

Arizona Department of Gaming

**Designee  
Application**



**Arizona Department of Gaming**

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Arizona Department of Gaming  
100 N. 15th Avenue #202  
Phoenix, AZ 85007  
(602) 771-4263

# Designee

## APPLICATION FEE:

Application Fee: **\$100,000**

Initial License Fee: **\$750,000**

Annual Renewal Fee: **\$150,000**

## Additional Information:

- A Designee appointed by an Event Wagering Operator must have a license from the Department prior to providing event wagering services. The Event Wagering Operator license and Designee license shall be renewed every five (5) years thereafter. If a Designee operates event wagering, including developing and operating event wagering systems and platforms and providing odds, lines, and global risk management, a separate Management Services Provider license is not required. **A.A.C. R19-4-104(C)**
- Designee means a person acting on behalf of an Event Wagering Operator who is responsible for the management and control of event wagering operations. **A.A.C. R19-4-101(B)(7)**
- You are advised that this application is an official document and false or incomplete answers could result in criminal prosecution and the denial, or subsequent revocation of licensure.
- An applicant for licensure, or renewal thereof, that wishes to withdraw an application must submit a request to the Department in writing. The application will not be considered withdrawn without the written permission of the Department. **A.A.C. R19-4-105(L)**
- In addition to this application, applicants shall provide information, documentation, and assurances concerning financial background and resources of the applicant or its Management Services Provider to establish by clear and convincing evidence the financial stability, integrity, and responsibility of the applicant or its Management Services Provider. This includes, but is not limited to, proof of meeting the following standards (**A.R.S. § 5-1304(B)**):
  - The ability to ensure the financial integrity of Event Wagering Operations by maintaining a bankroll or equivalent provisions adequate to pay winning wagers to bettors when due. **A.R.S. § 5-1304(B)(6)(a)**
  - The ability to meet ongoing operating expenses. **A.R.S. § 5-1304(B)(6)(b)**
  - The ability to pay, as and when due, all state and federal taxes. **A.R.S. § 5-1304(B)(6)(c)**
  - Information establishing sufficient business ability and gaming experience. **A.R.S. § 5-1304(B)(7)**
  - Information on the amount of adjusted gross event wagering receipts and associated adjusted gross receipts that the applicant expects to generate. **A.R.S. § 5-1304(B)(9)**

# Application Packet Checklist

On receipt of a completed application and the required fee, the Department shall conduct the necessary background investigations to determine if the applicant meets the qualifications for licensure. The applicant agrees to provide access to the following information and/or documents and to provide copies, as requested.

This information includes, but is not limited to, the following:

**Please verify all items are checked-off and included in the application packet in order to avoid a rejected application.**

✓ **Application – Do NOT staple applications**

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | EWFS – Designee Application  |
| <input type="checkbox"/> | ADG-902 Release of All Claims  |
| <input type="checkbox"/> | ADG-906 - Authorization to Release Credit Information  |
| <input type="checkbox"/> | <b>ALL Applications requested for Key Employee</b>   |
| <input type="checkbox"/> | Articles of Incorporation or Organization/Partnership Agreement and all amendments   |
| <input type="checkbox"/> | Bylaws   |
| <input type="checkbox"/> | Certification of Good Standing from Registered State   |
| <input type="checkbox"/> | Current Litigation List  |
| <input type="checkbox"/> | List of all Gaming Licenses  |
| <input type="checkbox"/> | Updated – Detailed Internal and External Organizational charts   |
| <input type="checkbox"/> | <b>Payment</b> – <a href="https://adgpay-ewfs.az.gov/">https://adgpay-ewfs.az.gov/</a> - Please Provide a Copy of Payment Confirmation |

**Financial Information**

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Audited Financial Statements for the last <b>three (3) years</b> to include, but not be limited to: |
| <input type="checkbox"/> | Annual Reports  |
| <input type="checkbox"/> | Income Statement  |
| <input type="checkbox"/> | Balance Sheet   |
| <input type="checkbox"/> | Statement of Cash Flows   |
| <input type="checkbox"/> | Notes to Financial Statements   |
| <input type="checkbox"/> | Last <b>three (3) years</b> of tax returns  |
| <input type="checkbox"/> | List of past and current SEC violations if Publicly Traded  |

