



ANDREW M. CUOMO
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2021-13

Subject: Extension of COVID-19 related relief regarding submission of renewal fees, safekeeping requirement and collection of civil penalties

The Authority has previously granted temporary relief to licensees with respect to the due date for the submission of renewal fees, the safekeeping requirement and the collection of civil penalties. That temporary relief has been extended by a series of Advisories until April 30, 2021. The relief granted by those Advisories is now extended as follows:

Renewal Fees

- The date for submitting payment of the renewal fee for licenses expiring on March 31, 2020 and April 30, 2020 is extended to May 31, 2021.
- The renewal fee for off-premises retail licenses (grocery stores, drug stores, package/liquor stores and wine stores) expiring on or after May 31, 2020 must be submitted with the renewal application. These licensees may obtain an extension until May 31, 2021 to submit the renewal fee if they can demonstrate financial hardship as a result of COVID-19. The request for the extension must be submitted with the renewal application.
- The renewal fee for licensed wholesalers and licensed manufacturers expiring on or before March 31, 2021 may be submitted without payment of the required renewal fees. Payment of the required fees must be made on or before May 31, 2021.
- The renewal fee for licensed wholesalers and licensed manufacturers expiring on or after April 1, 2021 must be submitted with the renewal application. These licensees may obtain an extension until May 31, 2021 to submit the renewal fee if they can demonstrate financial hardship as a result of COVID-19. The request for the extension must be submitted with the renewal application.
- Renewals for all other licenses expiring on or after May 31, 2020 may be submitted without payment of the required renewal fees. Payment of the required fees must be made on or before May 31, 2021.
- For those licensees who are allowed to submit the renewal application without payment of the required fee, if the renewal application is otherwise timely and complete (see Advisory 2020-26), the licensee will be placed on "SAPA" status and allowed to continue

operating under such status until May 31, 2021, or until payment is made, whichever comes first.

Safekeeping

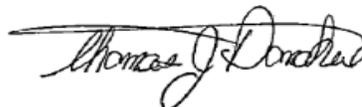
- The requirement that a licensee who closed because of the current public health emergency place its license certificates in safekeeping until the establishment reopens is waived until May 31, 2021. As a result of this waiver, licensees who have temporarily closed are not required to place their license certificate in safekeeping until the business reopens. Licensees who have permanently ceased doing business are required to surrender their license certificates.

Civil Penalties

- The directive to Secretary's Office to: (1) refrain from issuing "Notices of Disposition" which include demand for payment for any matter where the Full Board imposed a civil penalty; and (2) refrain from imposing the alternate penalty in any matter where the licensee has failed to submit timely payment of the civil penalty is extended until May 31, 2021.
- The directive shall not apply to any matter where an emergency summary order of suspension has been issued. In such matters: (1) the summary order shall remain in effect until such time as the civil penalty is paid; (2) upon the imposition of the civil penalty, Secretary's Office shall forthwith issue a "Notice of Disposition" demanding payment of the civil penalty; and (3) upon the failure of the licensee to submit timely payment of the civil penalty, the alternate penalty as provided for in the "Notice of Disposition" shall be imposed.
- Secretary's Office will continue to issue suspension, cancellation and revocation orders, as well as make bond claims, directed by the Members of the Authority at Full Board Meetings.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on April 28, 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 April 28, 2021.

Dated: 4/28/21



Thomas J. Donohue
Secretary to the Authority