

Limited Video Lottery Retailer License Application



West Virginia Lottery Commission
900 Pennsylvania Avenue, Charleston, WV 25302

*This Application Contains Instructions, Terms and Conditions and
Forms Needed to Become a West Virginia Limited Video Lottery Retailer*



Basic Requirements for Limited Video Lottery Retailer License

- I.** In order to be licensed as a Limited Video Lottery Retailer, the applicant must provide the following:
- A valid Class “A” Private Club or Non-intoxicating Beer License issued by the WV ABCA.
 - A valid business license issued by the WV Secretary of State’s office.
 - A copy of your West Virginia Business Registration Certificate issued by the WV State Tax Department.
 - Proof of current workers’ compensation coverage.
 - Compliance letter from Unemployment Compensation/Workforce WV.
 - A copy of the lease agreement for the location, if any.
 - A completed Zoning Compliance form evidencing full compliance with city and/or county zoning laws regarding video lottery.
 - Each owner/officer is required to complete Live Scan fingerprinting through Identigo for the West Virginia Lottery.
 - Appointments can be scheduled online at <https://uenroll.identigo.com> or by calling 855-766-7746.
 - Service Code: **228RK3**
 - Fingerprints obtained by the ABCA for their licensing requirements are not acceptable for use by the WV Lottery.
 - Each officer and member is required to complete an Individual Release.
- II.** Qualified applicants must also comply with the following:
- Business name and doing-business-as name: Legislative Rule §179-5-33.6 states that a limited video lottery licensed retailer shall not use words commonly associated with gambling in either its corporation name or its doing-business-as name. For questions concerning your entity and/or DBA name, please contact the WV Lottery Licensing Division and speak with Philip Dandy, Licensing Manager at 304.558.0500 Ext. 1907 or Elizabeth Webb, Deputy Director of Licensing, at 304.558.0500 Ext. 1934.
 - The location cannot be within 150 feet of another Limited Video Lottery location or a place of business that sells petroleum products capable of being used as fuel in an internal combustion engine. The location also cannot be within 300 feet of a church, school or day care center or the perimeter of a public park. For more information, please contact the WV Lottery, 304-558-0500 and ask for Limited Video Lottery Security.
 - A site controller will be installed by a manufacturer and servicer to manage the video machines. The Scientific Games equipment will require a counter space available for use that is not less than 24" x 36" x 15" and a 20 amp electric circuit with at least two (2) outlets within 6 feet of the counter space.
 - For a list of licensed operators, the Limited Video Lottery Act, Rules, and general information, please visit our website: <https://business.wvlottery.com>



Limited Video Lottery Retailer Application Instructions

Provide a copy of any current or proposed agreement between the applicant and a licensed operator for the placement of video lottery terminals on the applicant's premises. This does not apply to independent retailers who own permits.

Unless owned by the applicant, you must provide a copy of the lease/rental agreement for the proposed limited video lottery retail location.

If you are an operator who owns a retail establishments you are subject to the laws and regulations for retailers set forth in West Virginia Code §29-22B-1, *et seq.*, and West Virginia Code of State Rules §179-5-1, *et seq.*

Complete the application in its entirety. Incomplete applications will not be considered and cannot be processed until all required information is received. Forms requiring signatures must include an original signature in blue ink. Signature stamps are not accepted.

Please include supplemental information for any component of the application that may require additional explanation.

Please note that all forms may be photocopied for your use. Photocopy the form prior to completing and signing the form.

A \$500 non-refundable application fee must be paid at the time of application submission. The WV Lottery accepts the following forms of payment: business check, certified check, cashier's check, or money order. The WV Lottery also accepts credit/debit cards and automated clearing house (ACH) payments made securely on the WV Lottery website. Payment may also be made online at the following link: <https://business.wvlottery.com/resourcesPayments>. Scroll down to the "Online Payment" section and select "View Link" for the specific license type you are applying for. Please note that when paying online, payments for each license type must be made separately. If paying online, your application must include a copy of the payment receipt showing the transaction ID number.