**Pursuant to A.R.S. § 41-1030:**

...B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

...D. This section may be enforced in a private civil action and relief may be awarded against the state. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

E. A state employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the agency's adopted personnel policy.

F. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

# ARIZONA DEPARTMENT OF GAMING

## DESIGNEE APPLICATION

		Date: _____	
1.	Entity Name: _____	Phone: _____	
	Trade Name/ dba Name: _____	Fax: _____	
	Physical Address: _____		
	City: _____ State: _____ Country: _____	Zip Code: _____	
-----			
	Mailing Address: _____		
	City: _____ State: _____ Country: _____	Zip Code: _____	
	Company Headquarters? <input type="checkbox"/> Yes <input type="checkbox"/> No Website: _____		
2.	Parent Company: _____	Phone: _____	
	Mailing Address: _____	Fax: _____	
	City: _____ State: _____ Country: _____	Zip Code: _____	
	Company Headquarters? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3.	Contact Person: _____	Phone: _____	
	Position: _____	Fax: _____	
	Email address: _____		
4.	Accounting Contact Person _____	Phone: _____	
	Email address: _____	Fax: _____	
	Mailing Address: _____		
	City: _____ State: _____ Country: _____	Zip Code: _____	

5. Entity Type:  Corporation  S-Corp  Partnership  
 Sole Proprietor  Limited Liability Company  
 Other: \_\_\_\_\_

6. Ownership:  Private  Public Ticker Symbol \_\_\_\_\_ Exchanges on which traded \_\_\_\_\_

7. Accounting Year  Calendar Year  Fiscal Year Year End Date: \_\_\_\_\_

8. Federal Tax Id Number / Employer Id Number: \_\_\_\_\_  
Social Security Number if Sole Proprietor: \_\_\_\_\_

9. Complete the following: (if the applicant is a partnership or limited liability company, furnish comparable information)  
(a) State of incorporation / organization: \_\_\_\_\_ Date of Incorporation: \_\_\_\_\_  
*(If incorporated out of state, you must attach a letter of good standing from the state where incorporated)*

10. (a) A general description of the nature of the business. (Attach a separate page, if necessary)

(b) A Description of any physical facility operated by the Applicant in Arizona.  
(Attach a separate page, if necessary)

11. Operator Partner: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

12. Management Service Provider: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

13. List all individuals and/or entities who hold a 5% or more ownership of company and have voting rights

*State all titles or positions currently held with the business.*

*Each of the persons named below are required to complete and file all required application forms and fingerprint impressions.*

Check here if you attached a list. Please label list as "Item 13"

Full Name	Title	# of Shares	% of Ownership
			%
			%
			%
			%

14. List gaming licenses issued or pending with other jurisdictions:

Check here if you attached a list. Please label list as "Item 14"

Agency	Agency City, State	Type of License	Dated Issued	Date Expired	Status

15. List any past or current letters of concern, violations, hearings or settlements in relation to obtaining a license and/or permit to conduct business in any gaming jurisdiction in or outside of the United States.

Check here if you attached a list. Please label list as "Item 15"

Agency	Agency City, State	Date of Violation	Violation	Status

16. Is there past or current litigation (civil or criminal) involving the Applicant?

Yes (Explain Below)  No  Check here if you attached a list. Please label list as "Item 16"

*If you answered "Yes", you must provide the following details below. List all cases WITHOUT EXCEPTION.*

Plaintiff	Defendant	Case Number	Date Filed
Court Holding Jurisdiction	City / State	Current Status	Date of Last Action

Description of Litigation:

Plaintiff	Defendant	Case Number	Date Filed
Court Holding Jurisdiction	City / State	Current Status	Date of Last Action

Description of Litigation:

Plaintiff	Defendant	Case Number	Date Filed
Court Holding Jurisdiction	City / State	Current Status	Date of Last Action

Description of Litigation:

17. Tax Liability

Check here if you attached a list. Please label list as "Item 17"

Tax Type	IRS or State	Filing Status/List Months Current or Past Due	Amount of Tax Liability, if past due
			\$
			\$
			\$
			\$
			\$

