes for consistency and enhanced compliance with requirements of the Gambling Control Act (Act), which requires all persons identified under Business and Professions Code sections 19850 and 19852 to be licensed, including all individuals and their spouses who own an interest in a cardroom or TPPPS as a community property interest through Commission regulations enacted in part under Business and Professions Code section 19984. Specifically, the Act establishes that the Commission is responsible for “assuring that licenses... are not issued to, or held by, unqualified or disqualified persons...”⁴, that “[e]very person who... receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, or carrying on any controlled game in this state, shall apply for and obtain... a valid state gambling license...”⁵, and that “[e]ach person who receives, or is to receive, any percentage share of the revenue earned by the owner from gambling activities...” must be licensed.⁶ The Act only provides a distinction between two different types of licenses for ownership, the primary business (the license certificate holder – defined as cardroom/TPPPS business licensee in Commission’s regulations) and those endorsed on the license certificate (defined as cardroom/TPPPS endorsee licensee).⁷

Summary of Comments

As part of the recent Spousal Form Update rulemaking action (CGCC-2022-02-R), the Commission received a number of comments expressing concern about the changes made to the licensing requirements during the January 2021 Licensing rulemaking action regarding the required licensure of spouses. Additionally, in May and July 2023, the Commission received additional comments related to the current regulations. A high-level summary of these comments has been provided below,⁸ along with Commission staff’s responses:

- **Comment:** During the former cardroom process, the Bureau would examine whether a spouse had any control or direction over the gambling operation to determine whether to recommend to the Commission that the spouse be

⁴ Business and Professions Code section 19823, subdivision (a)

⁵ Business and Professions Code section 19850

⁶ Business and Professions Code section 19852, subdivision (h)

⁷ Business and Professions Code section 19851

⁸ The full audio recording of the October 19, 2022 Commission meeting is available at http://www.cgcc.ca.gov/documents/audio/2022/Oct_19/10-19-2022.html. Audio recordings of additional Commission meetings are available at <http://www.cgcc.ca.gov/?pageID=2023meetings&pageName=Meetings>.

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licensed. In most cases, spouses were not called forward for licensing. However, the current requirements following the Licensing rulemaking action are requiring a number of spouses who have been married to a licensee for a number of years to now become licensed when licensure was not previously required.

Commission staff response: Licensure was always required for Involved spouses and Uninvolved spouses with a community property ownership interest. The former process was inadequate in that an applicant and spouse's declarations that the ownership interest was sole and separate property were not substantiated or verified. In fact, those declarations attempting to confirm sole and separate property are not sufficient to either rebut the legal presumption of community property or change the character of the property from community property to separate property. If an Uninvolved spouse is required to be licensed now under the current process, it reflects that the spouse was required to be licensed under the prior process due to the existence of a community property ownership interest. The current regulations not only assist the Bureau and the Commission in making the determination of whether the spouse of an owner category license applicant requires licensure, but also assist applicants in ensuring that the applicant's ownership interest is not inadvertently mischaracterized as sole and separate property, which could have adverse consequences for S Corporation status, for instance.

- **Comment:** There does not seem to be a nexus between a spouse benefiting from a licensee's income received from the gambling operation and the need for the spouse's licensure.

Commission staff response: In short, the nexus and the basis for both the current and former regulations is established by statute. As indicated in the Pertinent Statutory Requirements section of this memorandum, multiple statutes require that an individual receiving any direct or indirect percent or share of the revenue received by an owner is required to be licensed. A spouse holding a community property ownership interest receives an indirect percent or share of the revenue received by an owner, and therefore requires licensure under both the current and previous regulations.

- **Comment:** The change in requirements was because in one or two situations, an applicant and spouse gave an untrue characterization of the spouse's relationship to the gambling establishment. A better option would be to enforce existing law by either licensing or disciplining unlicensed spouses who are significantly involved in the gaming operation.

Commission staff response: The change in requirements was made to better ensure compliance with current statutory requirements and case law regarding determinations of the character of community and separate property. Even under the previous regulations, licensure was required when there was a community

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property ownership interest, regardless of the spouse's involvement or lack of involvement in the gaming operation.

- **Comment:** There should not be a need for a prenuptial or post nuptial agreement to demonstrate that the spouse has no ownership interest in a cardroom because shareholder agreements or operating agreements can exclude spouses from being involved in the business and spouses can sign a consent or agreement and be bound by those terms and conditions, including limitations on what can be gained in the event of a divorce.

Commission staff response: Although shareholder or operating agreements can support that a spouse does not have involvement in the business, they do not legally dictate what is or is not community property unless the agreements themselves function to change the character of the property from community to separate property.

- **Comment:** The Spousal Information form modifications that occurred as part of the Licensing regulations were not disclosed in the Licensing rulemaking process, and the industry would have objected to the change if it had been clear at the time.

Commission staff response: This portion of the Licensing regulations was explicitly disclosed and reflected in the rulemaking process, as demonstrated by the rulemaking record. As indicated in the section of this memorandum regarding The Licensing Rulemaking Action, the draft Spousal Information form text requiring documentation to substantiate a declaration of sole and separate property was presented in a Commission workshop on August 12-13, 2019. Commission staff provided advance notice to the industry regarding this rulemaking action on April 27, 2020, nearly two months in advance of the official commencement of the rulemaking action, and provided a total public comment period of more than three months, as opposed to the traditional 45-day public comment period. An additional meeting was held by the Commission on September 11, 2020, to consider all formal comments received during the extended public comment period. One of the public comments received specifically addressed the sole and separate property changes.

- **Comment:** Nevada is a community property state, but it does not require the licensure of Uninvolved CPOI.

Commission staff response: Controlled gaming in California operates under a legal and regulatory structure that differs from that of Nevada in numerous ways.

- **Comment:** Other professional practice acts require licensure, but do not require licensure of a spouse only due to the spouse possessing a community property interest.

Commission staff response: Licensure related to controlled gaming in California is governed specifically by the Gambling Control Act, which requires all persons identified under Business and Professions Code sections 19850 and 19852 to be licensed, including all individuals and their spouses who own an interest in a cardroom or TPPPS as a community property interest through Commission regulations enacted in part under Business and Professions Code section 19984. Specifically, the Act establishes that the Commission is responsible for “assuring that licenses... are not issued to, or held by, unqualified or disqualified persons...”, that “[e]very person who... receives, directly or indirectly, any compensation or reward, or any percentage or share of the money or property played, for keeping, running, or carrying on any controlled game in this state, shall apply for and obtain...a valid state gambling license...”, and that “[e]ach person who receives, or is to receive, any percentage share of the revenue earned by the owner from gambling activities...” must be licensed. Please see the Pertinent Statutory Requirements section for additional information.

- **Comment:** Spouses of TPPPS owner applicants should not be required to be licensed if they are uninvolved with the TPPPS business, even if there is a community property ownership interest in the TPPPS. Statutes governing TPPPS provide the Commission with the discretion to impose licensing requirements as it deems necessary to protect the integrity of controlled gambling in California.

Commission staff response: The primary goal of the Licensing rulemaking action was to standardize disparate cardroom and TPPPS processes for consistency. In part, these regulations were in response to a recommendation from the State Auditor that recommended “[i]n revising its regulations, the [C]ommission should increase consistency across application types while minimizing risk to the public.” Additionally, in part, Business and Professions Code section 19984 requires the Commission to license owners of entities providing proposition player services at gambling establishments, and a spouse with a community property ownership interest is, by definition, an owner.

Options

Commission staff recommends Option 1.

Option 1 – Maintain Current Status Quo

This option would reaffirm the Licensing rulemaking action and maintain consistent licensing requirements for all owners, including Involved SSP, Involved CPOI, and Uninvolved CPOI.

Option 2 – Update Regulations Concerning Spousal Licensing

This option would provide direction to Commission staff to commence a formal rulemaking action to amend existing regulations and the Spousal Information form to

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integrate information, suggestions, and clarifications found in the *Industry Guidance for Documenting a Sole and Separate Property Interest* (May 8, 2023) into the form's instructions. Attachment 5 reflects draft text for potential regulatory amendments, for the Commission's consideration with this Option.

Attachments

1. Selected forms in effect prior to the Licensing rulemaking action that took effect on January 1, 2021:
 - a. Six Spousal Forms for Cardroom Applicants and their Spouses
 - i. Cardroom Applicant's Spouse Supplemental Information for a State Gambling License, BGC-APP-009A
 - ii. Instructions to Applicant's Spouse, BGC-APP-010
 - iii. Applicant's Declaration, Acknowledgement, and Agreement (Community Property Interest), BGC-APP-011
 - iv. Applicant's Declaration, Acknowledgement, and Agreement (Sole and Separate Property), BGC-APP-012
 - v. Spouse's Declaration, Acknowledgement, and Agreement (Community Property Interest), BGC-APP-013
 - vi. Spouse's Declaration, Acknowledgement, and Agreement (Sole and Separate Property), BGC-APP-014
 - b. Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information, BGC-APP-015A
2. Spousal Information, CGCC-CH2-12 (revised form effective 10/1/2023)
3. Comparison of Spousal Requirements Based on Spouse's Ownership/ Involvement Level
4. Industry Guidance for Documenting a Sole and Separate Property Interest (May 8, 2023)
5. Option 2 – Draft Text for Potential Regulatory Amendments

Attachments

Attachment 1:
Selected Forms in Effect Prior
to Licensing Rulemaking
Action (January 1, 2021)

Attachment 1A:
Six Spousal Forms for
Cardroom Applicants and their
Spouses

Cardroom Applicant's Spouse Supplemental Information for a State Gambling License

BGC-APP-009A (Rev. 07/17)



DEPARTMENT OF JUSTICE
BUREAU OF GAMBLING CONTROL
(916) 830-1700

CARDROOM APPLICANT'S SPOUSE
SUPPLEMENTAL INFORMATION FOR A STATE GAMBLING LICENSE

Type or print legibly in ink an answer to every question. If a question does not apply to you, indicate with "N/A" (not applicable). If the space available is insufficient, use a separate sheet and precede each answer with the applicable section and question number. Do not misstate or omit any material fact(s) as each statement made is subject to verification. Any corrections, changes or other alterations must be initialed and dated by the applicant.

PLEASE SEND THE COMPLETED SUPPLEMENTAL INFORMATION, ALONG WITH THE APPLICATION FOR A STATE GAMBLING LICENSE, A \$1,000 NON-REFUNDABLE APPLICATION FEE, AND A \$6,600 DEPOSIT TO PAY THE ANTICIPATED INVESTIGATION AND PROCESSING COSTS IN ACCORDANCE WITH BUSINESS AND PROFESSIONS CODE SECTION 19867 TO: California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 220, Sacramento, CA 95833-4231.

A. **PERSONAL**

1. Full Name: _____
Last First Middle
2. Alias(es), Nicknames, Maiden Name, Other Name Changes, Legal or Otherwise: _____

3. Date of Birth: _____
4. Place of Birth: _____
City County State Country
5. Residence Address: _____
Street City State Zip
6. Business Address: _____
Street City State Zip
7. Occupation: _____
8. Telephone: Residence: (____) _____ Business: (____) _____
9. Social Security Number*: _____
10. Driver License/Identification Card No./State Issued: _____
11. Eye Color: _____ Hair Color: _____ Weight: _____ Height: _____
12. Distinguishing marks (scars, tattoos, etc.). Describe and indicate location: _____

13. Gender: Male Female

AFFIX A
PASSPORT QUALITY
PHOTOGRAPH
TAKEN WITHIN THE
LAST 30 DAYS
HERE

_____ Date of Photograph:

* Applicants are required to provide their social security number. This requirement is authorized by Business and Professions Code sections 19841 (a)(2), 19864(b)(6), and 19865. This information is used to obtain records relevant to the background investigation.

B. CITIZENSHIP (provide a copy of resident alien card (front and back) or certificate of naturalization)

Are you a United States citizen? Yes No If alien, **Alien** No.: _____
 If naturalized, Certificate No.: _____
 Alien No.: _____ Date naturalized: _____

C. MARITAL

1. Current Spouse Information:

Full Name: _____
Last First Middle Maiden
 Date of Birth: _____ Place of Birth: _____
 Date of Marriage: _____

2. Former Marriage(s):

Name of Former Spouse(s) (Last, First, Middle, Maiden)	Dates of Marriage (From-To)	Telephone Number

3. Co-habitants and Roommates

Provide the following information for any adults, not disclosed in question C1, with whom you reside.

