

LICENSE APPLICATION OVERVIEW FOR NON-SOCIAL EQUITY APPLICANTS (RETAILER AND INTERNET RETAILER)

June 2024



PRESENTERS



Sarah Weniger
Community Resource Officer
Sarah.Weniger@dc.gov | (202) 397.3971



Anna Ray
Cannabis Licensing Program Specialist
Anna.Ray2@dc.gov | (202) 442.6958

AGENDA

- Agency and Program Overview
- Open Application Period Schedule
- Eligibility and Site Considerations
- Application Overview and Security Plan
- Public Comment Period and Protests
- What to Expect after Submission
- Q&A

AGENCY AND PROGRAM OVERVIEW



AGENCY, PROGRAM OVERVIEW

- The **Alcoholic Beverage and Cannabis Administration (ABCA)** is an independent agency within DC Government charged with supporting the public's health, safety, and welfare through the control and regulation of the sale and distribution of alcohol and medical cannabis. ABCA operates under the authority of the **Alcoholic Beverage and Cannabis (ABC) Board**.
- DC's medical cannabis program permits persons with a valid medical cannabis patient registration issued by ABCA or a US state or territory extended reciprocity to purchase cannabis from a licensed Retailer for medical purposes. Patients may purchase up to 8-ounces within a 30-day rolling period.
- ABCA is responsible for issuing patient and caregiver registrations and medical cannabis business licenses, tracking medical cannabis products from seed to sale, and enforcing DC alcohol and medical cannabis laws and regulations.

OPEN APPLICATION PERIOD



OPEN APPLICATION PERIODS

Applications are only accepted during open periods, except for Testing Laboratories and Endorsements which are accepted on an ongoing basis.

UPCOMING OPEN PERIOD	START/END DATES	LICENSE TYPES	ELIGIBILITY
	July 1, 2024- August 29, 2024	Internet Retailer, Retailer	Non-Social Equity Applicants
CLOSED OPEN PERIODS	May 1, 2023- May 1, 2024	Cultivation Center, Manufacturer, Retailer	Licensed Operators—All
	May 1, 2023- June 30, 2023	Courier, Cultivation Center, Manufacturer	Social Equity Applicants
	August 29, 2023- October 30, 2023	Courier, Cultivation Center, Manufacturer	Standard and Social Equity Applicants
	November 1, 2023- January 29, 2024	Cultivation Center, Internet Retailer, and Retailer	Unlicensed Operators
	April 13, 2023- May 1, 2024	Manufacturer	Licensed Cultivation Centers
	March 1, 2024- April 30, 2024	Internet Retailer, Retailer	Social Equity Applicants

OPEN APPLICATION PERIOD

Two (2) medical cannabis business license types are available during the upcoming open application period. They include:

1. **Internet Retailer**—Permits businesses that do not have a physical location open to the public to sell medical cannabis, medical cannabis products, and paraphernalia online and by mobile application for delivery to eligible patients.
2. **Retailer**—Permits the dispensing of medical cannabis and medical cannabis products to eligible patients and caregivers. (*RENAMED, PREVIOUSLY DISPENSARY*)

Licenses are valid for up to three (3) years. Licenses of the same type expire on the same date.

At least 50% of all new medical cannabis business license types, except Testing Laboratories, are required to be set aside for social equity applicants. As announced in the DC Register, the Board is making thirty-three (33) retailer and two (2) internet retailer licenses available to standard applicants during this open application period.

OPEN APPLICATION PERIOD

A Conditional License Application may be submitted for all medical cannabis business license types that do not currently have a proposed location.

If approved, restrictions apply, including being unable to distribute, purchase, possess, cultivate, manufacture, or sell medical cannabis or medical cannabis products.

Conditional license holders have one (1) year from the date of issuance to provide the required documentation, including but not limited to, a lease, Certificate of Occupancy, security plan, and a permanent license application. An extension of the Conditional license period requires a legislative change and would need to be approved by the DC Council.

OPEN APPLICATION PERIOD

Filing and annual license fees apply for all available license and endorsement applications.

Fees are non-refundable.

Application and fee schedules are available at abca.dc.gov.

ELIGIBILITY, SITE CONSIDERATIONS



ELIGIBILITY, SITE CONSIDERATIONS

Applicants may not have had any felony conviction for a crime of violence, a gun offense, tax evasion, fraud, or credit card fraud within the three (3) years preceding the date the application is filed unless the applicant demonstrates rehabilitation and fitness for licensure in accordance with D.C. Official Code § 7-1671.06.