If you are utilizing a checking account for your lottery account, you must attach a voided check from the account you are instructing us to use. If you are utilizing a savings account, you must attach a voided deposit slip. **The EFT Form is not needed if you are leasing your machines from an Operator.**

Mail or Email completed Application to:

West Virginia Lottery
Licensing Division
Attn: Niki Kitchen
P.O. Box 2067
Charleston, WV 25327-2067

n.kitchen@wvlottery.com

For Questions: 1-800-982-2274 or 1-304-558-0500 ext. 1903

ABCA License Number _____



WEST VIRGINIA LIMITED VIDEO LOTTERY RETAILER INITIAL APPLICATION

PLEASE PRINT OR TYPE. ATTACH ADDITIONAL SHEETS AS NEEDED

1. \$500 Non-refundable Application Fee – Select Method of Payment

Business/Cashier's Check#: _____

Money Order #: _____

Online Payment – Transaction ID #: _____

(Include copy of receipt with transaction ID#)

2. Business Organization Name: _____

Doing Business as Name: _____ Email: _____

Location Phone #: _____ Fax #: _____

Location Address: _____ City: _____

County: _____ State: _____ Zip: _____

Mailing Address: _____ City: _____

State: _____ Zip: _____

F.E.I.N (No Social Security #s): _____ Workers' Compensation Policy: _____

3. Type of Business or Organization:

Sole Proprietorship– List owner

Partnership or Joint Venture– List each general partner, limited partner or joint venture.

Corp. or Subsidiary Association– List each officer and director (including those of the parent company or subsidiary.) Also list each stockholder, except if publicly owned. If publicly owned, list each stockholder who owns 5% or more stock and percentage of stock owned by each.

LLC, LLP- List each member, if member-managed; or Manager, if Manager-managed.

Fraternal- See Page 14 for additional information required for fraternal/veteran groups.

____ Sole Proprietorship ____ LLP ____ Partnership or Joint Venture

____ LLC ____ Corporation or Subsidiary ____ Fraternal/Veteran IRS Tax Exempt

4. List all names as required per type of business defined above and any executive employee or agent having the power to exercise significant influence over decisions concerning any part of the business operation. Each individual listed will also be required to complete the Individual Release (page 4).

NAME (Last name, Firstname, M.I.)

NAME (Last name, First name, M.I.)

5. Do any persons listed in response to question 4 presently hold a West Virginia issued limited video lottery license? ☐ **Yes** ☐ **No**

If "yes," provide the information in the following chart.

	Business Name/DBA Name	Location	License #
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

* If you are an operator owning or acquiring a retail establishment you are bound by the duties of a retailer as set forth in West Virginia Code §29-22B-1, *et seq.*, and West Virginia Code of State Rules §179-5-1, *et seq.*

6. Do any persons associated with this business presently hold a gaming or lottery license issued in another state or country? ☐ **Yes** ☐ **No**

If "yes," provide the information in the following chart.

	First Name/Last Name	State/County Licensed
1.		
2.		
3.		
4.		
5.		

7. Has an officer, owner, or majority owner of this entity been convicted of any violation under Article 23, Chapter 19, or Articles 22, 22A, 22B or 25. Chapter 29 of the West Virginia Code or any felony related to theft, bribery, or gambling in West Virginia or any other state or foreign county? ____ Yes ____ No
8. Has the majority owner/officer entered into an agreement with any outside party to provide management or personnel services (excluding the licensee's Operator)? ____ Yes ____ No

If yes, complete the following:

Name of Business: _____ FEIN: _____

Owner(s): _____

Pursuant to Policy Statement 11-03, please attach with this application a copy of the Personnel / Management agreement. ____ Attached

9. DISCLOSURE STATEMENT (Read Carefully)

I, the undersigned, upon oath, do hereby declare that the foregoing information is true and complete. I authorize the Director of the WEST VIRGINIA LOTTERY or his or her designee, to investigate any matter set forth in the lottery application including, but not limited to, financial records, financial sources, State Tax records, and criminal history as necessary for entering into an agreement as a limited video lottery retailer. I will, upon request, execute such additional documents as are required to facilitate this process, including a criminal record check agreement form.

