



# OREGON LIQUOR CONTROL COMMISSION

## Real Property Attestation

**IMPORTANT:** Please read Oregon Administrative Rule (OAR) 845-005-0311 [here](#) before completing this form.

- OAR 845-005-0311 defines who has an ownership interest in the business proposed to be licensed and allows the OLCC to refuse to issue a license if the applicant is not the owner of the business or an undisclosed ownership interest exists.
- Subsection (4)(b) of this rule includes as an ownership interest any person or entity owning the real or personal property of the premises proposed to be licensed, unless the owner of the property has given control over the property to another party via a lease or rental agreement or similar agreement.
- As a part of completing this "Real Property Attestation" form, applicants confirm they have read and understand OAR 845-005-0311.

Business Trade Name (the name customers see)

Business Address (street, city, zip code)

### Definitions

- "Real property" means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- "Common area" is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area's designation as a "common area" is typically identified in the lease or rental agreement.

### ATTESTATION

#### All applicants have read OAR 845-005-0311 and:

1. Each applicant shown on the Liquor License Application form has read and understands OAR 845-005-0311.
2. Only the applicant(s) shown on the Liquor License Application form have an ownership interest in the real property to be used as a part of the licensed business.
3. The licensed premises at the business address proposed to be licensed either:
  - a. Does not include any common areas; or
  - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
    - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in "common areas" and that this requirement applies at all times, even when the business is closed.
4. The premises address at the business address proposed to be licensed matches the premises business address listed on the Liquor License Application form.
5. The licensed premises at the business address above either:
  - a. Has no area on property controlled by a public entity (like a city, county, or state); or
  - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) or licensee(s) permission to exercise the privileges of the license in the area.



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## Real Property Attestation

Business Trade Name (the name customers see)

Business Address (street, city, zip code)

### Applicant(s) Signature

- Each individual listed as an applicant must sign this form.
- If an applicant is an entity, such as a corporation or LLC, at least one INDIVIDUAL who is authorized to sign for the entity must sign this form.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign this form. If an individual other than an applicant signs this form, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

\_\_\_\_\_

Date

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If an attorney

\_\_\_\_\_

(Print Name)

\_\_\_\_\_

(State of bar licensure)

\_\_\_\_\_

(Bar number)

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If an applicant

\_\_\_\_\_

Applicant #1 (Print Name)

\_\_\_\_\_

Applicant #1 (Signature)

\_\_\_\_\_

Applicant #2 (Print Name)

\_\_\_\_\_

Applicant #2 (Signature)

\_\_\_\_\_

Applicant #3 (Print Name)

\_\_\_\_\_

Applicant #3 (Signature)

\_\_\_\_\_

Applicant #4 (Print Name)

\_\_\_\_\_

Applicant #4 (Signature)