



THE HOSPITALITY LAW CONFERENCE: SERIES 2.0

October 3, 2018



Washington, D.C.

Liquor Licensing for Hotel & Restaurant Acquisitions

2018 HOSPITALITY
LAW CONFERENCE:
WASHINGTON D.C.

OCTOBER 3



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- Alcohol Beverage Practice Focused on Tied House, Trade Practices, and Advertising and Promotions
- Twenty Years of Experience Representing Suppliers, Retailers and Third Party Agencies



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Your Goals



- Timely and seamless licensing transition with no interruptions in sales and services
- Confirming the seller will maintain all licenses in good standing before handing the property over to you
- Resolving/Addressing any violations/citations before closing



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Due Diligence

- Buying multiple units of a regulated business requires time and planning → *“fail to plan, plan to fail”*
- Choose a closing date and work backwards
- Identify how many licenses the business has, how many you need, and how/whether they transfer to a new owner
- Identify the government agencies overseeing the licenses



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Key Questions



- Does the jurisdiction require licensing on more than one level (state/local)?
- Does the jurisdiction allow the transfer of a license from the seller, or will new licenses be required?
- Does the jurisdiction's licensing process include prerequisites with additional internal deadlines which must be adhered to (e.g., publications requirements)?



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Key Questions Continued



- Does the jurisdiction allow a procedure for temporary licensing if permanent licensing cannot be completed by the closing date?
- Does the jurisdiction allow a “master file” when there are multiple properties licensed to one entity inside the same jurisdiction?



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The Things People Do Not Like About This Process

- It's time consuming and cannot be done at last minute
- Corporate records must be up to date and consistent
- Fingerprinting!



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If Something Can Go Wrong, It Will

- Failed Health Inspection
- Seller has unpaid sales tax due
- The officers are all on vacation and cannot be fingerprinted



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Be Prepared

- Build in enough time to deal with unforeseen issues
- Identify agency contacts to help you if and when problem arise



Thank you!

Questions?

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