NEW YORK STATE | Gaming Commission | Division of Charitable Gaming

Hardship Request Instructions (9 NYCRR 4603.11 / 4812.9)

Charitable organizations may use their own letterhead to submit a request for hardship. The following sample hardship request form may be used and is intended as a guide for organizations on how to submit a request for hardship. A charitable organization must submit any hardship requests directly to the municipal licensing authority where the organization intends on conducting a raffle drawing, bingo, bell jar, and/or casino games when:

The charitable organization intends to conduct games of chance and/or bingo in a city, town or village outside of where the organization is physically located.

Raffles can only be conducted in the county the organization is physically domiciled in and in counties contiguous to where the organization is domiciled (see General Municipal Law § 189[13]) that has enacted a games of chance local law.

The organization making this request must do so by writing to the outside municipal licensing authority and obtain approval directly from the city, town or village licensing authority where the organization intends to conduct gaming. For locations in New York City, the request must be made to the NYC Department of Consumer and Worker Protection. For organizations seeking to conduct gaming outside of New York City, the licensing authority is the city, town or village clerk where the gaming is to take place. The municipality must have enacted a bingo and/or games of chance local law.

If the outside municipality approves the request, the outside municipality becomes the licensing authority for the organization. All license applications and financial reports are filed with the municipality that issued the license. The NYS Gaming Commission (hereinafter called the "Commission") will be notified by the licensing authority of the hardship request approval. Upon notification, the Commission will change the organization's identification number to reflect the outside municipality.

The organization cannot conduct gaming in an outside municipality until the hardship request is approved, and their GC and/or BC identification number(s) is amended by the Commission to reflect the outside municipality. For all hardship requests to conduct a raffle drawing in an outside municipality, a Commission issued GC identification number is required, irrespective of the raffle category.

Prior to making a hardship request, the organization must be registered with the Commission and obtained a GC and/or BC ID number. If the organization does not have a Commission issued BC or GC identification number, the organization must request an ID number by filing form 1A Application for Registration and Identification Number with the Commission, Division of Charitable Gaming. All forms can be found here: gaming.ny.gov/charitable-gaming-forms.

GC or BC ID numbers assigned by the Commission to registered organizations are arranged by:

County – Municipality – Type of Organization – Number Specific to the Organization.
Two Digit # - Three Digit # - Three Digit # - Five Digit #

An example of an ID number issued by the Commission to an organization located in the City of Albany is as follows:
01-101-001-54321

In this example, an organization located in the City of Albany will have an ID number starting with 01 – representing Albany County, followed by 101 – representing the City of Albany. An organization with an ID number starting with 01-101 can only obtain a license from the Albany City Clerk. To conduct gaming in an outside municipality (in the above example, conduct gaming outside of the City of Albany), an organization must obtain a revised ID number from the Commission that is reflective of the outside municipality. This is done through a hardship request (see form on next page).

THE MUNICIPALITY MUST SUBMIT THE COMPLETED HARDSHIP FORM TO THE COMMISSION, DIVISION OF CHARITABLE GAMING BY MAIL, FAX (*518- 347-1469*), OR EMAIL (CHARITABLEGAMING@GAMING.NY.GOV)

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Sample Hardship Request Form

Hardship Request Pursuant to 9 NYCRR 4603.11 / 4812.9

PART A

BC ID: - - -		GC ID: - - -	
Name of Organization:		Website:	
Physical Address:			
Mailing Address:			
Contact Name:		Title:	
Contact Email:		Phone #:	
Name of Head of Organization:		Title:	

PART B

Game(s) Details

Name of Facility of Gaming Location:				
Physical Address of Gaming Location:				
Municipality:		☐ Town	☐ City	☐ Village
County:		Gaming Dates:	*From*	*to*
Type of Game(s) to be Conducted:	☐ **Raffle**	☐ **Bell Jar**	☐ **Casino**	☐ **Bingo**

Explain What Condition of Hardship or Necessity Requires Moving Game(s) to Outside Municipality:

PART C

This is a request to conduct games of chance and/or bingo in a municipality outside of where the applicant organization is domiciled. By affixing my signature below I affirm, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that I am signing this request as the head of the applicant organization, and thus am fully familiar with the facts and circumstances described herein, that the foregoing is true, and I understand that this document may be filed in a legal action or proceeding, including but not limited to a court of law; wherefore, the organization requests to conduct games of chance and/or bingo in the municipality listed below.

Signature of **Head of Organization**	Date

To Be Completed by Outside Municipal Licensing Authority Only:

Outside Municipality:		☐ City	☐ Town	☐ Village
County of:		Hardship Request is Hereby:	☐ **Approved**	☐ **Denied**

Signature of **Outside Municipal Licensing Authority**	Date

Print Name	Title

Municipality Must Complete Part D and Send Form to the NYS Gaming Commission, Division of Charitable Gaming