I _____ (Licensee) hereby acknowledge and agree: to bear all risks of adverse public notice, embarrassment, criticism, damages or financial loss which may result from any disclosure or publication of any material or information obtained by the Lottery Commission pursuant to action on an application and furthermore, expressly waive any and all claims against the Lottery Commission, the State of West Virginia and the employees of either for damages as a result of any background investigation, disclosure or publication relating to an application for a video lottery license or permit.

Applicant/Authorizing Agent of Business

Name: _____ Title: _____

Signature: _____ Date: _____

NOTARY

Before me, the undersigned, a Notary Public in and for said County and State, the above individual personally appeared and acknowledged the execution of the foregoing instrument as his/her voluntary act and deed.

IN WITNESS WHEREOF, I, _____, have executed this instrument in the County of _____, State of _____, on this _____ day of _____, 20 ____.

My Commission Expires: _____

Notary Signature: _____

County of Residence: _____

Seal:



INDIVIDUAL RELEASE Limited Video Lottery

(Copies of this form should be made for completion by each person associated with the Application)

1. FULL NAME: _____ PRIOR LAST NAME(S): _____
 HOME PHONE: _____
 HOME ADDRESS: _____
 DATE OF BIRTH: _____ SOCIAL SECURITY NUMBER: _____
 EMAIL: _____

2. YOUR RELATIONSHIP TO BUSINESS: _____
 JOB TITLE: _____
 PERCENT OF OWNERSHIP: _____ PERCENT OF STOCK OWNED: _____

3. PRESENT EMPLOYER: _____

4. U.S. CITIZEN: ____ YES ____ NO (If No, attach details)

Disclosure of WV Lottery Employee Relationship(s):

I hereby authorize any representative of the West Virginia Lottery Commission having this release to obtain information from files or other sources pertaining to the applicant's personal background including, but not limited to, WV State Tax records, police records, credit records, or any other record applicable to the approval of this application. I hereby direct you to release such information as requested. Should there be any question as to the validity of this release, you may contact me as indicated above.

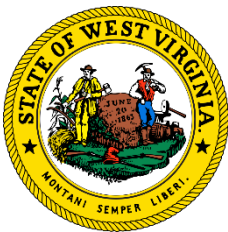
I confirm that neither I, nor any member of my immediate family, is employed by the WV Lottery. I understand that any connection to employees of the WV Lottery should be disclosed above by the name of the WV Lottery Employee and a description of the relationship.

A copy of this release may serve as an original.

 Print Name, Title

 Signature

 Date



EFT AUTHORIZATION



___ LVL OPERATOR ___ LVL RETAILER

INFORMATION

1. Lottery ID# (to be assigned) _____
2. Operator/Retailer Name _____
3. Address _____
4. City/State/Zip _____
5. Telephone Number _____

FINANCIAL INFORMATION

1. Name of Financial Institution _____
2. Routing/ABA Number _____
3. Denote Checking or Savings ___ CHECKING ___ SAVINGS
4. Account Number _____

Must attach a voided check or a letter from the bank for account noted above.

I (We) hereby authorize the State of West Virginia, hereinafter called STATE, to initiate debit and/or credit entries into my (our) account indicated above and the Financial Institution named above, hereinafter called DEPOSITORY, to debit and/or credit the amounts owed by or due me (us) to/from the STATE. This authority is to remain in full force and in effect until the STATE has received WRITTEN NOTIFICATION from me (us) to its termination in such time and in such manner as to afford the STATE and DEPOSITORY a reasonable opportunity to act on it.

