

## WHAT IS AN ECONOMIC DEVELOPMENT TRANSFER – (TREX)?

The Economic Development Transfer (“TREX”) was developed through Legislation to try to help those areas of the state that have an over-issuance of permits by TREX transferring them to another area of the state, meeting certain criteria. Therefore, if you are unable to obtain a New Liquor Permit through the Quota System as there are no permits available, or you are unable to do a regular transfer of ownership and location (not a TREX) of a class as there are no openings or the number of applicants on file exceed the openings available, you have the option of then trying to TREX transfer the ownership and location of someone else's permit to you, as long as you meet the TREX requirements.

Before beginning the TREX process, please note the following:

- The acquisition of someone else's liquor permit must be done pursuant to [Ohio Administrative Code 4301:1-1-14](#). This rule states in part that a transfer must be in conjunction with a bona fide sale of the business or assets of such permit holder. Therefore, you need to be able to pay a purchase price established by the seller.
- The only quota requirement that must be met in order to TREX Transfer permit classes, is the location where the permit is being transferred to, must NOT have any available permits, or a quota of permits available with applicants on the waiting list exceeding the number of openings.
- You must be able to obtain approval under Section B of the TREX Form, or attach a letter from the City, Village or Township signed by the Mayor, a City Council member or someone of authority in which you are transferring the permit to that states they acknowledge the transfer will be to an Economic Development Project. You may be required by the Division of Liquor Control, City, Village or Township to provide further documentation to prove this will be an economic development project.

If you are able to meet the requirements briefly outlined above, then you are ready to begin the process of trying to find a permit to TREX Transfer. We recommend that you consult private legal counsel before attempting to locate a permit to transfer.

The only list of possible permits for sale that the Division of Liquor Control has available is the Division's [safekeeping list](#) that can be found on our website at [www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr).

Once you have found a permit, the applicant will complete Section A of DLC Form 4244 TREX Form (page 2 of this document), and request Section B be completed by the Local Legislative Authority indicating their approval to the Economic Development TREX Transfer. The completed TREX form should then be returned to the applicant as they MUST file the TREX form with the appropriate Transfer Application: [Transfer of Ownership and/or Location Application \(DLC4120\)](#), or [Transfer of Location ONLY Application \(DLC4118\)](#)

If you have any questions regarding the TREX process, feel free to contact the Transfer Processing Section at 614-644-3155



ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township...

Seller - Current Permit Holder - (Individual, Corp., LLC or Partnership)
Buyer - Prospective Permit Holder - (Individual, Corp., LLC or Partnership)
Name:
Address:
Permit Number:

Check Class of Permits Being TREX Transferred:
C-1 C-2 C-2X D-1 D-2 D-2X D-3 D-3A D-3X D-5 D-6

SECTION A: (To Be Completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (Trex) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans.

1. The total amount invested in this project is \$
2. The total number of jobs that will be created by this economic development project is
3. Existing or Estimated Tax Revenue generated by this project is:
(Type or print on the lines provided the type of tax & amount, i.e., Sales Tax, Property Tax, Unemployment Tax, etc.)

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

Print or Type Name Signature
Date Phone Number Title

SECTION B: The applicant must have this section completed by the City, Village or Township Office in which this Economic Development Project (Trex) will be located. This form must be returned to the applicant to accompany the transfer application.

Based upon factors outlined above, the City, Village or Township of hereby endorses and acknowledges that this transfer will be to an economic development project.

Print or Type Name Signature of Mayor, Legislative Office Holder or Law Director
Date Phone Number Title (e.g., Mayor, Clerk of Council, Fiscal Officer or Law Director)