ABCC OUTREACH
MA Municipal Association
Annual Meeting - Jan. 24, 2020

Ralph Sacramone
Executive Director
617-727-3040 ext. 731
rsacramone@tre.state.ma.us
We Have a New Address

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

All applications and correspondence should be mailed to the address above.
RETAIL LICENSES

What would you like to do?

Top actions & services

- Alcoholic Beverages State Licenses
- Alcoholic Beverages Retail Licenses
- ABCC Calendar

More actions & services

- ABCC Publications
- Direct Wine Shipper Reports for the ABCC
- Resources for Local Licensing Authorities (ABCC)
- Enforcement Division (ABCC)
- Special Licenses and Permits (ABCC)
- ePay for Online Payments (ABCC)
Resources and Forms for Local Licensing Authorities (LLAs)

Review necessary forms and helpful guides for LLAs here.

TABLE OF CONTENTS

Forms

For LLAs: See below for links to forms and resources that can answer your questions regarding licenses.

- Licensing Authority Certification
- Monetary Transmittal Form
- Monetary Transmittal Form for Additional Package Stores
- No Fee Transmittal Form

RELATED

ABCC Calendar ➔
The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

LICENSING AUTHORITY CERTIFICATION

TRANSACTION TYPE (Please check all relevant transactions):
The license applicant petitions the Licensing Authorities to approve the following transactions:
- New License
- Transfer of License
- Change of Manager
- Change of Officers/Directors
- Change of Ownership Interest

City / Town: ____________________________ ABCC License Number: ____________________________

APPLICATION INFORMATION

Name of Licensee: ____________________________ DBA: ____________________________
Street Address: ____________________________
Manager: ____________________________

Type: ____________________________
(i.e. restaurant, package store)

Class: ____________________________
(Annual or Seasonal)

Category: ____________________________
(i.e. Wines and Malt / All Alcohol)

Granted under Special Legislation? Yes [ ] No [ ]
If Yes, Chapter of the Acts of (year) ____________________________

DESCRIPTION OF PREMISES
Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date: ____________________________ Time: ____________________________
Advertised: Yes [ ] No [ ] Date Published: ____________________________
Abutters Notified: Yes [ ] No [ ] Date of Notice: ____________________________

Date APPROVED by LLA: ____________________________ Decision of the LLA: ____________________________

Additional remarks or conditions (e.g. Days and hours)

For Transfers ONLY:
Seller License Number: ____________________________ Seller Name: ____________________________

Alcoholic Beverages Control Commission
Ralph Saraceno
Executive Director

The Local Licensing Authorities By: ____________________________

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES

TYPE

CATEGORY

CLASS

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Is this license application pursuant to special legislation?  

- Yes  
- No  

Chapter  

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name

DBA

Manager of Record

Street Address

Phone

Email

Alternative Phone

Website

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Square Footage:  

Number of Entrances:  

Seating Capacity:  

Number of Floors:  

Number of Exits:  

Occupancy Number:  

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:

Phone:

Title:

Email:

FEIN

5. CORPORATE STRUCTURE

<table>
<thead>
<tr>
<th>Entity Legal Structure</th>
<th>Date of Incorporation</th>
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<tr>
<th>State of Incorporation</th>
<th>Is the Corporation publicly traded?</th>
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<td>☐ Yes ☐ No</td>
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6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.

Please note the following statutory requirements for Directors and LLC Managers:
- On Premises (Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
- Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.

If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

<table>
<thead>
<tr>
<th>Name of Principal</th>
<th>Residential Address</th>
<th>SSN</th>
<th>DOB</th>
<th>Title and or Position</th>
<th>Percentage of Ownership</th>
<th>Director/ LLC Manager</th>
<th>US Citizen</th>
<th>MA Resident</th>
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<td>Yes ☐ No</td>
<td>Yes ☐ No</td>
<td>Yes ☐ No</td>
</tr>
</tbody>
</table>

Additional pages attached? ☐ Yes ☐ No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. ☐ Yes ☐ No

MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? ☐ Yes ☐ No
APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE
Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages?  Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>License Name</th>
<th>Municipality</th>
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</table>

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE
Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?  Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Name</th>
<th>License Type</th>
<th>License Name</th>
<th>Municipality</th>
</tr>
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6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION
Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?  Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

<table>
<thead>
<tr>
<th>Date of Action</th>
<th>Name of License</th>
<th>City</th>
<th>Reason for suspension, revocation or cancellation</th>
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</table>

