



ANDREW M. CUOMO
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2021-12

Subject: Conditional approvals – temporary changes to Advisory 2019-6

Advisory 2019-6 provides, among other things, that:

For good cause shown, a retail applicant that has not been issued or is operating without a temporary retail permit may be granted a six-month extension to satisfy the conditions of approval. No more than two such extensions shall be granted by the Licensing Board to such an applicant. The Members of the Authority, in their discretion, may issue further extensions. No extensions will be granted to retail applicants operating under a temporary retail permit.

As a result of the impact of the COVID-19 pandemic on applicants, the Authority has provided certain relief to applicants with respect to conditional approvals. In Advisory 2020-11, the Authority advised applicants operating under temporary retail permits to obtain two conditional approval extensions while continuing to operate under a temporary retail permit. That advisory expired on December 30, 2020. In Advisory 2021-9, the Authority advised applicants operating under temporary retail permits that they could obtain two conditional approval extensions, but they would not be allowed to continue to operate with a temporary retail permit during those extension periods. The relief granted in that advisory is scheduled to expire on June 30, 2021.

Effective until December 31, 2021, the above-referenced language of Advisory 2019-6 is amended to read as follows:

For good cause shown, a retail applicant that has not been issued or is operating without a temporary retail permit may be granted a six-month extension to satisfy the conditions of approval. No more than five such extensions shall be granted by the Licensing Board to such an applicant. Neither the Licensing Board nor the Members of the Authority will entertain requests for additional extensions beyond the five provided for in this advisory. An applicant operating with a temporary retail permit will be required, as a condition of any extension, to surrender such permit.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on March 31, 2021 before Chairman Vincent Bradley, Commissioner Lily Fan, and Commissioner Greeley Ford. The above written advisory was approved by the Members of the Authority on March 31, 2021.

Dated: 4/1/21

Thomas J. Donohue
Secretary to the Authority