(Printed Name) (Authorized Signature) (Title) (Date)

(Printed Name) (Authorized Signature) (Title) (Date)

If you have questions about completing this form, please
call WV Treasurer's Office, EFT Division at **304.558.3599**

If you have questions concerning your Lottery account, please call
WV Lottery Commission at **800.982.2274** or **304.558.0500 x 1861**

SEND COMPLETE FORM TO:

West Virginia Lottery
Licensing Division
PO BOX 2067
Charleston, WV 25327-2067



AFFIDAVIT COMPLIANCE WITH THE 40-80 RULE

Now comes _____, the owner or lawful representative of _____, a business or organization applying for a video lottery retailer license under the Limited Video Lottery Act, who after first being duly sworn, affirms that the following information is true:

That section 328 [W.Va. Code §29-22B-328] of the Limited Video Lottery Act requires that a limited video lottery retailer license holder who **does not have a private club liquor license** must derive at least forty percent of its annual gross receipts at that licensed location from sales of beer to consumers and of such beer sales, at least eighty percent are sales of beer for consumption on the premises;

That as a condition of applying for a limited video lottery retailer license, I must provide the West Virginia State Lottery Commission with evidence that my business location qualifies for licensure;

And that to comply with the so-called 40/80 rule, I affirm that the checked statement below is true with respect to my business or organization:

_____ During the most recent twelve consecutive months, the business or organization location to be licensed derived at least forty percent of its annual gross receipts at that licensed location from sales of beer to consumers and of such beer sales, at least eighty percent are sales of beer for consumption on the premises; or

_____ The business or organization location to be licensed has been in operation less than a year, and it derived at least forty percent of its annual gross receipts at that licensed location from sales of beer to consumers and of such beer sales, at least eighty percent are sales of beer for consumption on the premises for the length of time the location has been in operation; or

_____ The business or organization location to be licensed is new or just recently opened, and at least forty percent of gross annual receipts at that licensed location will be from sales of beer to consumers and of such beer sales, at least eighty percent will be sales of beer for consumption on the premises.

And Further this affiant saith naught.

Owner or Lawful Representative

Date

Title

STATE OF WEST VIRGINIA

COUNTY OF _____,

Taken, subscribed and sworn before me this _____ day of _____, 20 _____.

Notary Signature: _____ SEAL: _____

My commission expires: _____

***This form is required when the business holds a "beer only" license.**



LIMITED VIDEO LOTTERY RETAILER DATA SHEET

DBA: _____ ABCA #: _____

Business Organization Name: _____

Location Address: _____ County: _____
(Physical Address)

City/State/Zip: _____

Location Phone: _____ Location Manager Name: _____

Business Owner Name: _____ Business Owner Email: _____

Business Owner Phone: _____ Business Owner Cell: _____

Business Hours: **MON** **TUES** **WED** **THUR** **FRI** **SAT** **SUN**

OPEN: _____

CLOSED: _____

Operator: _____ Operator Phone: _____
(Operator - Company that supplies your video lottery terminals)

Dear Retailer:

Below is a list of basic requirements that must be met. For more information contact the WV Lottery, 304-558-0500 and ask for Limited Video Lottery Security.

- A. Location must be in excess of 150 feet from an existing Limited Video Lottery retailer, perimeter of a public park or place of business that sells petroleum products capable of being used as fuel in an internal combustion engine. Measurement to be determined by LVL Security.
- B. Location must be in excess of 300 feet from a church, school or day care center. Measurement to be determined by LVL Security.
- C. ATM machines may not be located within the immediate gaming area. If the video lottery terminals are in the main area, the ATM must be located in a separate room with a door. If video lottery terminals are in a private room, the ATM must be located outside of that area.