ELIGIBILITY, SITE CONSIDERATIONS

A medical cannabis business, except for a Courier license, shall not locate within any residential district or within three hundred feet (300 ft.) of a preschool, primary or secondary school, or recreation center.

An applicant for a Retailer license cannot be located within 400 feet of an existing Retailer or a previously submitted Retailer application filed timely by another applicant.

If two Retailer license applications are filed within 400 feet of each other, ABCA will proceed forward with the application filed by the facility that is first in time. If the application is subsequently denied, ABCA will proceed forward with the application that is second in time.

APPLICATION OVERVIEW



APPLICATION INSTRUCTIONS

- Checklists and instructions are provided in the [application](#) and on ABCA's [website](#).
- To apply for a license, the minimum documents that need to be filed are below:
 - Medical Cannabis License Application
 - Trade Name Registration – [Department of Licensing and Consumer Protection \(DLCP\)](#)
 - Certificate of Good Standing for the Corporation – [DLCP](#)
 - Clean Hands Certification – [Office of Tax and Revenue](#)

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APPLICATION INSTRUCTIONS

- To apply for a license, the minimum documents that need to be filed are below (*continued*):
 - Certified surveyor's report or detailed Geographic Information System (GIS) map detailing proximity of proposed location to schools or recreation centers
 - Medical Cannabis Certified Business Enterprise (CBE) Declaration Form
 - Annual Personal Net Income Attestation Form (if applying as a Medical Cannabis CBE)
 - Certification as a Medical Cannabis CBE from the Department of Small & Local Business Development (DSLBD) (if applying as a Medical Cannabis CBE)
 - Current, valid lease, intent to lease, or deed (Applicants must have an actual location to apply unless the application is for a conditional license)
 - Security Plan (Unless the application is for a conditional license)
 - Non-refundable application fee

APPLICATION INSTRUCTIONS

- Common mistakes made by applicants for medical cannabis licenses include:
 - Not notarizing the application
 - Submitting an incomplete application
 - Filling out the application incorrectly
 - Applying for a business license type unavailable during the open period.
- Applications may be submitted online (*recommended*), in-person, drop box, or by emailing ABCA.CannabisLicensing@dc.gov.
- Applications received by any amount of time before 9:00 a.m. on Monday, July 1, 2024 or after 4:00 p.m. on Monday, August 29, 2024 will be rejected.
- For technical assistance and/or scheduling an appointment with a licensing specialist, email ABCA.CannabisLicensing@dc.gov.

PUBLIC COMMENT, PROTESTS



PUBLIC COMMENT, PROTESTS

- Applications, excluding Courier license and Testing Laboratory applications, are subject to a 45-calendar day public comment period with notice given to the Councilmember of the affected ward and all ANCs within 600 feet of the proposed location. Conditional license applications are not subject to a public comment period until their permanent license application is submitted.
- Applicants and ANCs may enter into Settlement Agreements but they must be approved by the ABC Board to be enforceable.
- Only ANCs located within 600 feet of the proposed location may protest a Retailer or Internet Retailer license application.

PUBLIC COMMENT, PROTESTS

- Resolutions submitted by an ANC must address concerns or support regarding the proposed location, including but not limited to:
 - The effect of the establishment on real property values
 - The effect of the establishment on peace, order, and quiet of the relevant area
 - The effect of the establishment upon residential parking needs and vehicular and pedestrian safety
- The ABC Board will hold a contested case protest hearing within approximately 120 days of receiving a timely protest from an affected ANC.

WHAT TO EXPECT



AFTER SUBMISSION – NEXT STEPS

Once an application is submitted, a licensing specialist is assigned. Licensing specialists verify CBE status (*if selected*) and that all required documents are submitted and valid.

Complete applications are submitted to the ABC Board for review. If a permanent license application is accepted, fees are invoiced and placards initiating a 45-day public comment period are issued. Internet Retailers must post a digital placard on their website.

Applicants whose applications are determined to be incomplete must be responsive to ABCA communications and actively attempt to provide the missing documentation and/or correct identified problems within 30 days. Applications whose applicants prove to be unresponsive will be denied and be returned.

REVIEW PERIOD

- If the ABC Board denies a license application, the decision will be made in writing to the applicant stating the reasons for denial.
- The applicant may submit a written appeal to the Board within 15 calendar days to reconsider the denial decision, including any relevant documentation or evidence that contests the denial.
- An establishment that is issued a Retailer or Internet Retailer license by the ABC Board is required to open within 120 days of license issuance.

Q&A