Name (Last, First, Middle, Maiden)	Date of Birth	Employer/Occupation	Employer Address & Telephone	Relationship

D. MILITARY (must include copy of DD214, if applicable)

1. Have you **ever** served in any armed forces: Yes No

If Yes, Country Served: _____ Branch: _____
 Dates of Service (From-To): _____ Type of Discharge: _____
 Rank/Rating at Separation: _____ Serial Number: _____

2. While in the military service, were you **ever** convicted of any offense or formally disciplined? Yes No

If Yes, provide complete details: _____

E. CONVICTION, LITIGATION, AND ARBITRATION

1. Have you **ever** been convicted of a felony? (Convictions dismissed under Penal Code section 1203.4 must be disclosed unless an order sealing records under Penal Code section 1203.45 relating to persons under 18 years of age, has been issued.)
 Yes No

2. Have you **ever** engaged in any act involving dishonesty or moral turpitude charged or chargeable as a criminal offense?
 Yes No
3. Have you been convicted of a misdemeanor within the last 10 years? (Convictions dismissed under Penal Code section 1203.4 must be disclosed unless an order sealing records under Penal Code section 1203.45 relating to persons under 18 years of age, has been issued.) Yes No
4. Have you **ever** engaged in bookmaking or other illegal gambling activities? Yes No
- Have you **ever** been charged with a violation of any campaign law(s)? Yes No
6. Are you currently on probation? Yes No

If your answer to E1-6 was Yes, provide the following details:

Date	Arresting Agency City & State	Original Charge	Final Charge (if amended or reduced)	Disposition

7. Has a criminal indictment, information, or complaint **ever** been returned against you which you have not included in E1-6?
 Yes No
 If Yes, provide complete details: _____

8. Have you **ever** received a pardon for any criminal offense? Yes No
 If Yes, provide complete details: _____

9. Have you **ever** had a civil or criminal record expunged or sealed by a court order? Yes No
 If Yes, provide complete details: _____

10. Have you **ever** been subpoenaed to appear or testify before a county, state, or federal grand jury, government board or commission? Yes No
 If Yes, provide complete details: _____

11. Have you, as an individual, member of a partnership, or shareholder, director, or officer of a corporation, been party to a lawsuit or arbitration within the last 10 years? Yes No

If your answer to E11 was Yes, provide the following details:

Name(s) of Plaintiff(s) & Defendant(s) Name(s) of Claimant(s) & Respondent(s)	Date Filed	State or Federal Court & Case Number	City, County & State	Disposition/Date
Brief Explanation of Issues:				
Brief Explanation of Issues:				
Brief Explanation of Issues:				
Brief Explanation of Issues:				

F. **LICENSING**

1. Have you **ever** applied with a local government agency for a permit, badge, or license to own, operate, or work in a gambling establishment? Yes No

If your answer to F1 was Yes, provide the following details:

Government Agency	Type of Application	Permit/Badge/License Number	Approved/Denied	Dates Held or Reasons for Denial

2. Have you **ever** held a financial interest in a gambling venture, including, but not limited to: gambling establishment (cardroom), race track, race horse/dog, lottery, casino, bookmaking operation, pari-mutuel operation, or bingo parlor? Yes No

If your answer to F2 was Yes, provide the following details:

Name & Location of Business	Type of Venture	Dates of Involvement	Names of All Partners

3. Have you **ever** had a gambling registration, license, or related finding of suitability granted, denied, or revoked or been a participant in any group which has been issued a gambling registration, license, or related finding of suitability in any state or a permit, badge, or license to own, operate, or work in a gambling establishment? Yes No

If your answer to F3 was Yes, provide the following details:

Government Agency	Type of Application	Permit/Badge/License Number	Approved/Denied Revoked	Dates Held or Denied or Revoked

If denied or revoked, provide reasons for denial or revocation: _____

4. Have you ever withdrawn or surrendered an application for a gambling registration, license, or related finding of suitability or been a participant in any group which has withdrawn or surrendered an application for a gambling registration, license, or related finding of suitability in any state? Yes No

If your answer to F4 was Yes, provide the following details:

Gambling Establishment Name & Address	Licensing Agency	Date & Reason(s) for Withdrawal

5. Do you have any relatives who are or have been associated with, employed in, or plan to be employed in the gambling industry? Yes No

If your answer to F5 was Yes, provide the following details:

Name	Job Title	Date	Name of Gambling Establishment

6. Have you ever applied for a privileged registration, professional license, certificate, or credential, (other than gambling) in any state, including, but not limited to, the following: Yes No

Alcoholic Beverage License	Lawyer	Race Horse/Dog Owner	Securities Dealer
Real Estate Broker or Sales	Doctor	Notary Public	Contractor
Accountant (CPA)	Boxing Promoter	Trainer or Manager	Pilot

If your answer to F6 was Yes, provide the following details:

Type of License	Licensing Agency	License Number	Approved/Denied	Dates Held or Reasons for Denial

7. Have any disciplinary actions ever been taken, or are any actions pending, against the aforementioned registration(s), license(s), and/or certificate(s)? Yes No

If your answer to F7 was Yes, provide details here:

Licensing Agency	License Number	Date of Action	Nature of Action (e.g., revocation, denial)	Disposition (e.g., revoked, fined, probation)

DECLARATION

I, _____, declare that I have read the foregoing Spouse Supplemental Information for a State Gambling License and know the contents thereof; that the statements contained herein are true and correct and contain a full and true account of the information requested; that I executed this declaration with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for denial of an application or revocation of a state gambling license, finding or permit; and further, that I have familiarized myself with the contents of the California Gambling Control Act (Business and Professions Code section 19800 et seq.), and the Regulations of the California Gambling Control Commission (California Code of Regulations, Title 4) and the Regulations of the Bureau of Gambling Control (California Code of Regulations, Title 11) as adopted and agree to abide thereby.

I expressly waive, release, and forever discharge the State of California and its agents from any and all manner of action and causes of action whatsoever which I, my administrators or executors, can, shall, or may have against the State of California and its agents, relating to this Spouse Supplemental Information for a State Gambling License.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true, correct, and complete.

Date: _____, 20_____

Printed Name

Signature

Instructions to Applicant's Spouse

BGC-APP-010 (Rev. 07/17)

**DEPARTMENT OF JUSTICE
BUREAU OF GAMBLING CONTROL
INSTRUCTIONS TO APPLICANT'S SPOUSE**

The following forms and documentation must be submitted to the California Gambling Control Commission (Commission), as applicable, in conjunction with the submission of your spouse's application for a state gambling license as an owner. Originals are required unless otherwise stated. Any corrections, changes or other alterations must be initialed and dated by the applicant.

Review the following definitions to determine which best describes your interest in the gambling establishment. You are required to provide all forms, documents, and fees marked with an "X" under the applicable definition number on the table below.

DEFINITION 1: You are the spouse of an applicant, and your sole interest in the gambling establishment is your community property ownership interest. You will exercise no influence or control over the gambling operation and/or will not be involved in the management of the gambling operation.

DEFINITION 2: You are a spouse of an applicant whose ownership interest is his or her sole and separate property. You will exercise no influence or control over the gambling operation and/or will not be involved in the management of the gambling operation.

DEFINITION 3: You are the spouse of an applicant, and your sole interest in the gambling establishment is your community property ownership interest. You may exercise influence or control over the gambling operation and/or be involved in the management of the gambling operation. If this definition applies to you, complete the Application for State Gambling License form, BGC-030 (Rev. 04/13) and Gambling Establishment Owner Applicant-Individual Supplemental Background Investigation Information form BGC-APP-015A (Rev. 07/17).

DEFINITION 4: You are a spouse of an applicant whose ownership interest is his or her sole and separate property. You may exercise influence or control over the gambling operation and/or may be involved in the management of the gambling operation. If this definition applies to you, complete the Application for Gambling Establishment Key Employee License form CGCC-031 (Rev. 04/08) and Gambling Establishment Key Employee Supplemental Background Investigation Information form BGC-APP-016A (Rev. 04/08).

Forms/Documentation	DEFINITION 1	DEFINITION 2	DEFINITION 3	DEFINITION 4
Cardroom Applicant's Spouse Supplemental Information for a State Gambling License (BGC-APP-009A [Rev. 07/17])	X		REFER TO DEF. 3	REFER TO DEF. 4
Spouse's Declaration, Acknowledgment, and Agreement (Community Property Interest) (BGC-APP-013 [Rev.-11/07])*	X			
Spouse's Declaration, Acknowledgment, and Agreement (Sole and Separate Property) (BGC-APP-014 [Rev. 11/07])**		X		
Declaration of Full Disclosure (BGC-APP-005 [Rev. 11/07])	X			
Authorization to Release Information (BGC-APP-006 [Rev. 07/17])	X			
Request for Live Scan Service (BCII 8016 [Rev. 04-01])	X			

Each applicant must submit a background investigation deposit that, in the judgment of the Director of the Bureau of Gambling Control (Bureau), will be adequate to pay the anticipated investigation and processing costs, in accordance with Business and Professions Code section 19867. An applicant is responsible for all costs incurred by the Bureau while conducting the background investigation. At the conclusion of the investigation, the applicant will receive an itemized accounting of all such costs. Monies received in excess of the actual costs incurred will be refunded to the applicant. A license will not be issued until all outstanding background investigation and issuance fees are received.

* This form should be completed and returned along with the "Applicant's Declaration, Acknowledgment, and Agreement (Community Property Interest) (BGC-APP-011 [Rev. 11/07])."

** This form should be completed and returned along with the "Applicant's Declaration, Acknowledgment, and Agreement (Sole and Separate Property) (BGC-APP-012 [Rev. 11/07])."

**Applicant's Declaration,
Acknowledgment and Agreement**

BGC-APP-011 (Rev. 11/07)

**APPLICANT'S DECLARATION, ACKNOWLEDGMENT AND AGREEMENT
(Community Property Interest)**

I, _____, hereby declare that:
(print owner applicant's full name)

I am married to _____.
(print spouse's full name)

I am an applicant for a state gambling license as an owner of a gambling establishment known as _____, which is located
(print name of the gambling establishment)
at _____, in _____, California.
(print address of gambling establishment) (print name of city)

Response Required:

- My spouse **is** or **is not (circle one)** involved, directly or indirectly, with any management decisions, of any nature whatsoever, regarding the above-referenced gambling establishment.
- My spouse **does** or **does not (circle one)** have any direct or indirect authority or influence in the decision-making process relating to any activities in the above-referenced gambling establishment.
- My spouse **is** or **is not (circle one)** engaged in any conduct for which my spouse could be required to obtain a registration, a finding of suitability, a permit, or a license, pursuant to Business and Professions Code sections 19850, 19851, 19853, 19854 and/or 19912, for the above-referenced gambling establishment.

I understand, and agree, that my spouse cannot lawfully engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq. I understand, and agree, that the California Gambling Control Commission (Commission) may, in its sole discretion, require my spouse to make a full and complete application. I understand, and agree, that should my spouse engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq., without first obtaining any required registration, finding of suitability, permit or license, then both my license and my spouse's license for the above-referenced gambling establishment may be revoked.

I understand, and agree, that if any statement in this Declaration, Acknowledgment and Agreement is false, that fact may be used as grounds for the denial, or subsequent revocation, of my license and my spouse's license for the above-referenced gambling establishment.

I understand, and agree, that the Commission's decision to grant my spouse a license as an uninvolved spouse of an owner applicant does not excuse my spouse from having to make a full and complete application for a license if my spouse is directed to do so by the Commission.

I understand, and agree, that the Commission's decision to grant my spouse a license as an uninvolved spouse of an owner applicant does not entitle my spouse to the issuance of any license if my spouse is ever required by the Commission to make a full and complete application for a license.

DECLARATION

I, _____, certify and declare under penalty of perjury under the laws of the State of California, that I am the person named on this Applicant's Declaration, Acknowledgment and Agreement and that to the best of my knowledge, the information contained herein is true and correct.

Date

Printed Name

Signature

**Applicant's Declaration,
Acknowledgment and Agreement**

BGC-APP-012 (Rev. 11/07)

**APPLICANT'S DECLARATION, ACKNOWLEDGMENT AND AGREEMENT
(Sole and Separate Property)**

I, _____, hereby declare that:
(print owner applicant's full name)

I am married to _____.
(print spouse's full name)

I am an applicant for a state gambling license as an owner of a gambling establishment known

as _____, which is located
(print name of the gambling establishment)

at _____, in _____, California.
(print address of gambling establishment) (print name of city)

Response Required:

- I am the exclusive and absolute owner of that gambling establishment. It is my sole and separate property. My spouse **does** or **does not (circle one)** have any ownership interest whatsoever in that gambling establishment, including, but not limited to, a community property interest.
- My spouse **is** or **is not (circle one)** involved, directly or indirectly, with any management decisions, of any nature whatsoever, regarding that gambling establishment.
- My spouse **does** or **does not (circle one)** have any direct or indirect authority or influence in the decision-making process relating to any activities in that gambling establishment.
- My spouse **is** or **is not (circle one)** engaged in any conduct for which my spouse could be required to obtain a registration, a finding of suitability, a permit, or a license, pursuant to Business and Professions Code sections 19850, 19851, 19853, 19854 and/or 19912, for that gambling establishment.

I understand, and agree, that my spouse cannot lawfully engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq., without first obtaining from the California Gambling Control Commission the appropriate registration, finding of suitability, permit, or a license.

I understand, and agree, that should my spouse engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq., without first obtaining the appropriate registration, finding of suitability, permit, or license, then my license for the above-referenced gambling establishment may be revoked.

I understand, and agree, that if any statement in this Declaration, Acknowledgment and Agreement is false, that fact may be used as grounds for the denial, or subsequent revocation, of my license for the above-referenced gambling establishment.

DECLARATION

I, _____, certify and declare under penalty of perjury under the laws of the State of California, that I am the person named on this Applicant's Declaration, Acknowledgment and Agreement and that to the best of my knowledge, the information contained herein is true and correct.