18. Company Loans to and from

Check here if you attached a list. Please label list as "Item 18"

Name of Creditor/Debtor		Description of Liability		Collateral
Creditor <input type="checkbox"/>	Debtor <input type="checkbox"/>			
Date Incurred (mm/yyyy)	Maturity Date (mm/yyyy)	Interest Rate	Original Amount	Balance

Name of Creditor/Debtor		Description of Liability		Collateral
Creditor <input type="checkbox"/>	Debtor <input type="checkbox"/>			
Date Incurred (mm/yyyy)	Maturity Date (mm/yyyy)	Interest Rate	Original Amount	Balance

Name of Creditor/Debtor		Description of Liability		Collateral
Creditor <input type="checkbox"/>	Debtor <input type="checkbox"/>			
Date Incurred (mm/yyyy)	Maturity Date (mm/yyyy)	Interest Rate	Original Amount	Balance

19. Adjusted Gross Event Wagering Receipts (AGEWR) – This should be reported in Audited Financial Statements

What is the Designee's Expected AGEWR? \_\_\_\_\_



20.

### Cash in Bank

List below **ALL** bank accounts, domestic and/or foreign.

*Accounts should include, but are not limited to:*

*General/Operation Checking, A/P, Payroll, 401K, Sweep Accounts, Investment Funds, A/R, Savings, Deposits, etc.*

*A sampling of all disbursements and cash receipts may be reviewed on site prior to the issuance of Tribal licensing or State certification.*

Name and Address of Bank or Financial Institution	Account No.	Purpose of Account	Balance as of (Date) _____
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$
			\$

This application is true and correct to the best of my knowledge and that false or incomplete answers could result in criminal prosecution and the denial, or subsequent revocation, of state licensure by the Arizona Department of Gaming. Further, that I am voluntarily submitting this application with full knowledge that it will be reviewed by appropriate State authorities charged by law with granting state licensure.

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Signature of Applicant

## **RELEASE OF ALL CLAIMS**

The undersigned has filed with the Arizona Department of Gaming an Application for State Licensure. In consideration of the assurance by the Department of Gaming that no decision on said application will be taken except after a deliberate, intensive and thorough investigation of the undersigned, including but not limited to background, associates, and finances, the undersigned does for myself, my heirs, executors, administrators, agents, representatives, successors and assigns, hereby release and forever discharge the State of Arizona, the Department of Gaming, its members, agents, and employees, from all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which the undersigned ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to the undersigned application.

I, the undersigned, have read this release and understand all its terms. I execute it voluntarily and with full knowledge of its significance.

I have executed this Release of All Claims on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Applicant Signature

**APPLICANT'S AUTHORIZATION TO RELEASE CREDIT INFORMATION**

To: The Arizona Department of Gaming

From: \_\_\_\_\_  
Name of Business Entity

**RE: Licensure with the Arizona Department of Gaming**

1. In accordance with the Fair Credit Reporting Act, section 604(a)(2) & (3)(D), I hereby authorize and request all persons to whom this authorization is presented having information relating to or concerning me to furnish a consumer report of such information to duly appointed agents of the Arizona Department of Gaming, whether or not such information would otherwise be protected from disclosure by any constitutional, statutory or common law privilege.
2. I have filed with the Arizona Department of Gaming an application for state license recommendation, of which this document is a part thereof. I understand that I am seeking the granting of a privilege and acknowledge that the burden for proving my qualifications for a favorable determination is at all times on me. I accept any risk of adverse public notice, embarrassment, criticism or other financial loss which may result from the action with respect to this application.
3. I hereby authorize the Arizona Department of Gaming to use the information contained in the consumer report and/or the consumer report for License purposes, including but not limited to investigation, licensing, certification, any court or administrative proceeding and any and all other procedures set forth in A.R.S. §§ 5-1201 through 1213 & A.R.S. §§ 5-1301 through 1321 and A.A.C. Title 19, Chapter 4.
4. A reproduction of this request by photo copy or similar process shall be for all intents and purposes as valid as the original.

I have executed this authorization on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Applicant's Signature