For Lottery use only: Formerly ABCA#: _____

_____ Upgrade _____ Downgrade _____ to Private Club _____ to Tavern _____ Other

Comm Solution Verified/Contract Amended by SG Initial _____ Date _____

Verified By: _____ Email: _____ Phone #: _____

ABCA License Number _____



AUTHORIZED TRUCK STOP RETAILER DISCLOSURE

Business Entity that Owns Truck Stop _____

Doing Business As Name of Truck Stop _____

Street Address of Truck Stop _____

City _____, State _____, Zip _____

Pursuant to Legislative Rule §179-5-2.12.a., I swear and affirm that the Authorized Truck Stop identified above is a facility that:

- 1) Is also a convenience store
- 2) Has separate diesel islands for fueling commercial vehicles
- 3) Has overnight parking spaces for commercial vehicles
- 4) Is open 24 hours, and
- 5) Has at least fifty (50) parking spaces

APPLICANT/AUTHORIZED AGENT/TRUST OF
BUSINESS/ORGANIZATION

Type or Print Name Title

Signature Date



BUSINESS ZONING COMPLIANCE

ZONING COMPLIANCE BY APPLICANT FOR A LIMITED VIDEO LOTTERY RETAILER LICENSE
YOU ARE REQUIRED TO TAKE THIS FORM TO YOUR LOCAL CITY OR COUNTY ZONING OFFICE FOR COMPLETION. PLEASE RETURN THE COMPLETED FORM WITH YOUR APPLICATION.

To: The Building Official of the Municipality of _____
The Building Official of the County of _____
The Clerk or Recorder of the Municipality of _____
The County Clerk/Administrator of the County of _____

Take Notice:

- West Virginia Limited Video Lottery Act [W.Va. Code §29-22B-1902(b)] says:

The provisions of this article preempt all regulations, rules, ordinances and laws of any county or municipality in conflict herewith: Provided That nothing herein shall invalidate any zoning law, or Sunday closing law under article 61-10-1, et seq., of this code.

- The following individual, business, fraternal organization, or veterans organization is applying to the State Lottery Commission for a limited video lottery retailer license within your jurisdiction:

Business Name: _____

Street Address: _____

County: _____

City: _____ State: _____

Zip Code: _____

- There is not (no) _____ a zoning ordinance(s) that specifically would prohibit limited video lottery gaming on the premises.
- There is (yes) _____ a zoning ordinance(s) that specifically would prohibit limited video lottery gaming on the premises.
- Does the limited video lottery gaming on the premises constitute an allowed non-conforming use of the property under West Virginia Code Chapter, 8A? _____ Yes _____ No
 - If **yes**, provide a letter signed by an authorized agent of the County Commission indicating the law, regulation, rule, ordinance or code prohibiting the use of limited video lottery machines at this location as well as the reasoning for permitting the establishment to operate in the county.

I, _____, do hereby certify this is a true city/county zoning confirmation for this "Business Zoning Compliance Form" for the Applicant applying for a Limited Video Lottery Retailer License which was served on this the _____ day of _____, 20____.

Authorized Signature for Jurisdiction

Title



West Virginia Lottery Limited Video Lottery ADA Compliance

Upon information or belief, WV Lottery games at this location are accessible to customers with disabilities as required by the Americans with Disabilities Act. ☐ **Yes** ☐ **No**

Name of Location: _____

Address: _____

City, State, Zip: _____

ABCA Number: _____

Signed: _____

Date: _____

For more information or to see where this information originated, visit the U.S. Department of Justice, Civil Rights Division's website at: www.usdoj.gov



WEST VIRGINIA LOTTERY WORKERS' COMPENSATION EXEMPTION FORM

**This form should only be completed when a business has no employees*

If the business has zero employees, it is exempt from obtaining Workers' Compensation Coverage. All businesses must register with Workforce WV by calling 304.558.2677 to determine if they are exempt from Unemployment Compensation.

If the business is exempt from Workers' Compensation, please complete below.

Business Name:	
DBA Name:	
Street Address:	
City, State, Zip:	
Employees:	

I understand if at any time my business acquires employees, I must disclose this information to the West Virginia Lottery and supply the appropriate documentation.