Date

Printed Name

Signature

**Spouse's Declaration,
Acknowledgment and Agreement**
BGC-APP-013 (Rev. 11/07)

**SPOUSE'S DECLARATION,
ACKNOWLEDGMENT AND AGREEMENT
(Community Property Interest)**

I, _____, hereby declare that:
(print full name of spouse of owner applicant)

I am married to _____.
(print owner applicant's full name)

My spouse is an applicant for a state gambling license as an owner of a gambling establishment

known as _____, which is located
(print name of the gambling establishment)

at _____, in _____, California.
(print address of gambling establishment) (print name of city)

Response Required:

- I **am** or **am not** (circle one) involved, directly or indirectly, with any management decisions, of any nature whatsoever, regarding the above-referenced gambling establishment.
- I **do** or **do not** (circle one) have any direct or indirect authority or influence in the decision-making process relating to any activities in the above-referenced gambling establishment.
- I **am** or **am not** (circle one) engaged in any conduct for which I could be required to obtain a registration, a finding of suitability, a permit, or a license, pursuant to Business and Professions Code sections 19850, 19851, 19853, 19854 and/or 19912, for the above-referenced gambling establishment, other than as an uninvolved spouse of an owner applicant.

I understand, and agree, that I cannot lawfully engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq. I understand, and agree, that the California Gambling Control Commission, may, in its sole discretion, require me to make a full and complete application.

I understand, and agree, that should my spouse engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq., without first obtaining the written permission of the Commission, then both my license and my spouse's license for the above-referenced gambling establishment may be revoked.

I understand, and agree, that if any statement in this Declaration, Acknowledgment and Agreement is false, that fact may be used as grounds for the denial, or subsequent revocation, of my license and my spouse's license for the above-referenced gambling establishment.

I understand, and agree, that the Commission's decision to grant me a license as an uninvolved spouse of an owner applicant does not excuse me from having to make a full and complete application for a license if I am directed to do so by the Commission.

I understand, and agree, that the Commission's decision to grant me a license as an uninvolved spouse of an owner applicant does not entitle me to the issuance of any license if I am ever required by the Commission to make a full and complete application for a license.

DECLARATION

I, _____, certify and declare under penalty of perjury under the laws of the State of California, that I am the person named on this Spouse's Declaration, Acknowledgment and Agreement, and that to the best of my knowledge, the information contained herein is true and correct.

Date

Printed Name

Signature

**Spouse's Declaration
Acknowledgment and Agreement**
BGC-APP-014 (Rev. 11/07)

**SPOUSE'S DECLARATION, ACKNOWLEDGMENT AND AGREEMENT
(Sole and Separate Property)**

I, _____, hereby declare that:
(print full name of spouse of owner applicant)

I am married to _____.
(print owner applicant's full name)

My spouse is an applicant for a state gambling license as an owner of a gambling establishment known as, _____ which is located
(print name of the gambling establishment)

at _____, in _____, California.
(print address of gambling establishment) (print name of city)

Response Required:

- My spouse is the exclusive and absolute owner of that gambling establishment. It is my spouse's sole and separate property. I **do** or **do not** (circle one) have any ownership interest whatsoever in that gambling establishment, including, but not limited to, a community property interest.
- I **am** or **am not** (circle one) involved, directly or indirectly, with any management decisions, of any nature whatsoever, regarding that gambling establishment.
- I **do** or **do not** (circle one) have any direct or indirect authority or influence in the decision-making process relating to any activities in that gambling establishment.

I am not engaged in any conduct for which I could be required to obtain a registration, a finding of suitability, a permit, or a license, pursuant to Business and Professions Code sections 19850, 19851, 19853, 19854, and/or 19912, for that gambling establishment.

I understand, and agree, that I cannot lawfully engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq., without first obtaining from the California Gambling Control Commission the appropriate registration, finding of suitability, permit, or a license.

I understand, and agree, that should I engage in any activities or conduct for which a registration, a finding of suitability, a permit, or a license is, or may be, required pursuant to the Gambling Control Act, Business and Professions Code sections 19800, et seq., without first obtaining the appropriate registration, finding of suitability, permit, or license, then my spouse's license for the above-referenced gambling establishment may be revoked.

I understand, and agree, that if any statement in this Declaration, Acknowledgment and Agreement is false, that fact may be used as grounds for the denial, or subsequent revocation, of my spouse's license for the above-referenced gambling establishment; and may be used as grounds for the denial of any future application for a registration, a finding of suitability, a permit, or a license I may submit.

DECLARATION

I, _____, certify and declare under penalty of perjury under the laws of the State of California, that I am the person named on this Spouse's Declaration, Acknowledgment and Agreement and that to the best of my knowledge, the information contained herein is true and correct.

Date

Printed Name

Signature

Attachment 1B:
Gambling Establishment Owner
Applicant - Individual
Supplemental Background
Investigation Information
BGC-APP-015A

Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information

BGC-APP-015A (Rev. 07/17)



BUREAU OF GAMBLING CONTROL
P.O. Box 168024
Sacramento, CA 95816-8024
(916) 830-1700

PLEASE READ THE FOLLOWING PARAGRAPHS CAREFULLY BEFORE YOU COMPLETE THIS FORM

Type or print legibly in ink an answer to every question. If a question does not apply to you, indicate with "N/A" (Not Applicable). If the space available is insufficient, use a separate sheet and precede each answer with the applicable section and question number. Do not misstate or omit any information as each statement made herein is subject to verification. Any corrections, changes or other alterations must be initialed and dated by the applicant.

This Supplemental Form must be completed by a natural person who is a sole proprietor, a person with individual partnership interest or individual corporate interest, shareholder, member, officer, director, trustor, trustee, current beneficiary, landlord with a financial interest in the gambling establishment, community property interest, funding source, and other applicant.

Applicant's Full Name

Date of Photograph

**Affix a passport quality
photograph taken within the
last 30 days here.**

Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information

SECTION 1: PERSONAL INFORMATION				
YOUR FULL NAME				
LAST		FIRST		MIDDLE
RESIDENCE ADDRESS (NUMBER / STREET)		CITY		STATE ZIP
MAILING ADDRESS (IF DIFFERENT) (NUMBER / STREET)		CITY		STATE ZIP
OCCUPATION		TELEPHONE		
BIRTH PLACE (CITY / COUNTY / STATE / COUNTRY)			DRIVER'S LICENSE/IDENTIFICATION CARD NUMBER	
			NO. []	STATE EXP
PHYSICAL DESCRIPTION				
HEIGHT []	WEIGHT	HAIR COLOR	EYE COLOR	
DISTINGUISHING MARKS (SCARS, TATTOOS, ETC.) DESCRIBE AND INDICATE LOCATION				
ARE YOU A UNITED STATES CITIZEN..... <input type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE A COPY OF YOUR RESIDENT ALIEN CARD (FRONT AND BACK)			IF NO, OF WHAT COUNTRY ARE YOU A CITIZEN?	
ALIEN REGISTRATION NUMBER			IF NATURALIZED, CERTIFICATE NUMBER (PROVIDE COPY OF NATURALIZATION CERTIFICATE)	
DATE NATURALIZED (MM/DD/YYYY)			PLACE	

SECTION 2: FAMILY INFORMATION				
<input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> SEPARATED <input type="checkbox"/> DIVORCED <input type="checkbox"/> WIDOWED				
CURRENT SPOUSE				
FULL NAME				
LAST		FIRST	MIDDLE	MAIDEN
RESIDENCE ADDRESS (IF DIFFERENT FROM APPLICANT) NUMBER / STREET		CITY		STATE ZIP
DATE OF BIRTH	YEARS OF MARRIAGE	HOME PHONE	WORK PHONE	
<input type="checkbox"/> N/A	FORMER SPOUSE			
FULL NAME				
LAST		FIRST	MIDDLE	MAIDEN
DATE OF BIRTH	YEARS OF MARRIAGE			
CHILDREN AND DEPENDENTS				
PROVIDE THE FOLLOWING INFORMATION FOR EACH OF YOUR CHILDREN (INCLUDING BIRTH, STEP, ADOPTED, AND FOSTER CHILDREN) AND OTHER DEPENDENTS.				
NAME (LAST, FIRST, MIDDLE, MAIDEN)	DATE OF BIRTH	RESIDENCE ADDRESS	RELATIONSHIP	OCCUPATION

Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information

CO-HABITANTS AND ROOMMATES				
PROVIDE THE FOLLOWING INFORMATION FOR ANY ADULTS (NOT DISCLOSED AS CHILDREN AND DEPENDENTS ABOVE) WITH WHOM YOU RESIDE.				
NAME (LAST, FIRST, MIDDLE, MAIDEN)	DATE OF BIRTH	EMPLOYER/OCCUPATION	EMPLOYER ADDRESS & TELEPHONE	RELATIONSHIP

PARENTS AND STEP-PARENTS				
PROVIDE THE FOLLOWING INFORMATION FOR YOUR PARENTS AND STEP-PARENTS. IF RETIRED, LIST LAST OCCUPATION OR IF DECEASED, PROVIDE DATE OF DEATH AND LIST LAST ADDRESS AND OCCUPATION.				
NAME (LAST, FIRST, MIDDLE, MAIDEN)	DATE OF BIRTH/DEATH	RESIDENCE ADDRESS	OCCUPATION	RELATIONSHIP
FATHER []				
MOTHER []				
STEP-FATHER []				
STEP-MOTHER []				

SIBLINGS				
PROVIDE THE FOLLOWING INFORMATION FOR YOUR BROTHERS AND SISTERS. IF RETIRED, LIST LAST OCCUPATION OR IF DECEASED, PROVIDE DATE OF DEATH AND LIST LAST ADDRESS AND OCCUPATION.				
NAME (LAST, FIRST, MIDDLE, MAIDEN)	DATE OF BIRTH/DEATH	RESIDENCE ADDRESS	OCCUPATION	RELATIONSHIP

SECTION 3: MILITARY EXPERIENCE			
HAVE YOU EVER SERVED IN ANY BRANCH OF THE U.S. ARMED FORCES? <input type="checkbox"/> YES <input type="checkbox"/> NO			
IF YES, ATTACH A COPY OF YOUR DD-214			
BRANCH OF SERVICE		DATES OF SERVICE FROM [] TO	
COUNTRY OF SERVICE	RANK AT SEPARATION	SERVICE NUMBER	
TYPE OF DISCHARGE: <input type="checkbox"/> ENTRY LEVEL <input type="checkbox"/> HONORABLE <input type="checkbox"/> GENERAL <input type="checkbox"/> OTHER THAN HONORABLE <input type="checkbox"/> BAD CONDUCT <input type="checkbox"/> DISHONORABLE			
HAVE YOU EVER BEEN DISCIPLINED WHILE IN THE MILITARY <input type="checkbox"/> YES <input type="checkbox"/> NO			
DID THIS RESULT IN A COURT MARTIAL? IF YES, PROVIDE DETAILS BELOW <input type="checkbox"/> YES <input type="checkbox"/> NO			
DATE (MM/YYYY)	FINAL CHARGE	COURT LOCATION (CITY & STATE)	

SECTION 4: RESIDENCES					
LIST ALL RESIDENCES DURING THE LAST TEN YEARS (MOST RECENT FIRST, INCLUDING YOUR CURRENT RESIDENCE). PROVIDE COMPLETE ADDRESSES AND MARKERS SUCH AS STREET, DRIVE, ETC., AND UNIT OR APARTMENT NUMBER. DO NOT USE P.O. BOXES.					
A) CURRENT ADDRESS (NUMBER / STREET / APT)				FROM (MM/YYYY)	TO (MM/YYYY)
CITY	COUNTY	STATE	ZIP	<input type="checkbox"/> RENT <input type="checkbox"/> OWN	
B) FORMER ADDRESS (NUMBER / STREET / APT)				FROM (MM/YYYY)	TO (MM/YYYY)
CITY	COUNTY	STATE	ZIP	<input type="checkbox"/> RENT <input type="checkbox"/> OWN	
C) FORMER ADDRESS (NUMBER / STREET / APT)				FROM (MM/YYYY)	TO (MM/YYYY)
CITY	COUNTY	STATE	ZIP	<input type="checkbox"/> RENT <input type="checkbox"/> OWN	

SECTION 5: EXPERIENCE AND EMPLOYMENT					
BEGINNING WITH YOUR MOST CURRENT EMPLOYMENT, LIST YOUR WORK HISTORY, INCLUDING ALL PERIODS OF UNEMPLOYMENT FOR THE PAST 10 YEARS. LIST ALL JOBS YOU HAVE HAD, INCLUDING PART-TIME, TEMPORARY, SELF-EMPLOYMENT, AND VOLUNTEER ACTIVITIES. FOR PERIODS OF UNEMPLOYMENT, IN THE DUTIES/ASSIGNMENT SECTION, EXPLAIN HOW YOU SUPPORTED YOURSELF.					
A) NAME OF EMPLOYER			FROM (MM/YYYY)	TO (MM/YYYY)	
ADDRESS (NUMBER / STREET)			SUPERVISOR		
CITY	STATE	ZIP	CONTACT NUMBER ()	EXT	
JOB TITLE	REASON FOR LEAVING		GAMBLING RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO		
DUTIES / ASSIGNMENTS					
B) NAME OF EMPLOYER			FROM (MM/YYYY)	TO (MM/YYYY)	
ADDRESS (NUMBER / STREET)			SUPERVISOR		
CITY	STATE	ZIP	CONTACT NUMBER ()	EXT	
JOB TITLE	REASON FOR LEAVING		GAMBLING RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO		
DUTIES / ASSIGNMENTS					
C) NAME OF EMPLOYER			FROM (MM/YYYY)	TO (MM/YYYY)	
ADDRESS (NUMBER / STREET)			SUPERVISOR		
CITY	STATE	ZIP	CONTACT NUMBER ()	EXT	
JOB TITLE	REASON FOR LEAVING		GAMBLING RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO		
DUTIES / ASSIGNMENTS					

