

STATE OF CALIFORNIA
CALIFORNIA HORSE RACING BOARD
APPLICATION FOR AUTHORIZATION TO OPERATE A SIMULCAST WAGERING FACILITY
CHRB-25 (Rev. 1/23)

Application is hereby made to the California Horse Racing Board (CHRB) for authorization to operate a simulcast wagering facility in accordance with the California Business and Professions Code (BPC), Chapter 4, Division 8 (Horse Racing Law) and the California Code of Regulations, Title 4, Division 4 (CHRB Rules and Regulations).

1. APPLICANT INFORMATION

- A. Name of applicant association, fair, or tribal facility:
- B. Location of facility (City and County):
- C. Mailing address of association, fair, or tribal facility:
- D. Telephone number:
- E. Name and title of the managing officer or tribal council representative of the applicant association, fair, or tribal facility:
- F. Name of the affiliated (simulcast) organization(s) that will operate the pari-mutuel wagering at the facility:
- G. The regular schedule for operation of the facility will be as follows:
- H. Inclusive date during which the applicant proposes to operate as a simulcast wagering facility during the current racing year:

Application must be filed not later than 90 days before the scheduled start date for operation of the proposed facility pursuant to CHRB Rule 2057.

Notice to Applicant: If approved for license, the term of license shall not exceed five years, pursuant to CHRB Rule 2057.

2. OPERATION OF THE SIMULCAST WAGERING FACILITY

- A. Inclusive hours and days for operation of the facility:
 Daily Wed - Sun Tues - Sat Other - specify:
- B. Inclusive time periods during the calendar year the facility **will not** be utilized as a simulcast wagering facility:

Exceptions to the foregoing:

- C. If approved, wagering will be offered on live race meetings being held or conducted by the following racing associations:

Race Meeting	Breed	Day or Night
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- D. Dates during which the applicant will conduct or has conducted live horse racing during the current racing year (if none, so state):

3. ELIGIBILITY FOR APPROVAL AS A GUEST ASSOCIATION

- A. The applicant association is: Racing Association Fair
 Tribal Facility Other Business Entity

Complete the applicable subsection (B, C, or D). Then continue to E.

- B. RACING ASSOCIATION - approval pursuant to BPC section 19605.

1. The name under which the association is licensed by the Board:
2. The names and titles of management personnel assigned to the facility:

- C. FAIR

1. Approval is requested pursuant to BPC section 19605.1 OR 19605.2.
2. Correct title of the fair or fair association:
3. Names and titles of the present fair directors:
4. Names and titles of management personnel assigned to the simulcast wagering facility:

- D. TRIBAL FACILITY

1. Approval is requested pursuant to the Tribal-State Compact signed on:
2. The name of the tribe under which the Tribal-State Compact was approved:
3. Names and titles of management personnel assigned to the facility:

- E. If applicable, names and titles of management personnel comprising management company or other entity operating gaming and simulcast wagering at the facility:
- F. Has the management company or other entity been approved by the U.S. Bureau of Indian Affairs? Yes No If yes, the date of that approval:

Notice to Applicant: Changes to management personnel and Simulcast Facility Supervisor(s) must be immediately reported to the Board.

4. CONCESSIONAIRES AND VENDORS

- A. The concessionaires, vendors, and other entities providing food service, beverage service, racing selection services, janitorial or custodial service, or other service or supplies within the simulcast wagering facility are (specify the name and type of service of supplies):
- B. Other vendors to be permitted to sell products or services outside, but on the premises of, the simulcast wagering facility are:

5. SUPERVISION, SECURITY, AND FIRE PREVENTION

- A. The names of all persons to be employed as a Simulcast Facility Supervisor at the simulcast wagering facility:
- B. The workers' compensation insurance carrier and the policy number securing the applicant's liability for payment of workers' compensation is (if self-insured, give details):
- C. Attach a copy of the Certificate of Insurance.
- D. Attach a fire clearance from the fire authority having jurisdiction.
- E. The name of the person having responsibility for security controls at the facility is:
- F. The number of security officers and/or guards to be regularly employed at the facility is:
- G. The police or sheriff's department having jurisdiction for criminal law enforcement over the premises of the facility is:

- C. Program costs are:
- D. Seating costs, if any, are:

9. FOOD AND BEVERAGE SERVICE

- A. Describe the food and beverage services to be offered (full meals served; cafeteria-style full meals; short-order counter service; pre-ordered prepared sandwiches and fast foods available; full bar services; barn counters; or other description as appropriate).
- B. The seating capacity in the general admission area is:
- C. The number of tables in the general admission area is:
- D. The seating capacity in the premium area is:
- E. The number of tables in the premium area is:
- F. Overall square footage in the public general admission area is:
- G. Overall square footage in the public premium admission area is:
- H. Overall square footage available for "overflow" attendance:
- I. Describe occupancy restrictions, if any, imposed by the fire authority having jurisdiction.
- J. The total number of parking spaces available in the combined parking areas can accommodate (number of standard sized automobiles):
- K. Describe any other activities to be scheduled on or near the facility premises that may have a negative impact on available parking.

10. AGREEMENTS

- A. Fair applicants must attach the resolution of its governing body that determined that the conduct of simulcast wagering at its fair facility best serves the interest of the fair.
- B. Attach a copy of the agreement between the applicant and the (simulcast) organizations(s) that sets forth therein the duties of the respective parties.
- C. Attach a copy of the written consent of the horsemen's organization(s), if applicable, consenting to the acceptance of wagers at the facility.

NOTICES TO APPLICANT

Notice is given to the applicant that its application, if approved by the Board, authorizes the applicant to offer pari-mutuel wagering at its simulcast facility until notified otherwise.

Notice is also given that retention of and control over all moneys generated from pari-mutuel wagering held or conducted at the facility is the responsibility of the simulcast organization(s) that contract(s) to provide the pari-mutuel equipment and pari-mutuel employees and that such organization(s) is (are) responsible for its proper distribution in accordance with the law and the rules and regulations of the Board.

Notice is also given that CHRB rules 1870 and 1871 require that the Board be given 15 days' notice in writing of any intention to terminate operations, engagements, or services by any licensee, approved concessionaire, or approved service contractor.

11. DECLARATIONS

- A. All labor agreements, concession contracts, service contracts, horsemen's agreements, lease agreements, and agreements with the (simulcast) organization(s) necessary to conduct and operate the simulcast wagering program at the facility have been finalized, except as follows (if there are no exceptions, so state):

- B. All service contractors and concessionaires have valid State, County, or City licenses authorizing each to engage in the type of service to be provided and have valid labor agreements (when applicable) that remain in effect for the entire term of the approval, except as follows (if there are no exceptions, so state):

- C. Absent natural disasters or causes beyond the control of the applicant, its service contractors, concessionaires, or employees engaged at the facility, no reasons are believed to exist that may result in a stoppage to the conduct of pari-mutuel wagering at the facility or the withholding of any vital service to the applicant, except as follows (if there are no exceptions, so state):

12. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the applicant to attest to this application on its behalf.

Print Name

Signature

Print Title

Date

INSTRUCTION SHEET FOR FULL DISCLOSURE STATEMENT

Background Information and Ownership

By authority of Article 9.2 of the California Business and Professions Code and the Federal Indian Gaming Act, in order to allow an evaluation of the competence, integrity, and character of potential simulcast facility operators authorized by the CHRB, any person, corporation, trust association, partnership, joint venture, or management firm that submits an application for such authorization or that is named in such application and that is not a State or County entity, or has not previously completed such disclosure when filing for a horseracing application pursuant to Article 4, Section 19480 of the California Business and Professions Code, shall be required to complete and submit a full disclosure statement.

I. BACKGROUND INFORMATION

- A. **PERSONAL INFORMATION**—Application documents must include, for each individual who is a director, officer, or partner in the application or an owner of an interest in the applicant of 5% or more, the following:
1. The individual's full name and any previous names or aliases;
 2. The individual's date of birth;
 3. A physical description of the individual;
 4. The individual's business addresses and telephone numbers; and
 5. A disclosure of employment and educational and military history for the past 20 years or since the age of 18 years.
- B. **PERSONAL HISTORY**—Application documents must include a completed Personal History Record, CHRB-25A, for each individual named in subsection A who is a director, officer, or partner in the application or an owner of an interest in the applicant of 5% or more.
- C. **RELATIONSHIP**—The application documents must state, for each individual providing information under subsection A of this section, whether the individual is related to a member of the CHRB or an employee of the Board. A half-relationship or step-relationship is considered to be a familial relationship for purposes of this section.
- D. **CORPORATIONS**—If the applicant is a corporation, the application documents must state the following:
1. The state in which the applicant is incorporated; and
 2. The name and address of the applicant's agent for service of process in California.