7. OCCUPANCY OF PREMISES
Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Landlord Name __________________________
Landlord Phone __________________________ Landlord Email __________________________
Landlord Address __________________________
Lease Beginning Date __________________________ Rent per Month __________________________
Lease Ending Date __________________________ Rent per Year __________________________

Will the Landlord receive revenue based on percentage of alcohol sales?  Yes ☐ No ☐
8. Financial Disclosure

A. Purchase Price for Real Estate
B. Purchase Price for Business Assets
C. Other (Please specify)
D. Total Cost

Source of Cash Contribution

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

<table>
<thead>
<tr>
<th>Name of Contributor</th>
<th>Amount of Contribution</th>
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</table>

Total

Source of Financing

Please provide signed financing documentation.

<table>
<thead>
<tr>
<th>Name of Lender</th>
<th>Amount</th>
<th>Type of Financing</th>
<th>Is the lender a licensee pursuant to M.G.L. Ch. 138</th>
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<tbody>
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<td>Yes ☐ No ☐</td>
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<td>Yes ☐ No ☐</td>
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<td>Yes ☐ No ☐</td>
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</table>

Financial Information

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

9. Pledge Information

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ☐ Yes ☐ No

Please indicate what you are seeking to pledge (check all that apply) ☐ License ☐ Stock ☐ Inventory

To whom is the pledge being made?
10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

<table>
<thead>
<tr>
<th>Proposed Manager Name</th>
<th>Date of Birth</th>
<th>SSN</th>
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<th>Residential Address</th>
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<th>Email</th>
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Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?**  Yes  No  *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship: US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?  Yes  No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

<table>
<thead>
<tr>
<th>Date</th>
<th>Municipality</th>
<th>Charge</th>
<th>Disposition</th>
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C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

<table>
<thead>
<tr>
<th>Start Date</th>
<th>End Date</th>
<th>Position</th>
<th>Employer</th>
<th>Supervisor Name</th>
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D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No

If yes, please fill out the table. Attach additional pages, if necessary, utilizing the format below.

<table>
<thead>
<tr>
<th>Date of Action</th>
<th>Name of License</th>
<th>State</th>
<th>City</th>
<th>Reason for suspension, revocation or cancellation</th>
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I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

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<th>Signature</th>
<th>Date</th>
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</table>
ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.
APPLICANT’S STATEMENT

I, [Authorized Signatory], the: ☐ sole proprietor; ☐ partner; ☐ corporate principal; ☐ LLC/LLP manager

of [Name of the Entity/Corporation]

hereby submit this application (hereinafter the “Application”), to the local licensing authority (the “LLA”) and the Alcoholic Beverages Control Commission (the “ABCC” and together with the LLA collectively the “Licensing Authorities”) for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

(1) I understand that each representation in this Application is material to the Licensing Authorities’ decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;

(2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;

(3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;

(4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;

(5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;

(6) I understand that all statements and representations made become conditions of the license;

(7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;

(8) I understand that the licensee’s failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and

(9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

(10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

[Signature]

Date: ____________

[Title]
CORPORATE VOTE

The Board of Directors or LLC Managers of [Entity Name] duly voted to apply to the Licensing Authority of [City/Town] and the Commonwealth of Massachusetts Alcoholic Beverages Control Commission on [Date of Meeting] for the following transactions (Check all that apply):

- [ ] New License
- [ ] Transfer of License
- [ ] Change of Manager
- [ ] Change of Officers/Directors
- [ ] Change of Ownership Interest
- [ ] Other [Other]

- [ ] Change Corporate Name
- [ ] Change of DBA
- [ ] Alteration of Licensed Premises
- [ ] Change of Location
- [ ] Issuance/Transfer of Stock/New Stockholder
- [ ] Change Class (e.g., Annual/Seasonal)
- [ ] Change of License Type (e.g., Club/Restaurant)
- [ ] Change of Category (e.g., Bar/Restaurant, Multi)
- [ ] Pledge of Collateral (e.g., Lien/Security)
- [ ] Management/Operating Agreement
- [ ] Change Corporate Structure (e.g., Corp./LLC)
- [ ] Change of Hours

"VOTED: To authorize [Name of Person] to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint [Name of Liquor License Manager] as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attests, [Corporate Officer/LLC Manager Signature] For Corporations ONLY
A true copy attests, [Corporation Clerk's Signature]
Checklist

NEW LICENSE

To apply for an alcoholic beverages retail license, you will need the following:

- New Retail Application
- Business Structure Documents
  - If Sole Proprietor, Business Certificate
  - If partnership, Partnership Agreement
  - If corporation or LLC, Articles of Organization from the Secretary of the Commonwealth
- CORI Authorization Form Complete one for each individual with financial or beneficial interest in the entity that is applying AND one for the proposed manager of record. This form must be notarized with a stamp or raised seal.
- Manager Application
- Proof of Citizenship for the proposed Manager of Record.
- Vote of the Corporate Board
- Supporting Financial Records for all financing and or loans, including pledge documents, if applicable.
- Legal Right to Occupy, a lease or deed.
- Floor Plan
- Abutter's Notification
- Advertisement
- Monetary Transmittal Form
- $200 Fee paid online through our online payment portal, ePay
- Additional information, if necessary, utilizing the formats provided and or any affidavits.

Please Note: you may be requested to submit additional supporting documentation if necessary.
6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

<table>
<thead>
<tr>
<th>Entity Name</th>
<th>Percentage of Ownership in Entity being Licensed</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>(Write &quot;NA&quot; if this is the entity being licensed)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Principal</th>
<th>Residential Address</th>
<th>SSN</th>
<th>DOB</th>
<th>Director/ LLC Manager</th>
<th>US Citizen</th>
<th>MA Resident</th>
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</table>

**Title and/or Position**

<table>
<thead>
<tr>
<th>Name of Principal</th>
<th>Residential Address</th>
<th>SSN</th>
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</table>

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

If yes, attach an affidavit providing the details of any and all convictions.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>
Certificate of Good Standing required beginning MM/DD/YYYY

In order to confirm that all licensees and applicants are in compliance with Massachusetts tax laws, a Certificate of Good Standing ("COGS") from the Massachusetts Department of Revenue and a Certificate of Compliance ("COC") from the Massachusetts Department of Unemployment Assistance will be required for the following transactions submitted to the Local Board beginning MM/DD/YYYY:

- Transfer of License (certificate must be in the current/seller licensee name)
- Change in Beneficial Interest
- Pledge of License
- Change of License Class (Seasonal, Annual)
- Change in License Category (Wines and Malts, All Alcohol, etc.)
- Change of Entity Name (certificate must be in the current corporate name)
- Change of Corporate Structure (certificate must be in the current corporate structure)
- Addition of a Management Agreement
- PLEASE NOTE: a new licensee does not require a COGS or a COC

An applicant can obtain the required documents by visiting the following websites:

Department of Revenue:  https://www.mass.gov/how-to/request-a-certificate-of-good-standing-tax-compliance-or-a-corporate-tax-lien-waiver

Department of Unemployment Assistance:  https://www.mass.gov/how-to/request-a-certificate-of-compliance
Please ensure the DOR Certificate of Good Standing is from the current licensee.
DUA CERTIFICATE OF COMPLIANCE

Ralph's Bistro
239 Causeway Street
Boston, MA 02114

EIN: 802809999
June 07, 2018

Certificate Id: 18386

The Department of Unemployment Assistance certifies that as of 6/5/2018, RALPH'S BISTRO is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c. 149.§109.

This certificate expires in 30 days from the date of issuance.

Richard A. Jeffers, Director
Department of Unemployment Assistance
June 12, 2018

Alcoholic Beverages Control Commission
Attn: Chairman
239 Causeway Street, 2nd Floor
Boston, MA 02114

Chairperson,

We hereby give notice that there is no objection to the application filed by
the below named Taxpayer/License holder.

CONDITIONAL RELEASE:  ABC RESTAURANT, LLC
D/B/A THE TAVERN
100 CAMBRIDGE STREET
BOSTON, MA 02114

The taxpayer agrees to pay $25,389.47 plus any accrued interest to the
Department of Unemployment Assistance within 24 hours of the closing.
Payment must be in the form of bank or attorney’s check

Sincerely,

Revenue Enforcement

cc: file
• The ABCC will work diligently to process applications completely when they are received.

• In some cases however additional local board action or substantial information is missing from an application or amendment.

• In those cases the ABCC will return the transaction “Returned No Action” or RNA and include a recommendation from an investigator on what is missing or required.

• The local board should inform the applicant what is missing along with the remarks from the investigator.

• The applicant should then provide the information to the local board and based on the approval of the local board the LLA Certification and missing information should be resent to the ABCC with the reconsideration box checked on the LLA Certification form.
Thank you for your time