SECTION 6: CONVICTIONS, LITIGATION AND ARBITRATION			
HAVE YOU EVER BEEN CONVICTED OF A CRIME, PLED GUILTY OR PLED NOLO CONTENDERE (NO CONTEST) TO A CRIME? INCLUDE ANY CONVICTIONS DISMISSED UNDER PENAL CODE SECTION 1203.4 AND CONVICTIONS REDUCED OR EXPUNGED, UNLESS THE RECORDS HAVE BEEN SEALED PURSUANT TO A COURT ORDER.			<input type="checkbox"/> YES <input type="checkbox"/> NO
A) APPROXIMATE DATE (MM/DD/YYYY)	COURT LOCATION (CITY & STATE) AND ARRESTING AGENCY (CITY & STATE)		
OF WHAT CRIME(S) WERE YOU CONVICTED, AND WHAT WAS THE FINAL DISPOSITION/JUDGEMENT IN THE CASE?			
B) APPROXIMATE DATE (MM/DD/YYYY)	COURT LOCATION (CITY & STATE) AND ARRESTING AGENCY (CITY & STATE)		
OF WHAT CRIME(S) WERE YOU CONVICTED, AND WHAT WAS THE FINAL DISPOSITION/JUDGEMENT IN THE CASE?			
HAVE YOU EVER ENGAGED IN BOOKMAKING OR OTHER ILLEGAL GAMBLING ACTIVITIES?			<input type="checkbox"/> YES <input type="checkbox"/> NO
HAVE YOU EVER BEEN FOUND GUILTY (CRIMINAL OR ADMINISTRATIVE) OF VIOLATING ANY CAMPAIGN LAW(S)?			<input type="checkbox"/> YES <input type="checkbox"/> NO
IF YES TO EITHER OR THE ABOVE, EXPLAIN EACH INCIDENT.			
HAVE YOU, AS AN INDIVIDUAL, MEMBER OF A PARTNERSHIP, OR SHAREHOLDER, DIRECTOR, OR OFFICER OF A CORPORATION, BEEN PARTY TO A LAWSUIT OR ARBITRATION WITHIN THE LAST 10 YEARS?			<input type="checkbox"/> YES <input type="checkbox"/> NO
IF YES, PLEASE PROVIDE DETAILS BELOW.			
A) NAME OF PLAINTIFF(S) AND DEFENDANT(S)			
NAME OF CLAIMANT(S) AND RESPONDENT(S)			
DATE FILED (MM/DD/YYYY)	STATE OR FEDERAL COURT	CASE NUMBER	
CITY/COUNTY/STATE	DATE OF DISPOSITION	DISPOSITION	
B) NAME OF PLAINTIFF(S) AND DEFENDANT(S)			
NAME OF CLAIMANT(S) AND RESPONDENT(S)			
DATE FILED (MM/DD/YYYY)	STATE OR FEDERAL COURT	CASE NUMBER	
CITY/COUNTY/STATE	DATE OF DISPOSITION	DISPOSITION	
C) NAME OF PLAINTIFF(S) AND DEFENDANT(S)			
NAME OF CLAIMANT(S) AND RESPONDENT(S)			
DATE FILED (MM/DD/YYYY)	STATE OR FEDERAL COURT	CASE NUMBER	
CITY/COUNTY/STATE	DATE OF DISPOSITION	DISPOSITION	

Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information

SECTION 7: OTHER LICENSING INFORMATION

HAVE YOU EVER **HELD** OR **APPLIED** FOR A PERMIT, LICENSE, CERTIFICATE, REGISTRATION OR AUTHORIZATION RELATED TO GAMING?..... YES NO

IF YES, LIST BELOW ANY LICENSING OR REGULATORY AGENCY (TRIBAL, STATE, LOCAL OR INTERNATIONAL) TO WHICH YOU HAVE APPLIED FOR A LICENSE, PERMIT, CERTIFICATE, REGISTRATION OR AUTHORIZATION RELATED TO GAMING ACTIVITIES OR LOTTERY, WHETHER OR NOT SUCH LICENSE, PERMIT, CERTIFICATE, REGISTRATION OR AUTHORIZATION WAS GRANTED (INCLUDE ANY APPLICATIONS THAT WERE WITHDRAWN, DENIED AND/OR ARE PENDING).

A) LICENSE/PERMIT/CERTIFICATE/AUTHORIZATION#	TYPE OF APPLICATION	DATES HELD (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>	ISSUING AGENCY
CITY, COUNTY, STATE, COUNTRY		ACTION TAKEN (ISSUED, DENIED, SUSPENDED, PENDING, WITHDRAWN, REVOKED, OTHER)	
B) LICENSE/PERMIT/CERTIFICATE/AUTHORIZATION #	TYPE OF APPLICATION	DATES HELD (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>	ISSUING AGENCY
CITY, COUNTY, STATE, COUNTRY		ACTION TAKEN (ISSUED, DENIED, SUSPENDED, PENDING, WITHDRAWN, REVOKED, OTHER)	
C) LICENSE/PERMIT/CERTIFICATE/AUTHORIZATION #	TYPE OF APPLICATION	DATES HELD (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>	ISSUING AGENCY
CITY, COUNTY, STATE, COUNTRY		ACTION TAKEN (ISSUED, DENIED, SUSPENDED, PENDING, WITHDRAWN, REVOKED, OTHER)	

HAVE YOU EVER **APPLIED** TO ANY LICENSING OR REGULATORY AGENCY FOR A LICENSE, PERMIT, CERTIFICATE, REGISTRATION OR AUTHORIZATION NOT RELATED TO GAMING, WHETHER OR NOT SUCH A LICENSE, PERMIT, CERTIFICATE, REGISTRATION OR AUTHORIZATION WAS GRANTED? YES NO

IF YES TO THE ABOVE, PROVIDE THE FOLLOWING DETAILS (INCLUDE ANY APPLICATIONS THAT WERE WITHDRAWN, DENIED AND/OR ARE PENDING).

A) LICENSE/PERMIT/CERTIFICATE/AUTHORIZATION #	TYPE OF APPLICATION	DATES HELD (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>	ISSUING AGENCY
CITY, COUNTY, STATE, COUNTRY		ACTION TAKEN (ISSUED, DENIED, SUSPENDED, PENDING, WITHDRAWN, REVOKED, OTHER)	
B) LICENSE/PERMIT/CERTIFICATE/AUTHORIZATION #	TYPE OF APPLICATION	DATES HELD (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>	ISSUING AGENCY
CITY, COUNTY, STATE, COUNTRY		ACTION TAKEN (ISSUED, DENIED, SUSPENDED, PENDING, WITHDRAWN, REVOKED, OTHER)	
C) LICENSE/PERMIT/CERTIFICATE/AUTHORIZATION #	TYPE OF APPLICATION	DATES HELD (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>	ISSUING AGENCY
CITY, COUNTY, STATE, COUNTRY		ACTION TAKEN (ISSUED, DENIED, SUSPENDED, PENDING, WITHDRAWN, REVOKED, OTHER)	

SECTION 8: GAMBLING VENTURE FINANCIAL INTEREST

HAVE YOU EVER HELD A FINANCIAL INTEREST IN A GAMBLING VENTURE, INCLUDING, BUT NOT LIMITED TO: A GAMBLING ESTABLISHMENT (CARDROOM), RACE TRACK, RACE HORSE/DOG, LOTTERY, CASINO, BOOKMAKING OPERATION, PARI-MUTUEL OPERATION, OR BINGO PARLOR OR HELD STOCK IN SUCH VENTURE? YES NO

IF YES TO THE ABOVE, PROVIDE THE FOLLOWING DETAILS:

NAME OF BUSINESS	LOCATION OF BUSINESS	DATES OF INVOLVEMENT (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>
INTEREST/TYPE OF VENTURE	NAMES OF ALL PARTNERS	
NAME OF BUSINESS	LOCATION OF BUSINESS	DATES OF INVOLVEMENT (MM/YYYY) FROM: <input type="text"/> TO: <input type="text"/>
INTEREST/TYPE OF VENTURE	NAMES OF ALL PARTNERS	

Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information

SECTION 9: BUSINESS INTEREST					
LIST ALL BUSINESSES, CORPORATIONS AND PARTNERSHIPS WITH WHICH YOU ARE CURRENTLY OR HAVE BEEN ASSOCIATED AS AN OWNER, OFFICER, DIRECTOR, ACTIVE SHAREHOLDER, PARTNER OR OTHER SIMILAR CAPACITY WITHIN THE PAST 10 YEARS.					
A) NAME OF BUSINESS/CORPORATION/PARTNERSHIP		DATES OF INVOLVEMENT FROM TO		BUSINESS/CORPORATION/PARTNERSHIP MAILING ADDRESS	
BUSINESS TELEPHONE NUMBER					
YOUR CAPACITY/TITLE	PRIMARY PURPOSE OF THE BUSINESS	AMOUNT OF INVESTMENT	% OF OWNERSHIP/# OF SHARES OWNED	GAMBLING RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
B) NAME OF BUSINESS/CORPORATION/PARTNERSHIP		DATES OF INVOLVEMENT FROM TO		BUSINESS/CORPORATION/PARTNERSHIP MAILING ADDRESS	
BUSINESS TELEPHONE NUMBER					
YOUR CAPACITY/TITLE	PRIMARY PURPOSE OF THE BUSINESS	AMOUNT OF INVESTMENT	% OF OWNERSHIP/# OF SHARES OWNED	GAMBLING RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
C) NAME OF BUSINESS/CORPORATION/PARTNERSHIP		DATES OF INVOLVEMENT FROM TO		BUSINESS/CORPORATION/PARTNERSHIP MAILING ADDRESS	
BUSINESS TELEPHONE NUMBER					
YOUR CAPACITY/TITLE	PRIMARY PURPOSE OF THE BUSINESS	AMOUNT OF INVESTMENT	% OF OWNERSHIP/# OF SHARES OWNED	GAMBLING RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO	

SECTION 10: PERSONAL FINANCIAL HISTORY			
DO YOU ANTICIPATE ACTIVE PARTICIPATION IN THE MANAGEMENT AND OPERATION OF THE GAMBLING ESTABLISHMENT?..... <input type="checkbox"/> YES <input type="checkbox"/> NO			
IF YES, EXPLAIN BELOW:			
IN WHAT CAPACITY WILL YOU PARTICIPATE IN THE MANAGEMENT AND OPERATION OF THE GAMBLING ESTABLISHMENT?			
AMOUNT INVESTED IN THE BUSINESS: \$		PERCENTAGE OF OWNERSHIP: %	
IDENTIFY THE SOURCE OF ALL MONIES USED FOR YOUR INVESTMENT, INCLUDE ACCOUNT NUMBERS AND INSTITUTION NAMES IF APPLICABLE:			
HAS YOUR INTEREST IN THIS GAMBLING ESTABLISHMENT BEEN ASSIGNED, PLEDGED, OR HYPOTHECATED TO ANY PERSON, FIRM, OR CORPORATION, OR HAS ANY AGREEMENT BEEN ENTERED INTO WHEREBY YOUR INTEREST IS TO BE ASSIGNED, PLEDGED, OR SOLD EITHER IN PART OR IN WHOLE?			<input type="checkbox"/> YES <input type="checkbox"/> NO
IF YES, EXPLAIN BELOW.			
HAVE YOU FILED FOR BANKRUPTCY WITHIN THE LAST 10 YEARS?..... <input type="checkbox"/> YES <input type="checkbox"/> NO			
IF YES, EXPLAIN BELOW. (Please provide copies of your bankruptcy petition and order, which lists all creditors and discharged debts.)			
FEDERAL DISTRICT COURT WHERE FILED	DATE FILED (MM/DD/YYYY)	CASE NUMBER	DATE DISCHARGED (MM/DD/YYYY)
DESCRIBE THE CIRCUMSTANCES THAT RESULTED IN THIS ACTION			
HAVE YOU HAD ANY JUDGEMENTS OR LIENS FILED AGAINST YOU AS AN INDIVIDUAL, SOLE PROPRIETOR, MEMBER OF A PARTNERSHIP, OR SHAREHOLDER OF A CORPORATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO
IF YES, PROVIDE DETAILS HERE.			
<input type="checkbox"/> LIEN	DATE FILED (MM/DD/YYYY)	NAME OF PERSON/ENTITY THAT FILED THE LIEN OR JUDGEMENT	NAME OF PERSON/ENTITY AGAINST WHICH THE LIEN OR JUDGEMENT WAS FILED
<input type="checkbox"/> JUDGEMENT			
EXPLANATION AND STATUS			

Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information

<input type="checkbox"/> LIEN <input type="checkbox"/> JUDGEMENT	DATE FILED (MM/DD/YYYY)	NAME OF PERSON/ENTITY THAT FILED THE LIEN OR JUDGEMENT	NAME OF PERSON/ENTITY AGAINST WHICH THE LIEN OR JUDGEMENT WAS FILED

EXPLANATION AND STATUS

HAVE YOU HAD ANY PURCHASE REPOSSESSED OR DEBT TURNED OVER TO COLLECTION FOR ANY REASON WITHIN THE LAST 10 YEARS? YES NO

IF YES, PROVIDE DETAILS HERE.

ASSET	REPOSSESSION/SEIZURE/COLLECTION	DATE (MM/DD/YYYY)	REASON

DO YOU OWN, CONTROL, OR MANAGE ANY ASSETS OR LIABILITIES OUTSIDE THE UNITED STATES?..... YES NO

IF YES, PROVIDE DETAILS HERE.