E. INDICTMENTS OR CONVICTIONS

If the applicant is a corporation, the application documents must include a statement disclosing whether the corporation is presently or has ever been indicted or convicted of a criminal offense (i.e., felony or misdemeanor).

II. OWNERSHIP

A. IDENTIFICATION AND LOCATION—The application documents must include the following:

1. A list of all names used by the applicant; and
2. The name of the agent and the address and telephone number of the office of the applicant for service of process in California.

B. BUSINESS STRUCTURE—The application documents must describe the applicant's business structure and include an organizational chart.

C. ORGANIZERS—If the applicant is not an individual and was organized less than five years before the date on which the application documents are submitted to the Board, the application documents must state the following:

1. The name of each individual who was an organizer or promoter of the applicant;
2. The nature and amount of assets, services, or other consideration contributed to the applicant by an organizer or promoter of the applicant; and
3. The nature and amount of anything of value given by the applicant to an organizer or promoter of the applicant.

D. ORGANIZATIONAL DOCUMENTS

1. If the applicant is a corporation, the application documents must include the following:
 - a. A statement of when and in which state the corporation was organized;
 - b. A certified copy of the articles of incorporation and by-laws of the applicant;
 - c. A statement and documentation of whether the corporation has been reorganized or reincorporated during the five-year period preceding the date on which the application documents are submitted to the Board; and
 - d. A statement and documentation of whether the corporation has filed restated articles of incorporation.
2. If the applicant is an unincorporated business association, the application documents must include the following:
 - a. A certified copy of each organizational document for the applicant, including any partnership agreement; and
 - b. A description of any oral agreements involving the organization of the partnership.

E. CAPITAL STOCK

1. If the applicant is authorized to issue capital stock, the application documents must include the information required by this section.
2. The applicant must state the classes of stock authorized and the total shares of each class authorized. The applicant must state, for each class of stock, the following:
 - a. The par value, if any;
 - b. The voting rights;
 - c. The current rate of dividend; and
 - d. The number of shares outstanding and the market value of each share.
3. The application documents must list the name and address of each person who owns, of record or beneficially, at least 5% of stock. For each person listed under this subsection, the application documents must describe the nature of the person's ownership interest and the person's percentage of the total ownership interest.
4. The application documents must include a certified copy of each voting trust or voting agreement in which at least 5% of the capital stock is held and must state the following:
 - a. The name and address of each stockholder participating in the trust or agreement;
 - b. The class of stock involved; and
 - c. The total number of shares held by the trust or agreement.

F. DIRECTORS, OFFICERS, AND PARTNERS

1. If the applicant is not an individual, the application documents must include a list of the individuals who are serving or who are designated to serve, during the first year after the date the application documents are submitted to the Board, as a director, officer, or partner of the applicant.
2. The list must state, for each individual listed under subsection 1 of this section, the following:
 - a. The individual's name and business address;
 - b. Each position or office of the applicant held by the individual;
 - c. The individual's principal occupation during the five-year period preceding the date on which the application documents are submitted to the Board; and
 - d. The nature and extent of any ownership interest that the individual has in the applicant.

3. Application documents must include a completed Personal History Record, CHRB-25A, for each individual named under subsection 1 of this section.

G. CONTROLLING ENTITY

1. The application documents must state whether another entity exercises or is in a position to exercise control in the management or financial affairs of the applicant. The documents must describe the nature of the relationship between the entity and the applicant and the extent of control exercised by the entity.
2. If a nonindividual entity owns an interest of 5% or more in the applicant, the application documents must include the information required by subsection 1 of this section as it relates to the nonindividual entity.
3. The application documents must include information required by subsection 2 of this section for each nonindividual entity identified in the application documents to the extent necessary to determine the identity of each individual who is an indirect holder of an ownership interest in the applicant.

H. OUTSIDE INTERESTS AND LICENSE HISTORY

1. The application must state whether the any of following holds for the applicant or a director, officer, or partner of the applicant:
 - a. Has ever held an ownership interest in a licensee of the Board; or
 - b. Is currently engaged in the business of racing in another state.