I attest that all information written on this form is true and correct.

Signature

Title

Date

OCA# _____

Fingerprint Information

All Fields are mandatory unless otherwise noted.

Name (Please Print): _____			SSN: _____	
_____	_____	_____		
Last Name			First Name	Middle Name
Alias (Maiden Name): _____			Citizenship (Country): _____	
Phone : _____			Email: _____	
Home Address: _____				
_____		_____	_____	_____
Street Address		City	State	Zip Code
Business Name: _____				
Business Address: _____				
_____		_____	_____	_____
Street Address		City	State	Zip Code
Date of Birth: _____		Place of Birth: _____		
Gender: _____	Race: _____	Height: _____	Weight: _____	Eye Color: _____
Hair Color: _____				
Finger Amputations/Bandages: _____				

RELEASE OF INFORMATION

I hereby request a record check be made to find any police record on the herein named individual and by submitting this request. I understand that the submitted information will be retained by the West Virginia State Police in the Automated Fingerprint Identification System.

I certify that this is for official business, and I am authorizing the West Virginia Lottery to obtain any record found.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Privacy Act Notice: Disclosure of your social security number should only be made if obtained from you in accordance with Section 7 of the Privacy Act of 1974. Your disclosure is voluntary and failure to provide the number will not subject you to penalty. If you choose voluntarily to supply your social security number, it will be used to aid the West Virginia Lottery in the conduct of this criminal background inquiry.

I attest that all information written on this form is true and correct.

Signature: _____ Date: _____

_____ ID CHECKED AND VERIFIED

_____ INITIALS OF



Additional Instructions and Requirements for Fraternal/Veterans Organizations

Pursuant to West Virginia Code §29-22B-1101(c) you may qualify as a Fraternal or Veteran group and may operate up to 10 video lottery terminals if you satisfy the following requirements:

- 1) Provide a letter dated within the previous 12 months from the Internal Revenue Service stating the organization is either a fraternal benefit society that is exempt from federal income tax under section **501(c)(8)** of the Internal Revenue Code; a domestic fraternal society that is exempt from federal income tax under section **501(c)(10)**, or a veterans organization that is exempt from federal income tax under section **501(c)(19)**.
- 2) Provide documentation indicating whether your organization is covered under an individual or group exemption.
- 3) You must also provide a letter of good standing dated within the last 12 months from the state or national governing body.
- 4) Provide a copy of the most recently completed IRS Form 8821, Tax Information Authorization.
- 5) Provide a legible copy or photograph of the local unit, chapter or lodge charter that shows the date the charter was issued. In compliance with WV Lottery Interpretive Rule §179-7-2.1 and §179-7-2.4 the local unit, chapter or lodge must have been chartered on or before January 1, 2001. Organizations with a local charter issued after January 1, 2001, may only operate up to five video lottery terminals.
- 6) Provide a copy of the most recently completed IRS Form 990. Must have been completed within the previous two years. If covered under a group exemption, provide copy of the IRS group exemption showing the subordinate unit, chapter or lodge.
- 7) Meet all other requirements for licensure.



Additional Instructions and Requirements for Operator/Owned Locations

Pursuant to West Virginia Code §29-22B-503, *et seq.*, an Operator may also be licensed as a limited video lottery retailer in compliance with the following:

1. An Operator may own up to 10 limited video lottery locations.
2. The owner(s) listed on the limited video lottery retailer application must be the same owner(s) listed on the Operator license.
3. All transactional documentation of the purchase of the limited video lottery location(s) must be provided to the WV Lottery.
4. All other qualifications for licensure must be met.