DESCRIPTION OF ASSET/LIABILITY	DATE ACQUIRED (MM/DD/YYYY)	LOCATION

DO YOU OWN, CONTROL, MANAGE OR HOLD ANY ASSETS OR LIABILITIES FOR ANOTHER PERSON OR ENTITY?..... YES NO

IF YES, PROVIDE COMPLETE DETAILS HERE.

IS YOUR INTEREST IN THIS GAMBLING ESTABLISHMENT HELD BY A TRUST (ESTATE PLANNING OR OTHER)?..... YES NO

IF YES, YOU MUST ALSO COMPLETE AND SUBMIT AN APPLICATION FOR STATE GAMBLING LICENSE (CGCC-030) FOR THE TRUST AND A TRUST SUPPLEMENTAL BACKGROUND INVESTIGATION INFORMATION FORM (BGC-APP-143).

SECTION 11: GROSS ANNUAL INCOME

TYPE OF INCOME	APPLICANT	OTHER
INCOME/WAGES	\$	\$
BUSINESS INCOME (EXPLAIN TYPE OF BUSINESS)	\$	\$
INTEREST INCOME	\$	\$
DIVIDEND INCOME	\$	\$
RENTAL INCOME	\$	\$
CHILD SUPPORT	\$	\$
GIFTS	\$	\$
SPOUSAL SUPPORT/ALIMONY	\$	\$
OTHER (SPECIFY)	\$	\$
OTHER (SPECIFY)	\$	\$
OTHER (SPECIFY)	\$	\$
TOTAL GROSS INCOME	\$	\$

SECTION 12: MONTHLY EXPENDITURES	
TYPE OF EXPENDITURE	APPLICANT
REAL ESTATE (<i>mortgage</i>) PAYMENTS:	\$
RENT:	\$
HOUSEHOLD EXPENSES (<i>utilities, food, gasoline, home and car maintenance, entertainment, etc.</i>):	\$
BUSINESS EXPENSES (<i>describe</i>):	\$
CREDIT CARD PAYMENTS:	\$
VEHICLE PAYMENTS:	\$
OTHER (<i>describe</i>):	\$
OTHER (<i>describe</i>):	\$
TOTAL MONTHLY EXPENDITURES	\$

THE ASSET AND LIABILITY FIGURES SHOWN BELOW ARE AS OF _____, 20_____.

SECTION 13: STATEMENT OF ASSETS		
LIST THE VALUE OF ALL ASSETS, BOTH TANGIBLE AND INTANGIBLE. ALL ASSETS MUST BE FULLY DESCRIBED ON THE CORRESPONDING SCHEDULES.		
ASSETS	*PURCHASE PRICE	CURRENT MARKET VALUE
CASH (TOTAL FROM SCHEDULE A)		\$
STOCKS AND BONDS (TOTAL FROM SCHEDULE B)		\$
ACCOUNTS AND NOTES RECEIVABLE (TOTAL FROM SCHEDULE C)		\$
BUSINESS INVESTMENTS* (TOTAL FROM SCHEDULE D)	\$	\$
REAL ESTATE* (TOTAL FROM SCHEDULE E)	\$	\$
OTHER ASSETS (TOTAL FROM SCHEDULE F)		\$
TOTAL ASSETS		\$

SECTION 14: STATEMENT OF LIABILITIES		
LIST THE VALUE OF ALL YOUR LIABILITIES. ALL LIABILITIES MUST BE FULLY DESCRIBED ON THE CORRESPONDING SCHEDULES. IF APPLICABLE, ANY DEBT INCURRED TO FINANCE THE TOTAL INVESTED IN THE GAMBLING ESTABLISHMENT SHOULD BE REFLECTED ON ONE OF THE SCHEDULES LISTED BELOW.		
LIABILITIES	*INITIAL AMOUNT	PRESENT BALANCE
ACCOUNTS PAYABLE (TOTAL FROM SCHEDULE G)		\$
TAXES PAYABLE (TOTAL FROM SCHEDULE H)		\$
NOTES PAYABLE* (TOTAL FROM SCHEDULE I)	\$	\$
MORTGAGE PAYABLE* (TOTAL FROM SCHEDULE J)	\$	\$
CONTINGENT AND OTHER LIABILITIES (TOTAL FROM SCHEDULE K)		\$
TOTAL LIABILITIES		\$

NOTE: ADDITIONAL FINANCIAL INFORMATION MAY BE REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

SECTION 15: SUPPORTING DOCUMENTATION CHECKLIST

The following items must be submitted in conjunction with an Application for a State Gambling License (CGCC-030) and this Owner Applicant-Individual Supplemental Background Investigation Information form (BGC-APP-015A). Originals are required unless otherwise stated. Only documents that are dated and signed by all parties will be accepted. Failure to provide complete documents may result in denial of a license/denial of suitability. Pursuant to Business and Professions Code section 19868(a), an official filing date will not be established until all required forms, documentation and fees have been received by the State.

- Background Investigation Deposit required in CCR, Title 11, Division 3, Chapter 1, Article 4, Section 2037
- Gambling Establishment Supplemental Information form (BGC-APP-015C) for the gambling establishment. If there are multiple owners of this gambling establishment, only one BGC-APP-015C form needs to be submitted to provide information about the gambling establishment.
- If you are applying as a shareholder, member, partner, etc., a Gambling Establishment Owner Entity Supplemental Information form (BGC-APP-015B) for the business entity (corporation, LLC, partnership, etc.) that is buying or operating the gambling establishment also needs to be submitted.
- Applicant's Declaration, Acknowledgment, and Agreement (Community Property Interest) (BGC-APP-011 [Rev. 11/07]) **OR** Applicant's Declaration, Acknowledgment, and Agreement (Sole and Separate Property) (BGC-APP-012 [Rev. 11/07]) - Review both forms and complete the appropriate declaration. If you are married, your spouse must refer to the "Instructions to Applicant's Spouse."
- Application for State Gambling License (BGC-030) and a Trust Supplemental Background Investigation Information form (BGC-APP-143) if your interest in this gambling establishment is held by a trust.
- Declaration of Full Disclosure (BGC-APP-005 [Rev. 11/07])
- Authorization to Release Information (BGC-APP-006 [Rev. 07/17])
- Appointment of Designated Agent (BGC-APP-008 [Rev. 07/17])
- Copy of DD214, if you ever served in Armed Forces
- Naturalization Certificate or Permanent Resident Identification - If a naturalized citizen, copy of front and back of your naturalization certificate.
- Resident Alien Card (front and back) if you are not a United States citizen.
- Copy of the completed Request for Live Scan Service (BCII 8016) after fingerprints have been taken.
- Local Cardroom Employee License, Permit, Badge, etc. - copy
- Management Company/Consultant Agreement, if applicable - copy
- All Current Lease/Rental Agreements if applying as a sole proprietor - copies
- Loan Documentation for the loan obtained to purchase the gambling establishment (if applying as a sole proprietor) - copies
- Tax Returns - Signed and dated copies of state and federal for the past three years, including all schedules and attachments - both individual and for any businesses you own.
- Request for copy of Personal Income Tax or Fiduciary Return (FTB 3516C1 [Rev. 06-03 side 1])
- Internal Revenue Service Request for Transcript of Tax Return (4506-T [Rev. 4/2006])
- Current Balance Sheets and Income Statements for yourself and all of your businesses
- Bank Statements - Copies of all monthly statements for all personal and business accounts corresponding to the same period of time reflected in the balance sheet and income statement.
- Investment Account Statements - Copies of all monthly statements for all personal and business accounts corresponding to the same period of time reflected in the balance sheet and income statement.
- Bankruptcy court records, if applicable - copy

Pursuant to Business and Professions Code section 19867, an applicant is responsible for all costs incurred by the Bureau while conducting a background investigation for gambling license suitability. At the conclusion of the investigation, the applicant will receive an itemized accounting of all such costs. Monies received in excess of the actual costs incurred will be refunded. A license will not be issued until all outstanding background investigation and issuance fees are received.

SECTION 16: DECLARATION

I declare under penalty of perjury of the laws of the State of California that I have personally completed this form and know that the contents thereof, and the information contained herein, including all corrections, changes and other alterations, is true, accurate and complete, and that this declaration is executed by me at _____ on _____.
City and State *Date*

PRINT FULL NAME	SIGNATURE	DATE

SCHEDULE C - ASSETS
Accounts and Notes Receivable

List all loans, accounts, and notes receivable.

Name & Address of Debtor	Date Acquired	Maturity Date (notes receivable)	Payment Amount and Payment Period (e.g. Weekly, Monthly)	Interest Rate	Original Amount	Unpaid Balance
					\$	\$
					\$	\$
					\$	\$
					\$	\$
					\$	\$
					\$	\$
					\$	\$
					\$	\$
					TOTAL*:	\$

*This total should match the corresponding total reported on page 9.

Signature of Preparer _____

Date _____

SCHEDULE F - ASSETS
Other Assets

List all other assets (e.g., art collections, coin collections, antiques, automobiles, etc.)

Type of Asset	Description	Date of Purchase	Purchase Price	Current Market Value
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			TOTAL*:	\$

*This total should match the corresponding total reported on page 9.

Signature of Preparer _____

Date _____

SCHEDULE G - LIABILITIES
Accounts Payable

List all accounts payable (e.g. revolving accounts, credit cards, leases, lines of credit).

Name and Address of Creditor	Account Number	Collateral	Date Incurred	Payment Amount & Payment Period (e.g. Weekly, Monthly, etc.)	Interest Rate	Unpaid Balance
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
						\$
TOTAL*:						\$

*This total should match the corresponding total reported on page 9.

Signature of Preparer _____

Date _____

SCHEDULE H - LIABILITIES

Taxes Payable

List all unpaid and estimated taxes.

Taxing Authority (e.g., Franchise Tax Board/Internal Revenue Service/Board of Equalization, etc.)	Related Tax Period	Payment Amount & Payment Period (e.g., Weekly, Monthly, etc.)	Original Amount	Fines, Penalties and Interest	Unpaid Balance
					\$
					\$
					\$
					\$
					\$
					\$
					\$
					\$
					\$
				TOTAL*:	\$

*This total should match the corresponding total reported on page 9.

Signature of Preparer _____

Date _____

SCHEDULE K - LIABILITIES
Contingent and Other Liabilities

List any other indebtedness or liability, e.g., co-signer on a loan, pending litigation, child support, alimony, etc.

Name and Address of Creditor	Date Incurred	Collateral	Description of Liability and Account Number	Payment Amount & Payment Period (e.g., Weekly, Monthly, etc.)	Interest Rate	Original Amount	Unpaid Balance
						\$	\$
						\$	\$
						\$	\$
						\$	\$
						\$	\$
						\$	\$
						\$	\$
						\$	\$
						TOTAL*:	\$

*This total should match the corresponding total reported on page 9.

Signature of Preparer _____

Date _____

Attachment 2:
Spousal Information
CGCC-CH2-12

Spousal Information

CGCC-CH2-12 (Rev. 07/22)

Page 1 of 3

BUREAU USE ONLY
BGC ID# _____



MAIL COMPLETED FORM TO:
 BUREAU OF GAMBLING CONTROL
 P.O. Box 168024
 Sacramento, CA 95816-8024
 (916) 830-1700

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY BEFORE YOU COMPLETE THIS FORM

This form is used to provide information for spouses of individuals required to apply as an owner of an owner category licensee as defined by the Gambling Control Act (Act) and/or implementing administrative regulations, as applicable.

All responses must be truthful and complete. All responses are subject to verification and will be used to determine suitability under gambling laws and regulations. Any misrepresentation or failure to disclose required information or documentation may constitute cause for denial of the application or discipline of the licensee.

An applicant may be subject to administrative action for failing to provide all information, documentation, and assurances as required by the Act or requested by the California Gambling Control Commission (Commission) or the Bureau of Gambling Control (Bureau), or failing to reveal any material facts, or providing misleading or untrue information as to a material fact.

By filing an application, an applicant understands that pursuant to Business and Professions Code section 19828, the Bureau or Commission may make public any communication or publication from, or concerning an applicant's application or corresponding background investigation. By submitting this application, an applicant accepts any risks of adverse action, financial loss, or public notice which may result from any Commission or Bureau action taken with respect to the application, as the action is absolutely privileged and so shall not form a basis for imposing liability for defamation or constitute a ground for recovery in any civil action consistent with Business and Professions Code section 19828.

It is the responsibility of each applicant to obtain copies of, and be familiar with, the laws and regulations governing the applicant's license. As an applicant, it is your responsibility to ensure that you thoroughly understand the questions in this application. If you do not understand the questions, it is your responsibility to obtain appropriate, competent assistance in order to fully and accurately complete the application.

All information must be typed or printed legibly in blue or black ink. Any questions that do not apply should be indicated with "N/A" (Not Applicable). If the space available is insufficient, attach a separate sheet of paper and precede each answer with the applicable section and question number. Any corrections, changes, or other alterations must be initialed and dated by the applicant.

 Name of Applicant

 Associated Owner Category Licensee

Check one of the following:

- The applicant is married or has a registered domestic partner, complete the remaining sections of the form as directed.
- The applicant is not married and does not have a registered domestic partner, proceed to and complete section 5.
- If the applicant's spouse or registered domestic partner is licensed or has applied for licensure with this associated owner category licensee, proceed to and complete section 5.

