



MEDICAL CANNABIS FACILITY APPLICANT INITIAL SELECTION CRITERIA ACKNOWLEDGMENT AND ATTESTATION FORM

This form must be signed and notarized as part of the application process.

1. The undersigned applicant is not a licensed practitioner making medical cannabis patient recommendations.
2. The undersigned applicant is not a person whose authority to be a caregiver or qualifying patient has been revoked by the ABC Board or the Department of Health.
3. The undersigned entity and all of its owners do not owe more than \$100.00 to the District of Columbia Government. The applicant has attached with its application clean hands certifications for both its business entity and each proposed owner.
4. The undersigned applicant authorizes ABRA to conduct a criminal background check to verify that none of the applicant's owners have been convicted of a felony for a crime of violence, gun offense, tax evasion, fraud, or credit card fraud within the three (3) years preceding the date the application is filed.
5. The undersigned applicant attests that he/she has read the Legalization of Marijuana for Medical Treatment Initiative of 1999 (Act), effective July 27, 2010, Title 22-C of the District of Columbia Municipal Regulations, and has knowledge of District and federal laws and regulations relating to cannabis and medical cannabis.
6. The undersigned applicant assumes any and all risk or liability that may result under District of Columbia and federal laws and regulations from the operation of a medical cannabis cultivation center, dispensary or testing laboratory.
7. The undersigned applicant acknowledges and understands that the medical cannabis laws and enforcement thereof of the District of Columbia and the Federal government are subject to change at any time and that the District of Columbia shall not be liable as a result of these changes.
8. The undersigned applicant attests to the fact that the applicant is the true and actual owner of the business for which the registration is sought; the applicant intends to carry on the business for the entity identified in the application and not as the agent of any other individual, partnership, association, or corporation not identified in the application; and the establishment proposed to be registered will be managed by the applicant in person or by a registered manager approved by the ABC Board.
9. The undersigned applicant understands that straw ownership for purposes of meeting the medical cannabis ownership requirements set forth in D.C. Official Code § 7-1671.06 is prohibited both for a District resident and an out-of-state resident. I understand that a person who is found to have willfully asserted straw ownership shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 190317; D.C. Official Code § 22-3571.01), or imprisoned for not more than one year or both, and shall also have its registration application denied.

10. The undersigned attests that the applicant understands and is aware that its registration for a cultivation center, dispensary or testing laboratory may be revoked at any time for the convenience of the District pursuant to § 6002 of Title 22-C of the District of Columbia Municipal Regulations.
11. The undersigned applicant understands that the ABC Board is not required to issue all of the available registrations to operate a cultivation center, dispensary or testing laboratory.
12. The undersigned specifically acknowledges receipt and advisement of the notices below. The undersigned agrees to and accepts the limitation of liability against the District, and the requirement to indemnify, hold harmless, and defend the District.
 - (A) Limitation of Liability—The District of Columbia shall not be liable to the registrant, its employees, agents, business invitees, licensees, customers, clients, family members or guests for any damage, injury, accident, loss, compensation or claim, based on, arising out of or resulting from registrant's participation in the District of Columbia's medical cannabis program, including but not limited to the following: arrest and seizure of persons and/or property, prosecution pursuant to federal laws by federal prosecutors, interruption in registrant's ability to operate its medical cannabis cultivation center, dispensary or testing laboratory; any fire, robbery, theft, mysterious disappearance or any other casualty; the actions of any other registrants or persons within the cultivation center, dispensary or testing laboratory. This Limitation of Liability provision shall survive expiration or the earlier termination of this registration if such registration is granted.
 - (B) Indemnification, Hold Harmless and Defense Obligations—Registrant hereby indemnifies and holds the District of Columbia, its officers, directors, employees, affiliates and agents ("Indemnified Parties") harmless and shall defend the Indemnified Parties (with counsel satisfactory to District of Columbia) from and against any and all losses, costs, damages, liabilities, expenses, claims and judgments (including, without limitation, attorney's fees and court costs) suffered by or claimed against the Indemnified Parties, directly or indirectly, based on, arising out of or resulting from (i) registrant's establishment and operation of a cultivation center, dispensary or testing laboratory in the District's medical cannabis program. (ii) the negligence or willful misconduct of registrant or its employees, contractors, agents, licensees, guests or invitees, (iii) any breach or default by registrant in the performance or observance of its covenants or obligations under this registration, or (iv) any violations of law by of registrant or its employees, contractors, agents, licensees, guests or invitees.
 - (C) Federal Prosecution—The United States Congress has determined that cannabis is a controlled substance and has placed cannabis in Schedule I of the Controlled Substance Act. Growing, distributing, and possessing cannabis in any capacity, other than as a part of a federally authorized research program, is a violation of federal laws. The District of Columbia's law authorizing the District's medical cannabis program will not excuse any registrant from any violation of the federal laws governing cannabis or authorize any registrant to violate federal laws.
13. The undersigned applicant certifies that all of the information provided in this Acknowledgment and Attestation Form (Form) is complete, true and correct to the best of my knowledge and belief. I understand that any misrepresentation, falsification, or omission of any facts called for in this Form or in the application may render the application void and subject to denial by the ABC Board. I also understand that the making of false statements may be punishable by the imposition of a fine or may constitute the basis for a criminal offense under D.C. Official Code § 22-2514. I authorize ABRA to conduct any investigation it deems necessary and appropriate to ascertain the veracity of this Form and my application.
14. The undersigned chooses to sign this Acknowledgment and Attestation Form willingly and without reservation and is fully aware of its meaning and effect.

Certification: I hereby certify under penalty of perjury that the information in this form and on my application is true and correct.

First and Last Name Title Company

Signature Date

Subscribed and sworn to before me _____ on this _____ day of _____, 20____.

Notary Public Signature

Commission Expiration Date

- If the applicant is a sole proprietor, the individual must sign.
- If the applicant is a partnership, each partner must sign a copy of this document and submit a copy of the partnership agreement.
- If the applicant is a corporation, the President or Vice President must sign.
- If the applicant is an LLC, each of the managing member(s) must sign a copy of this document.
- If the applicant is a Limited Partnership, each of the general partner(s) must sign a copy of this document.