FREQUENTLY ASKED QUESTIONS ABOUT ADA

- Q: Are there limitations on the ADA's barrier removal requirements for existing facilities?
A: Yes. Barrier removal need be accomplished only when it is "readily achievable" to do so.
- Q: What does the term "readily achievable" mean?
A: It means "easily accomplishable and able to be carried out without much difficulty or expense."
- Q: How do I determine what is readily achievable?
A: Determining if barrier removal is readily achievable is a case-by-case judgment. Because removing common barriers can be simple and inexpensive in some cases and difficult and costly in others, the regulations for the ADA provide a flexible approach to compliance. Factors to consider include: (1) the nature and cost of the action; (2) the overall financial resources of the site involved; (3) the number of persons employed at the site; (4) the effect on expenses and resources; (5) legitimate safety requirements necessary for safe operation; and (6) if applicable, the relationship with any parent corporation.
- Q: What are examples of the types of modifications that would be readily achievable in most cases?
A: Examples include the simple ramping of a few steps, the installation of grab bars where only routine reinforcement of the wall is required, and similar modest adjustments.
- Q: Will businesses need to rearrange furniture and display racks?
A: Possibly. For example, bars may need to rearrange tables in order to permit access to wheelchair users.
- Q: Does the ADA require existing buildings and newly constructed facilities to meet the same standards?
A: No. The ADA establishes different requirements for existing facilities and new constructions.
- Q: If an area of my store is reachable only by a flight of steps, would I be required to add an elevator?
A: Usually, no. The readily achievable standard does not require barrier removal that requires burdensome expense, and in most cases, installing an elevator would qualify as a burdensome expense.
- Q: I have a portable ramp that we use for deliveries – can't I just use that?
A: Yes, you could, but only if the installation of a permanent ramp is not readily achievable. If you use a portable ramp, it should be properly secured and staff should be trained in its safe use.
- Q: What if I'm not able to remove barriers at this time due to my financial situation? Does that mean I'm relieved of current responsibilities?
A: No. When you can demonstrate that the removal of barriers is not readily achievable, you must make your goods and services available through alternative methods, if such methods are available and readily achievable. Keep in mind that barrier removal is a continuing obligation that changes as your circumstances change.
- Q: When barrier removal is not readily achievable, must alternative steps be taken without regard to cost?
A: No, only readily achievable alternative steps must be undertaken.
- Q: Must my business have handicapped-accessible restroom facilities?
A: Not as far as your license with the West Virginia Lottery is concerned. **The Lottery is only interested in making sure that your lottery games are accessible to disabled persons.** That does not mean that as a private citizen you do not have other obligations under the ADA, such as accessibility to your restrooms, but it does mean that the Lottery is not required to assure your compliance in regards to those other obligations in order to grant or renew a license.
- Q: I have removed all barriers that are readily achievable, but there are still barriers to my lottery games. Can I honestly say that I am in compliance with the ADA?
A: **Yes. If you have removed all barriers that are readily achievable, then you are ADA- compliant and may so answer on your license form.**

APPLICANT CHECKLIST

An incomplete application will result in a delay

Your completed application must contain the following:

- ☐ Enclose the following nonrefundable fee by check payable to the West Virginia Lottery:
 ___ \$500.00 – Application Fee
- ☐ Completed application including the following:
 - ___ Each Member must complete an Individual Release Form
 - ___ Each owner/officer is required to complete Live Scan fingerprinting through Identogo for the West Virginia Lottery. Appointments can be scheduled online at <https://uenroll.identogo.com> or by calling 855-766-7746.
 - ___ Fingerprint Form
 - ___ Proof of Workers' Compensation Insurance
 - ___ Proof of Unemployment Coverage with Workforce WV
 - ___ WV Tax Business Registration Certificate
 - ___ WV Secretary of State Business License
 - ___ Agreement with the operator for the placement of video lottery terminals Lease/Rental
 - ___ Agreement for the location (unless owned by applicant)
 - ___ If you own your own LVL Machines, you must complete the EFT form included in the application and include a voided check
 - ___ If you are a Fraternal Organization you must also include the following:
 - 1st page of your most recently file IRS 990
 - Recently dated letter of good standing from your state or national organization
 - Legible Copy of your Organization's Charter