 Name of Applicant's Spouse

SECTION 1: PERSONAL INFORMATION

SPOUSE'S FULL NAME: LAST	FIRST	MIDDLE
CURRENT RESIDENCE (STREET, CITY, STATE, ZIP CODE)		
MAILING ADDRESS IF DIFFERENT THAN CURRENT RESIDENCE (STREET, CITY, STATE, ZIP CODE)		
PRIMARY TELEPHONE NUMBER	EMAIL ADDRESS	
APPLICANT'S FULL NAME: LAST	FIRST	MIDDLE

SECTION 2: RELATIONSHIP OF SPOUSE TO BUSINESS
 Check all boxes that appropriately describe the spouse's relationship to the owner category licensee.

<input type="checkbox"/> 1) THE OWNER CATEGORY LICENSE OR OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSE IS COMMUNITY PROPERTY OF THE APPLICANT AND SPOUSE.
<input type="checkbox"/> 2) THE SPOUSE IS INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSE.
<input type="checkbox"/> 3) THE SPOUSE HAS DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSE.
<input type="checkbox"/> 4) THE SPOUSE IS ENGAGED IN ANY CONDUCT AS PART OF THE CARDROOM BUSINESS LICENSE OR TPPPS BUSINESS LICENSE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984. NOTE: IF ANY OF ITEMS 1) THROUGH 4) ARE SELECTED, THE SPOUSE IS REQUIRED TO SUBMIT A COMPLETE APPLICATION AS A CARDROOM ENDORSED OWNER OR TPPPS ENDORSED OWNER.
<input type="checkbox"/> 5) THE OWNER CATEGORY LICENSE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT. NOTE: IF ITEM 5) IS SELECTED BUT ITEMS 2) THROUGH 4) ARE NOT SELECTED, COMPLETE SECTION 3.
<input type="checkbox"/> 6) THE APPLICANT IS NOT AN OWNERSHIP INTEREST HOLDER.

SECTION 3: SOLE AND SEPARATE PROPERTY
 To be completed only if Section 2 item 5) is selected and items 2) through 4) are not selected. Both the applicant and the spouse are required to read, understand, and initial agreement to the following items:

Spouse	Applicant	I ACCEPT THAT THE APPLICANT BEARS THE BURDEN OF ESTABLISHING THE INTEREST IN THE OWNER CATEGORY LICENSEE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT AND THAT EACH AND EVERY STATEMENT IN THIS SECTION IS TRUE. THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION OF A LEGAL NATURE SUFFICIENT TO SUBSTANTIATE THE DECLARATION.
Spouse	Applicant	THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION SUFFICIENT TO SUBSTANTIATE THIS DECLARATION UNDER SECTION 4. I HAVE READ THIS DOCUMENTATION AND DETERMINED THIS INFORMATION IS ACCURATE EITHER BASED ON THE ADVICE OF LEGAL COUNSEL, OR MY OWN ACCORD AFTER HAVING BEEN AFFORDED THE OPPORTUNITY TO SEEK THE ADVICE OF COUNSEL BUT WAIVED THAT OPPORTUNITY.
Spouse	Applicant	THE SPOUSE WILL NOT BE INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSEE.
Spouse	Applicant	THE SPOUSE WILL HAVE NO DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSEE.
Spouse	Applicant	THE SPOUSE WILL NOT BE ENGAGED IN ANY CONDUCT AS PART OF THE OWNER CATEGORY LICENSEE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984 OR COMMISSION REGULATIONS.
Spouse	Applicant	IN THE EVENT OF THE SPOUSE INHERITING, RECEIVING A GIFT, OR OTHERWISE OBTAINING ANY OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSEE, THE SPOUSE WILL BE REQUIRED TO UNDERGO LICENSURE PRIOR TO RECEIVING ANY OWNERSHIP INTEREST OR REVENUES FROM THE BUSINESS.
Spouse	Applicant	ANY INVOLVEMENT BY THE SPOUSE IN ANY ACTIVITY OR CONDUCT FOR WHICH A FINDING OF SUITABILITY, A PERMIT, OR A LICENSE IS, OR MAY BE, REQUIRED PURSUANT TO THE ACT WITHOUT FIRST OBTAINING ANY REQUIRED FINDING OF SUITABILITY, PERMIT OR LICENSE MAY BE MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.
Spouse	Applicant	THAT IF ANY STATEMENT IN THIS DECLARATION OF SOLE AND SEPARATE PROPERTY IS FALSE, THAT FACT MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.

SECTION 4: ADDITIONAL REQUIRED ITEMS

THE FOLLOWING ITEMS **MUST** BE SUBMITTED, AS APPLICABLE, WITH THIS COMPLETED FORM. PROVIDE COPIES OF DOCUMENTS UNLESS OTHERWISE STATED. ONLY DOCUMENTS THAT ARE DATED AND SIGNED BY THE APPLICANT AND/OR SPOUSE, AS APPLICABLE, WILL BE ACCEPTED. FAILURE TO PROVIDE REQUIRED ITEMS MAY RESULT IN DENIAL OF THE APPLICATION. PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19868, SUBDIVISION (A), THE APPLICATION PACKAGE WILL NOT BE DEEMED COMPLETE UNTIL ALL REQUIRED FORMS, DOCUMENTATION, AND FEES HAVE BEEN COMPLETED AND RECEIVED BY THE STATE. IF THE APPLICANT HAS SELECTED SECTION 2 ITEM 6), NO ADDITIONAL DOCUMENTS ARE NECESSARY UNLESS REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

MARK THE BOX NEXT TO EACH ATTACHED ITEM.

THE SPOUSE MUST SUBMIT ONE OF THE FOLLOWING:

- IF A RESIDENT OF THE STATE OF CALIFORNIA, A REQUEST FOR LIVE SCAN SERVICE (BCIA 8016), INCLUDING THE ATI NUMBER; OR,
- IF NOT, A RESIDENT OF THE STATE OF CALIFORNIA, TWO APPLICANT FINGERPRINT CARDS, FD-258

ANY PRENUPTIAL, POST NUPTIAL, OR DOMESTIC PARTNERSHIP AGREEMENT WHICH CONFIRMS THE CHARACTERIZATION OF THE APPLICANT’S INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY AND COMPLIES WITH FAMILY CODE SECTION 1615

ANY DOCUMENTATION THAT REFLECTS THE APPLICANT’S ACQUISITION OF THE INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY THROUGH GIFT OR INHERITANCE

ANY DOCUMENTATION THAT DEMONSTRABLY SHOWS THE ACQUISITION OF THE OWNER CATEGORY LICENSEE INTEREST TRACED TO SOLE AND SEPARATE PROPERTY OR FUNDS OF APPLICANT

ANY COURT ORDERS CONCERNING THE OWNERSHIP CHARACTERIZATION OF THE OWNER CATEGORY LICENSEE INTEREST AS SOLE AND SEPARATE PROPERTY

ADDITIONAL DOCUMENTATION MAY BE REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

SECTION 5: DECLARATION

I declare under penalty of perjury under the laws of the State of California that the information in this form is true, accurate, and complete, and that this declaration is executed by me at _____.

City and State

APPLICANT’S NAME	APPLICANT’S SIGNATURE	DATE (MM/DD/YYYY)
------------------	-----------------------	-------------------

SPOUSE’S NAME	SPOUSE’S SIGNATURE	DATE (MM/DD/YYYY)
---------------	--------------------	-------------------

Attachment 3:
Comparison of Spousal
Requirements Based on
Spouse's Ownership/
Involvement Level

Comparison of Spousal Requirements¹ Based on Spouse's Ownership/Involvement Level

<i>Ownership/ Involvement Level</i>	<i>Pre-Licensing² Requirements for Cardroom Spouses</i>	<i>Pre-Licensing² Requirements for TPPPS³ Spouses</i>	<i>Post-Licensing⁴ Requirements for All Spouses</i>
<i>Uninvolved Community Property Ownership Interest</i>	Limited Licensure ⁵	Full Licensure	Full Licensure
<i>Uninvolved Sole and Separate Property</i>	No Requirement *No Substantiating Documentation Required	No Requirement *No Substantiating Documentation Required	No Requirement *Substantiating Documentation Required ⁶
<i>Involved Community Property Ownership Interest</i>	Full Licensure	Full Licensure	Full Licensure
<i>Involved Sole and Separate Property</i>	Key Employee Licensure ⁷ *At minimum	Appropriate Level of Licensure ⁸	Appropriate Level of Licensure ⁸

¹ All spousal requirements depicted are applicable to spouses of applicants for owner category licensure. Pre-Licensing requirements applied to an applicant's spouse. Post-Licensing requirements are applicable to spouses and registered domestic partners.

² "Pre-Licensing" refers to regulations in effect prior to the January 1, 2021 effective date of the Commission's rulemaking action titled Licensing (CGCC-GCA-2020-01-R, Office of Administrative Law Matter Number 2020-1013-02S).

³ Third-Party Provider of Proposition Player Services

⁴ "Post-Licensing" refers to the current regulations that became effective on January 1, 2021.

⁵ Uninvolved Community Property Ownership Interest spouses submitted a Cardroom Applicant's Spouse Supplemental Information for a State Gambling License, BGC-APP-009A, which required less information than the Gambling Establishment Owner Applicant - Individual Supplemental Background Investigation Information form, BGC-APP-015A. Additionally, once licensed, these licensees were prohibited from participating in the operation of the business.

⁶ Legal documentation such as a prenuptial, post nuptial, or domestic partnership agreement; proof of acquisition through separate gift, inheritance, or otherwise separate property funds; or any court order that shows the ownership characterization as sole and separate.

⁷ Any participation in the business required application and approval as, at a minimum, a key employee.

⁸ The type of licensure required is based on the level of participation or employment in the business (e.g., owner, key employee/TPPPS supervisor, or work permit/TPPPS worker).

Attachment 4:
Industry Guidance for
Documenting a Sole and
Separate Property Interest
(May 8, 2023)

Industry Guidance for Documenting a Sole and Separate Property Interest

Under the Gambling Control Act (Act) all persons identified under Business and Professions Code sections 19850 and 19852 are required to be licensed. This includes all individuals and their spouses that own an interest in a gambling enterprise as a community property interest.

California Code of Regulations, Title 4, Division 18, section 12112 (Initial License Applications; Required Forms.) provides a list of forms and other required items that persons applying for state gambling licenses (applicants) must submit to the Bureau of Gambling Control (Bureau). Importantly, this includes the Spousal Information Form, CGCC-CH2-12 (Rev. 03/21) (Spousal Form). The Spousal Form provides a straightforward way for applicants who are seeking owner category licenses to provide information to the Bureau and the Gambling Control Commission (Commission) about the factual and legal status of the applicant's property as it relates to operating and conducting controlled gambling or third-party provider of proposition player services to determine if their spouse must also secure a state gambling license.

Recently, questions have been raised regarding specific documentation that meets the requirements in Section 4 of the Spousal Form to substantiate a declaration of sole and separate property under Section 3 of the Spousal Form. This guidance attempts to show how an applicant can assist the Bureau and Commission in making the important determination of whether the spouse of an applicant seeking an owner category license has a community property interest (therefore requiring licensure) or if the ownership interest is held as sole and separate property.¹ This guidance is **not intended** to be an authoritative guide as to California Family Law generally, nor dispositive as to the characterization of community and sole and separate property specifically. You are strongly encouraged to secure the assistance of a competent attorney regarding compliance when completing the Spousal Form and in determining how the information you provide on the Spousal Form may impact your property rights in the future.

Sole and Separate Property vs. Community Property

Under California Law, there is a legal presumption that all property acquired during a marriage is Community Property. (Family Code § 760.)² However, there is also a legal presumption that all property acquired by a spouse *prior to marriage* is the sole and separate property of that spouse. (Family Code §

¹ Please note that this guidance does not address situations in which an applicant acknowledges a community property interest or has significant influence over an owner category licensee for which licensure would be required including for instance because the spouse has direct or indirect authority or influence in decision-making, is involved directly or indirectly in management decisions, or is required to be licensed for other reasons under the Act.

² Except as otherwise provided by statute, all property, real or personal, wherever situated, acquired by a married person during the marriage while domiciled in this state is community property. (Fam. Code, § 760.)

770; *In re Marriage of Valli* (2014) 58 Cal.4th 1396, 1400.)³ Marriage alone, absent more, does not convert or transmute that sole and separate property to community property.

Additionally, the community property presumption can be rebutted by a preponderance of evidence which shows the property was acquired as a result of a gift, a bequest, devise, or descent where property can be traced to a sole and separate property source, or earned or accumulated while the spouses are living separate and apart. (*Id.*)

Moreover, spouses can freely transmute property from sole and separate to community property or vice versa.⁴ Importantly though for purposes of the Spousal Form, *a bare statement or declaration that an ownership interest in an owner licensee is held as sole and separate property, even if both spouses agree, is not sufficient as a transmutation* unless the statement itself expresses the transmutation of that property from community to sole and separate property. (*Estate of MacDonald* (1990) 51 Cal.3d 262, 272.)

