

# How To...

## Transfer a Liquor Permit



[www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr)

### How To Transfer a Liquor Permit

**“I would like to apply for a liquor permit in an area in which there are no new liquor permits available under the quota system. Are there any other options I can pursue in order to obtain a permit?”**

The answer is “yes”. Many times businesses which are for sale hold liquor permit privileges which can be transferred to another business. Businesses for sale that include liquor permit privileges are often advertised in local newspapers and industry trade publications. But remember, a permit alone cannot be purchased. The transaction must include other assets such as stock and inventory, tables and chairs, or other equipment.

There are six types of transfer transactions:

1. Transfer of ownership at the same location;
2. Transfer of location of an existing business;
3. Transfer of ownership and location;
4. Transfer of ownership and location out of safekeeping;
5. Transfer of shares of stock in a corporation;
6. Transfer of membership interest in a limited liability company (LLC).

**Applications may be obtained by contacting the Ohio Department of Commerce, Division of Liquor Control’s Licensing Office at 6606 Tussing Rd., P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 (614/644-2431), or from the Division’s web site at [www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr).**

Each application includes instructions as to the type of documents needed to process that transaction. A \$100 non-refundable processing fee is charged for filing each transfer application.

### Steps In Processing Transfer Applications

1. Notification is sent to the legislative authority and police department of the political subdivision for which the application is filed. Legislative authorities include the city council of an incorporated city or the township trustees and county commissioners of an unincorporated area.
2. Notification of any transfer of ownership is sent to the Ohio Department of Taxation. No transfers are approved until the Department of Taxation notifies the Division of Liquor Control that all taxes are current.
3. Notification of any transfer which involves a change of location from the original permit premises is sent to the county Board of Elections which in turn, notifies the Division of the wet or dry status of the area. If the new location is dry, the applicant is notified and processing ceases. If the area is wet, processing continues.
4. A physical inspection of the premises, or proposed premises, and the surrounding area is conducted by a Division compliance officer to determine if there are any institutions such as schools, churches, playgrounds, libraries or township parks within a 500 foot radius.

5. Authorities in control of institutions within a 500 foot radius are notified that an application for a liquor permit has been filed.

6. Local legislative authorities and institutions within a 500 foot radius are given the opportunity to file objections to the issuance of the permit and request a hearing.

7. If an objection is filed and a hearing requested, the Division of Liquor Control notifies the permit applicant by certified mail as to the date, time and place of the hearing.

8. Police records of all transfer applicants, including any five percent or more stockholder of a corporation, are checked.

9. Upon completion of processing, the applicant is notified to return the old permit and identification card to the division. The new permit is then mailed to the new location or new owner.

10. Before a transfer can be approved, all outstanding administrative and legal issues must be resolved.

### What if I am unable to locate a business for sale in my area that has a liquor permit?

Ohio Revised Code Section 4303.29 provides for the transfer of a C-1, C-2, D-1, D-2, D-3 and D-5 permit from a municipal corporation or the unincorporated area of a township where the permits of that class exceed the number of such permits authorized, to an economic development project located in another municipal corporation or in the unincorporated area of another township in which no openings for permits of that class exists. This type of transfer is known as a TREX.

### Factors Used to Determine the Designation of an Economic Development Project

- The architectural certification of the plans and the cost of the project;
- The number of jobs that will be created by the project;
- The projected earnings of the project;
- The projected tax revenues for the political subdivisions in which the project will be located;
- The amount of financial investment in the project;
- Written acknowledgment at the time of application from the municipal corporation or township that the proposed business is an economic development project.

To apply for this type of transfer, or if you have questions about any other permit related issue, please feel free to call the Licensing Section at 614/644-2431.

For information on quota exempt permits, please see Ohio Revised Code section 4303.181 or for a complete listing, see the Division's website at [www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr).

## Ohio Department of Commerce Division of Liquor Control

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