WV ABCA 900 Pennsylvania Ave Charleston, WV 25302	Secretary of State State Capitol - Suite 157-K 1900 Kanawha Blvd. E Charleston, WV 25305	WV State Treasurer's Office Grace Gilmore State Capitol Bldg 1, Rm E-145 1900 Kanawha Blvd Charleston, WV 25305
304-356-5500 1-800-642-8209 Fax: 304-957-0306	304-558-6000 1-866-767-8683	304-340-1569 Fax: 304-558-4179
WV Tax Department 1124 Smith Street Charleston, WV 25301	Workers' Compensation Coverage	Unemployment Compensation 1321 Plaza East Shopping Ctr. Charleston, WV 25330
304-558-3333 1-800-982-8297	Contact your Insurance Company	304-558-2451 To Register, contact <u>Status determination</u> 304-558-2677

WEST VIRGINIA LOTTERY LICENSING DIVISION

CONTACT INFORMATION

Please mail completed applications to:

**West Virginia Lottery Licensing Division
P.O. Box 2067
Charleston, WV 25327-2067**

For questions, concerns or to check the status of your application for all retail locations you may contact:

Niki Kitchen, Licensing Specialist 304-558-0500 Ext. 1903

For all other licensing questions or concerns you may contact:

Philip Dandy Licensing Manager 304-558-0500 Ext. 1907
or

Elizabeth Webb, Deputy Director 304-558-0500 Ext. 1934

ADDITIONAL CONTACT INFORMATION

United States Department of Justice Civil Rights Division
800-514-0301
<http://www.ada.gov/>

West Virginia Human Rights Commission
1321 Plaza East Room 108A Charleston, WV 25301-1400
Phone: 304-558-2616
Toll Free: 1-888-676-5546
<http://www.wvf.state.wv.us/wvhrc/>

WV Lottery Commission Legal Division
304-558-0500 ext. 1802

*Your local zoning or business compliance official
may also be able to assist in answering your ADA questions.*



PRIVACY NOTICE USAGE OF SOCIAL SECURITY NUMBERS

This form is included to notify you of our privacy practices and no action is required on your part.

With the exception of Lottery Commissioners, Lottery officers or Lottery employees, the West Virginia Lottery will only ask you for your social security number in the following circumstances:

1. You claim a lottery prize of \$600 or more directly from the Lottery, either by mail or personally at our Charleston or Weirton office. Your social security number is also your tax identification number, and the Internal Revenue Code requires that this prize payment be reported to the IRS along with the winner's tax identification number [Form **W-2G**]¹ or
2. You are a sole proprietor of a business, a partner in a business, or the shareholder of an incorporated business that is a lottery retailer or sales agent, and the Lottery must prepare an IRS [Form **1099**] to report sales commissions received by you along with a tax identification number if that number is also a social security number [Form **1099**]; or
3. You are applying for a lottery license or permit and you must allow the Lottery to capture your fingerprint images to be transported to the FBI's National Criminal Information Center [NCIC] for criminal background investigation required by statutory or regulatory authority. This is an FBI requirement.

Disclosure of your social security number should only be made if obtained from you in accordance with Section 7 of the Privacy Act of 1974. Your disclosure is voluntary and failure to provide the number will not subject you to a criminal or civil penalty.

When the West Virginia Lottery obtains your social security number, it will use the number for the purpose(s) cited above. The Lottery will not sell or share this number with any other person or entity, and will decline to make it available in response to any freedom of information request. Only government entities that are authorized to receive and use social security numbers by law will gain access, other than when outside access is ordered by a competent court of record.

If you have any questions or concerns about this privacy notice, or if you wish to submit a complaint regarding the Lottery's privacy policy, please contact the Legal Division at (304) 558-0500 ext. 1802.

¹ Prize winners of more than \$600 who are unable or unwilling to submit their tax identification number are subject to federal income tax "back-up withholding" of 24% of the prize money.