Spousal Form Documentation

To substantiate a married applicant's characterization of their ownership interest being held as sole and separate property in Section 3 of the Spousal Form, the applicant is required to include applicable documentation described under Section 4. Pursuant to Section 4 of the Spousal Form, the four pertinent categories of required documentation are as follows:

- ANY PRENUPTIAL, POST NUPTIAL, OR DOMESTIC PARTNERSHIP AGREEMENT WHICH CONFIRMS THE CHARACTERIZATION OF THE APPLICANT'S INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY AND COMPLIES WITH FAMILY CODE SECTION 1615
- ANY DOCUMENTATION THAT REFLECTS THE APPLICANT'S ACQUISITION OF THE INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY THROUGH GIFT OR INHERITANCE
- ANY DOCUMENTATION THAT DEMONSTRABLY SHOWS THE ACQUISITION OF THE OWNER CATEGORY LICENSEE INTEREST TRACED TO SOLE AND SEPARATE PROPERTY OR FUNDS OF APPLICANT
- ANY COURT ORDERS CONCERNING THE OWNERSHIP CHARACTERIZATION OF THE OWNER CATEGORY LICENSEE INTEREST AS SOLE AND SEPARATE PROPERTY

³ (a) Separate property of a married person includes all of the following:

- (1) All property owned by the person before marriage.
- (2) All property acquired by the person after marriage by gift, bequest, devise, or descent.
- (3) The rents, issues, and profits of the property described in this section.

(b) A married person may, without the consent of the person's spouse, convey the person's separate property. (Fam. Code, § 770.)

⁴ This guidance does not seek to provide applicants instruction in how to effectively transmute property under Family Code section 850, but please note that such transmutions must comport with the requirements of Family Code section 852.

These categories are all directed to the various ways an applicant can meet their burden under the Act to establish that their ownership interest in the owner category licensee is held as sole and separate property rather than community property. These categories may be supplemented by other documents as highlighted by the last box in Section 4, indicating the Bureau may require additional documentation. As discussed below, applicants may be able to provide documents not specifically delineated which confirm the character of an applicant's ownership interest in an owner licensee as sole and separate property.

- 1) ANY PRENUPTIAL, POST NUPTIAL, OR DOMESTIC PARTNERSHIP AGREEMENT WHICH CONFIRMS THE CHARACTERIZATION OF THE APPLICANT'S INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY AND COMPLIES WITH FAMILY CODE SECTION 1615

Under the first category, an applicant may have a prenuptial agreement that defines certain property as sole and separate prior to marriage. This category may also include post nuptial agreements such as a transmutation agreement that converts property from community to sole and separate property that comports with applicable Family Law. These documents are all potentially satisfactory for this category and greatly aid the Bureau and Commission in substantiating the characterization of the ownership interest in the owner category licensee as sole and separate property.

- 2) ANY DOCUMENTATION THAT REFLECTS THE APPLICANT'S ACQUISITION OF THE INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY THROUGH GIFT OR INHERITANCE

The second category of documentation concerns sole and separate property acquired through a gift or inheritance. For instance, an applicant may have been given an interest in an owner licensee by a family member or friend, or inherited it through the same. A copy of any relevant documentation which demonstrates this transfer is satisfactory for this category. This category may even include communications concerning the transfer or documentation identifying the source of inherited property from a will or trust. If these documents are unavailable, for instance due to the passage of time, declarations from an applicant, their spouse, or from the giver would help to substantiate the characterization of the ownership interest in the owner category licensee as sole and separate property.

- 3) ANY DOCUMENTATION THAT DEMONSTRABLY SHOWS THE ACQUISITION OF THE OWNER CATEGORY LICENSEE INTEREST TRACED TO SOLE AND SEPARATE PROPERTY OR FUNDS OF APPLICANT

The third category of documentation is the broadest of the four categories on the Spousal Form. The documentation an applicant and their spouse can provide to show that an interest is traceable to sole and separate property may vary, as each situation is unique. This documentation can include, for instance, bank statements, voided checks, wire transfers, etc.⁵ These documents can also be combined with a marriage certificate with an official date *after* the acquisition of the property. In addition, if these documents are not available, including for instance because they are lost due to the passage of time or

⁵ To be clear, a bank statement or check from an account only in the name of the owner licensee is not dispositive as to the issue of whether funds are community or sole and separate property. In the absence of evidence showing that the funds contained in the account are exclusively separate property funds, they will be presumed to be community property if acquired after marriage. (See *In re Marriage of Marsden* (1982) 130 Cal.App.3d 426, 441-442; *In re Brace* (2020) 9 Cal.5th 903, 914.)

destroyed under document retention policies, an applicant may be able to provide declarations from the applicant and their spouse that explain the nature of the sole and separate property interest in the owner licensee and its acquisition with the applicant's sole and separate property or funds.

4) ANY COURT ORDERS CONCERNING THE OWNERSHIP CHARACTERIZATION OF THE OWNER CATEGORY LICENSEE INTEREST AS SOLE AND SEPARATE PROPERTY

The last category is self-explanatory and concerns any final Court documents that confirm the property as sole and separate, which should identify the relevant owner licensee interest and confirm its character.

Declarations

As explained above, declarations may be provided to assist the Bureau and Commission in determining the nature of an applicant's interest in an owner licensee as sole and separate property as opposed to community property. While documents that directly confirm a transfer, gift, transmutation, or purchase for the sole and separate property are preferred, declarations that attest to the same and provide assurances to the Bureau and Commission greatly aid in the licensure process. The inclusion of some or all of the following is preferred:

1) Sworn Declarations

These declarations may be signed under penalty of perjury before a notary to aid in their value. This element is not required for these declarations to aid in the Bureau and Commission's process, but sworn signatures carry more evidentiary value in confirming the nature of the property as sole and separate or community property for purposes of the Act. Applicants should consult with an attorney as to the significance of this element.

2) Property Identification

It is important that any declarations provided with the Spousal Form clearly and specifically identify the sole and separate property interest in the owner licensee, as applicable. The Act requires the owner and all endorsees of a gambling enterprise to secure licensure. Commission regulations include third-party providers of proposition player services in this requirement and a specific term identifies the entity in question as the "owner category license" held by the "owner category licensee." This owner category licensee must be identified on page 1 of the Spousal Form. It is very helpful to the Bureau and Commission that any accompanying declaration directly references this owner category licensee, and the related applicant interest therein to ensure there is no confusion as to the sole and separate property interest. For instance, it is very helpful for an applicant whose sole and separate property is held as a partner, member, or shareholder to identify that interest as part of the partnership, limited liability company, or corporation in any declarations made by the applicant and their spouse.

3) Date of Acquisition/Marriage

Declarations may also be utilized to aid in determining the date property was acquired relative to the date of marriage. Although transaction documents may ultimately be more informative, if property was acquired before marriage, declarations that affirm that fact are likely very helpful in light of the presumption under Family Code § 770. If acquired *during* marriage, the date is also important as it will provide context to any statements about the character of the property being transmuted or the source

of the property being from sole and separate property in light of the presumption under Family Code § 760. If the date is clearly stated and affirmed by both the applicant and spouse, it is also helpful.

4) Source of Property

Lastly, declarations which confirm that the property was acquired either through the use of sole and separate property or as a gift, devise, etc., can be very helpful to the Commission and Bureau in light of the foregoing documents and presumptions. Although transactional documents which document the sole and separate property source may be more dispositive, declarations confirming the source of the property and explaining the absence of other documents are exceedingly useful.

Attachment 5:
Option 2: Draft Text for
Potential Regulatory
Amendments

1 CALIFORNIA GAMBLING CONTROL COMMISSION
2 SPECIFIC LANGUAGE OF PROPOSED REGULATIONS
3 SPOUSAL LICENSURE
4 CGCC-GCA-2023-0X-R
5

6 CALIFORNIA CODE OF REGULATIONS
7 TITLE 4. BUSINESS REGULATIONS
8 DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION
9

10 CHAPTER 2. LICENSES AND WORK PERMITS
11

12 ARTICLE 2. INITIAL AND RENEWAL LICENSES AND WORK PERMITS
13

14 § 12112. Initial License Applications; Required Forms.

15 A person applying for Commission approval must submit the following to the Bureau:

16 ...

17 (f) If the application is an Application for Owner Category License, CGCC-CH2-05, and the
18 applicant is a natural person, then a completed copy of the [form](#) Spousal Information, CGCC-CH2-12
19 (Rev. ~~XX07/232~~), which is attached in Appendix A to this chapter.

20 NOTE: Authority cited: Sections 19811, 19824, 19840, 19841, 19850, 19912 and 19984, Business and Professions
21 Code. Reference: Sections 19801, 19811, 19824, 19826, 19841, 19850, 19851, 19852, 19855, 19864, 19865, 19866,
22 19867, 19868, 19878, 19880(d), 19883, 19890(e), 19893, 19912, 19951, 19982 and 19984, Business and
23 Professions Code.
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Chapter 2: Appendix A (Amended Form)

Spousal Information

CGCC-CH2-12 (Rev. ~~XX07/232~~)

Page 1 of 3

BUREAU USE ONLY
BGC ID# _____



MAIL COMPLETED FORM TO:
 BUREAU OF GAMBLING CONTROL
 P.O. Box 168024
 Sacramento, CA 95816-8024
 (916) 830-1700

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY BEFORE YOU COMPLETE THIS FORM

This form is used to provide information for spouses of individuals required to apply as an owner of an owner category licensee as defined by the Gambling Control Act (Act) and/or implementing administrative regulations, as applicable.

All responses must be truthful and complete. All responses are subject to verification and will be used to determine suitability under gambling laws and regulations. Any misrepresentation or failure to disclose required information or documentation may constitute cause for denial of the application or discipline of the licensee.

An applicant may be subject to administrative action for failing to provide all information, documentation, and assurances as required by the Act or requested by the California Gambling Control Commission (Commission) or the Bureau of Gambling Control (Bureau), or failing to reveal any material facts, or providing misleading or untrue information as to a material fact.

By filing an application, an applicant understands that pursuant to Business and Professions Code section 19828, the Bureau or Commission may make public any communication or publication from, or concerning an applicant's application or corresponding background investigation. By submitting this application, an applicant accepts any risks of adverse action, financial loss, or public notice which may result from any Commission or Bureau action taken with respect to the application, as the action is absolutely privileged and so shall not form a basis for imposing liability for defamation or constitute a ground for recovery in any civil action consistent with Business and Professions Code section 19828.

It is the responsibility of each applicant to obtain copies of, and be familiar with, the laws and regulations governing the applicant's license. As an applicant, it is your responsibility to ensure that you thoroughly understand the questions in this application. If you do not understand the questions, it is your responsibility to obtain appropriate, competent assistance in order to fully and accurately complete the application.

All information must be typed or printed legibly in blue or black ink. Any questions that do not apply should be indicated with "N/A" (Not Applicable). If the space available is insufficient, attach a separate sheet of paper and precede each answer with the applicable section and question number. Any corrections, changes, or other alterations must be initialed and dated by the applicant.

 Name of Applicant

 Associated Owner Category Licensee

Check one of the following:

- The applicant is married or has a registered domestic partner, complete the remaining sections of the form as directed.
- The applicant is not married and does not have a registered domestic partner, proceed to and complete section 5.
- If the applicant's spouse or registered domestic partner is licensed or has applied for licensure with this associated owner category licensee, proceed to and complete section 5.

 Name of Applicant's Spouse

SECTION 1: PERSONAL INFORMATION		
SPOUSE'S FULL NAME: LAST	FIRST	MIDDLE
CURRENT RESIDENCE (STREET, CITY, STATE, ZIP CODE)		
MAILING ADDRESS IF DIFFERENT THAN CURRENT RESIDENCE (STREET, CITY, STATE, ZIP CODE)		
PRIMARY TELEPHONE NUMBER	EMAIL ADDRESS	
APPLICANT'S FULL NAME: LAST	FIRST	MIDDLE

SECTION 2: RELATIONSHIP OF SPOUSE TO BUSINESS Check all boxes that appropriately describe the spouse's relationship to the owner category licensee.
<input type="checkbox"/> 1) THE OWNER CATEGORY LICENSE OR OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSE IS COMMUNITY PROPERTY OF THE APPLICANT AND SPOUSE.
<input type="checkbox"/> 2) THE SPOUSE IS INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSE.
<input type="checkbox"/> 3) THE SPOUSE HAS DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSE.
<input type="checkbox"/> 4) THE SPOUSE IS ENGAGED IN ANY CONDUCT AS PART OF THE CARDROOM BUSINESS LICENSE OR TPPPS BUSINESS LICENSE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984. NOTE: IF ANY OF ITEMS 1) THROUGH 4) ARE SELECTED, THE SPOUSE IS REQUIRED TO SUBMIT A COMPLETE APPLICATION AS A CARDROOM ENDORSED OWNER OR TPPPS ENDORSED OWNER.
<input type="checkbox"/> 5) THE OWNER CATEGORY LICENSE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT. NOTE: IF ITEM 5) IS SELECTED BUT ITEMS 2) THROUGH 4) ARE NOT SELECTED, COMPLETE SECTION 3.
<input type="checkbox"/> 6) THE APPLICANT IS NOT AN OWNERSHIP INTEREST HOLDER.

SECTION 3: SOLE AND SEPARATE PROPERTY To be completed only if Section 2 item 5) is selected and items 2) through 4) are not selected. Both the applicant and the spouse are required to read, understand, and initial agreement to the following items:																								
<table style="width: 100%; border: none;"> <tr> <td style="width: 15%; border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="width: 15%; border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">I ACCEPT THAT THE APPLICANT BEARS THE BURDEN OF ESTABLISHING THE INTEREST IN THE OWNER CATEGORY LICENSEE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT AND THAT EACH AND EVERY STATEMENT IN THIS SECTION IS TRUE. THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION OF A LEGAL NATURE SUFFICIENT TO SUBSTANTIATE THE DECLARATION.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION SUFFICIENT TO SUBSTANTIATE THIS DECLARATION UNDER SECTION 4. I HAVE READ THIS DOCUMENTATION AND DETERMINED THIS INFORMATION IS ACCURATE EITHER BASED ON THE ADVICE OF LEGAL COUNSEL, OR MY OWN ACCORD AFTER HAVING BEEN AFFORDED THE OPPORTUNITY TO SEEK THE ADVICE OF COUNSEL BUT WAIVED THAT OPPORTUNITY.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">THE SPOUSE WILL NOT BE INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSEE.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">THE SPOUSE WILL HAVE NO DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSEE.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">THE SPOUSE WILL NOT BE ENGAGED IN ANY CONDUCT AS PART OF THE OWNER CATEGORY LICENSEE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984 OR COMMISSION REGULATIONS.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">IN THE EVENT OF THE SPOUSE INHERITING, RECEIVING A GIFT, OR OTHERWISE OBTAINING ANY OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSEE, THE SPOUSE WILL BE REQUIRED TO UNDERGO LICENSURE PRIOR TO RECEIVING ANY OWNERSHIP INTEREST OR REVENUES FROM THE BUSINESS.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">ANY INVOLVEMENT BY THE SPOUSE IN ANY ACTIVITY OR CONDUCT FOR WHICH A FINDING OF SUITABILITY, A PERMIT, OR A LICENSE IS, OR MAY BE, REQUIRED PURSUANT TO THE ACT WITHOUT FIRST OBTAINING ANY REQUIRED FINDING OF SUITABILITY, PERMIT OR LICENSE MAY BE MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center;">Spouse</td> <td style="border-bottom: 1px solid black; text-align: center;">Applicant</td> <td style="padding-left: 20px;">THAT IF ANY STATEMENT IN THIS DECLARATION OF SOLE AND SEPARATE PROPERTY IS FALSE, THAT FACT MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.</td> </tr> </table>	Spouse	Applicant	I ACCEPT THAT THE APPLICANT BEARS THE BURDEN OF ESTABLISHING THE INTEREST IN THE OWNER CATEGORY LICENSEE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT AND THAT EACH AND EVERY STATEMENT IN THIS SECTION IS TRUE. THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION OF A LEGAL NATURE SUFFICIENT TO SUBSTANTIATE THE DECLARATION.	Spouse	Applicant	THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION SUFFICIENT TO SUBSTANTIATE THIS DECLARATION UNDER SECTION 4. I HAVE READ THIS DOCUMENTATION AND DETERMINED THIS INFORMATION IS ACCURATE EITHER BASED ON THE ADVICE OF LEGAL COUNSEL, OR MY OWN ACCORD AFTER HAVING BEEN AFFORDED THE OPPORTUNITY TO SEEK THE ADVICE OF COUNSEL BUT WAIVED THAT OPPORTUNITY.	Spouse	Applicant	THE SPOUSE WILL NOT BE INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSEE.	Spouse	Applicant	THE SPOUSE WILL HAVE NO DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSEE.	Spouse	Applicant	THE SPOUSE WILL NOT BE ENGAGED IN ANY CONDUCT AS PART OF THE OWNER CATEGORY LICENSEE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984 OR COMMISSION REGULATIONS.	Spouse	Applicant	IN THE EVENT OF THE SPOUSE INHERITING, RECEIVING A GIFT, OR OTHERWISE OBTAINING ANY OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSEE, THE SPOUSE WILL BE REQUIRED TO UNDERGO LICENSURE PRIOR TO RECEIVING ANY OWNERSHIP INTEREST OR REVENUES FROM THE BUSINESS.	Spouse	Applicant	ANY INVOLVEMENT BY THE SPOUSE IN ANY ACTIVITY OR CONDUCT FOR WHICH A FINDING OF SUITABILITY, A PERMIT, OR A LICENSE IS, OR MAY BE, REQUIRED PURSUANT TO THE ACT WITHOUT FIRST OBTAINING ANY REQUIRED FINDING OF SUITABILITY, PERMIT OR LICENSE MAY BE MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.	Spouse	Applicant	THAT IF ANY STATEMENT IN THIS DECLARATION OF SOLE AND SEPARATE PROPERTY IS FALSE, THAT FACT MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.
Spouse	Applicant	I ACCEPT THAT THE APPLICANT BEARS THE BURDEN OF ESTABLISHING THE INTEREST IN THE OWNER CATEGORY LICENSEE IS THE SOLE AND SEPARATE PROPERTY OF THE APPLICANT AND THAT EACH AND EVERY STATEMENT IN THIS SECTION IS TRUE. THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION OF A LEGAL NATURE SUFFICIENT TO SUBSTANTIATE THE DECLARATION.																						
Spouse	Applicant	THAT INCLUDED AS PART OF THIS DECLARATION IS DOCUMENTATION SUFFICIENT TO SUBSTANTIATE THIS DECLARATION UNDER SECTION 4. I HAVE READ THIS DOCUMENTATION AND DETERMINED THIS INFORMATION IS ACCURATE EITHER BASED ON THE ADVICE OF LEGAL COUNSEL, OR MY OWN ACCORD AFTER HAVING BEEN AFFORDED THE OPPORTUNITY TO SEEK THE ADVICE OF COUNSEL BUT WAIVED THAT OPPORTUNITY.																						
Spouse	Applicant	THE SPOUSE WILL NOT BE INVOLVED, DIRECTLY OR INDIRECTLY, WITH ANY MANAGEMENT DECISIONS, OF ANY NATURE, REGARDING THE OPERATION OF THE OWNER CATEGORY LICENSEE.																						
Spouse	Applicant	THE SPOUSE WILL HAVE NO DIRECT OR INDIRECT AUTHORITY OR INFLUENCE IN THE DECISION-MAKING PROCESS RELATED TO THE OPERATION OF THE OWNER CATEGORY LICENSEE.																						
Spouse	Applicant	THE SPOUSE WILL NOT BE ENGAGED IN ANY CONDUCT AS PART OF THE OWNER CATEGORY LICENSEE FOR WHICH LICENSURE COULD BE REQUIRED PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTIONS 19850, 19851, 19853, 19854, 19912, OR 19984 OR COMMISSION REGULATIONS.																						
Spouse	Applicant	IN THE EVENT OF THE SPOUSE INHERITING, RECEIVING A GIFT, OR OTHERWISE OBTAINING ANY OWNERSHIP INTEREST IN THE OWNER CATEGORY LICENSEE, THE SPOUSE WILL BE REQUIRED TO UNDERGO LICENSURE PRIOR TO RECEIVING ANY OWNERSHIP INTEREST OR REVENUES FROM THE BUSINESS.																						
Spouse	Applicant	ANY INVOLVEMENT BY THE SPOUSE IN ANY ACTIVITY OR CONDUCT FOR WHICH A FINDING OF SUITABILITY, A PERMIT, OR A LICENSE IS, OR MAY BE, REQUIRED PURSUANT TO THE ACT WITHOUT FIRST OBTAINING ANY REQUIRED FINDING OF SUITABILITY, PERMIT OR LICENSE MAY BE MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.																						
Spouse	Applicant	THAT IF ANY STATEMENT IN THIS DECLARATION OF SOLE AND SEPARATE PROPERTY IS FALSE, THAT FACT MAY BE USED AS GROUNDS FOR A DENIAL, OR SUBSEQUENT REVOCATION OF THE APPLICANT'S LICENSE.																						

SECTION 4: ADDITIONAL REQUIRED ITEMS

THE FOLLOWING ITEMS **MUST** BE SUBMITTED, AS APPLICABLE, WITH THIS COMPLETED FORM. PROVIDE COPIES OF DOCUMENTS UNLESS OTHERWISE STATED. ONLY DOCUMENTS THAT ARE DATED AND SIGNED BY THE APPLICANT AND/OR SPOUSE, AS APPLICABLE, WILL BE ACCEPTED. FAILURE TO PROVIDE REQUIRED ITEMS MAY RESULT IN DENIAL OF THE APPLICATION. PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19868, SUBDIVISION (A), THE APPLICATION PACKAGE WILL NOT BE DEEMED COMPLETE UNTIL ALL REQUIRED FORMS, DOCUMENTATION, AND FEES HAVE BEEN COMPLETED AND RECEIVED BY THE STATE. IF THE APPLICANT HAS SELECTED SECTION 2 ITEM 6), NO ADDITIONAL DOCUMENTS ARE NECESSARY UNLESS REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

MARK THE BOX NEXT TO EACH ATTACHED ITEM.

THE SPOUSE MUST SUBMIT ONE OF THE FOLLOWING:

- IF A RESIDENT OF THE STATE OF CALIFORNIA, A REQUEST FOR LIVE SCAN SERVICE (BCIA 8016), INCLUDING THE ATI NUMBER; OR,
- IF NOT, A RESIDENT OF THE STATE OF CALIFORNIA, TWO APPLICANT FINGERPRINT CARDS, FD-258

IF SECTION 3 IS COMPLETED, AT LEAST ONE OF THE FOLLOWING MUST BE SUBMITTED. ANY OF THE FOLLOWING DOCUMENTS SUBMITTED MUST CLEARLY AND SPECIFICALLY IDENTIFY THE APPLICANT'S SOLE AND SEPARATE PROPERTY INTEREST IN THE OWNER CATEGORY LICENSEE SPECIFIED ON PAGE 1 OF THIS FORM. ANY OF THE FOLLOWING DOCUMENTS SUBMITTED MUST CLEARLY AND SPECIFICALLY INDICATE IF THE APPLICANT HOLDS THE SOLE AND SEPARATE PROPERTY INTEREST AS A PARTNER, MEMBER, OR SHAREHOLDER IN A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION:

- ANY PRENUPTIAL, POST NUPTIAL, OR DOMESTIC PARTNERSHIP AGREEMENT WHICH CONFIRMS THE CHARACTERIZATION OF THE APPLICANT'S INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY AND COMPLIES WITH FAMILY CODE SECTION 1615, WHICH MAY INCLUDE A TRANSMUTATION AGREEMENT THAT COMPILES WITH FAMILY CODE SECTION 852.
- ANY DOCUMENTATION THAT REFLECTS THE APPLICANT'S ACQUISITION OF THE INTEREST IN THE OWNER CATEGORY LICENSEE AS SOLE AND SEPARATE PROPERTY THROUGH GIFT OR INHERITANCE. SUCH DOCUMENTATION MAY INCLUDE THE FOLLOWING:
 - ANY RELEVANT DOCUMENTATION DEMONSTRATING THE TRANSFER OF AN INTEREST IN THE OWNER CATEGORY LICENSEE TO THE APPLICANT THROUGH GIFT OR INHERITANCE.
 - COMMUNICATIONS CONCERNING THE TRANSFER OR DOCUMENTATION IDENTIFYING THE SOURCE OF INHERITED PROPERTY FROM A WILL OR TRUST.
 - UPON WRITTEN JUSTIFICATION REGARDING WHY THE PRECEDING DOCUMENTATION IS UNAVAILABLE, NOTARIZED DECLARATIONS SIGNED UNDER THE PENALTY OF PERJURY FROM THE APPLICANT, THE APPLICANT'S SPOUSE, AND/OR THE INDIVIDUAL WHO GIFTED OR BEQUEATHED THE INTEREST IN THE OWNER CATEGORY LICENSEE, MAY BE CONSIDERED.
- ANY DOCUMENTATION THAT DEMONSTRABLY SHOWS THE ACQUISITION OF THE OWNER CATEGORY LICENSEE INTEREST TRACED TO SOLE AND SEPARATE PROPERTY OR FUNDS OF APPLICANT. SUCH DOCUMENTATION MAY INCLUDE THE FOLLOWING:
 - BANK STATEMENTS, VOIDED CHECKS, OR WIRE TRANSFERS, WHICH MAY BE COMBINED WITH A MARRIAGE CERTIFICATE WITH AN OFFICIAL DATE AFTER THE ACQUISITION OF THE INTEREST IN THE OWNER CATEGORY LICENSEE. HOWEVER, A BANK STATEMENT OR A CHECK FROM AN ACCOUNT ONLY IN THE NAME OF THE APPLICANT MUST DEMONSTRATE THAT THE FUNDS CONTAINED IN THE ACCOUNT ARE EXCLUSIVELY SEPARATE PROPERTY FUNDS.
 - UPON WRITTEN JUSTIFICATION REGARDING WHY THE PRECEDING DOCUMENTATION IS UNAVAILABLE, NOTARIZED DECLARATIONS SIGNED UNDER THE PENALTY OF PERJURY FROM THE APPLICANT AND THE APPLICANT'S SPOUSE THAT EXPLAIN THE NATURE OF THE SOLE AND SEPARATE PROPERTY INTEREST IN THE OWNER CATEGORY LICENSEE AND ITS ACQUISITION WITH THE APPLICANT'S SOLE AND SEPARATE PROPERTY OR FUNDS, MAY BE CONSIDERED.
- ANY COURT ORDERS CONCERNING THE OWNERSHIP CHARACTERIZATION OF THE OWNER CATEGORY LICENSEE INTEREST AS SOLE AND SEPARATE PROPERTY.

ADDITIONAL DOCUMENTATION MAY BE REQUIRED BY THE BUREAU OF GAMBLING CONTROL.

SECTION 5: DECLARATION

I declare under penalty of perjury under the laws of the State of California that the information in this form is true, accurate, and complete, and that this declaration is executed by me at _____.

City and State

APPLICANT'S NAME

APPLICANT'S SIGNATURE

DATE (MM/DD/YYYY)

SPOUSE'S NAME

SPOUSE'S SIGNATURE

DATE (MM/DD/YYYY)