



DEPARTMENT OF CONSUMER AND
WORKER PROTECTION (DCWP)
LICENSING CENTER
42 Broadway, Lobby
New York, NY 10004

By Appointment Only Hours:

Monday, Wednesday: 8 a.m. – 4 p.m.
Last appointment: 3:30 p.m.

NYC SMALL BUSINESS
SUPPORT CENTER
90-27 Sutphin Blvd, 4th Floor
Jamaica, NY 11435

By Appointment Only Hours:

Tuesday, Thursday: 8 a.m. – 4 p.m.
Last appointment: 3:30 p.m.

COVID-19 ALERT

For health and safety reasons, the DCWP Licensing Center and NYC Small Business Support Center cannot serve walk-ins, but you can schedule an appointment to submit your license application in person. See **Application Filing Process** section.

DCWP is also temporarily accepting Tobacco Retail Dealer and Electronic Cigarette Retail Dealer applications by email at onlineappsdocs@dca.nyc.gov.

Tobacco Retail Dealer License Application Checklist

DO NOT SUBMIT THIS APPLICATION IF YOUR BUSINESS IS OR CONTAINS A PHARMACY.

NYC law prohibits pharmacies and businesses that contain pharmacies from obtaining Tobacco Retail Dealer licenses.

Important: Community District Caps

Community district caps for Tobacco Retail Dealer licenses took effect February 24, 2018. For a list of the current community district caps, visit NYC Open Data at opendata.cityofnewyork.us and search “tobacco retail dealer.”

You can submit this application only if:

- Licenses are available in your community district.
- A business with a Tobacco Retail Dealer license is sold, someone acquires 10% or more of the shares of the corporation, or there is a change in partnership. You (the new business) may apply for a new license at the same location as long as there is a current, active license in “good standing” at the address AND *you apply for a new license within 30 days of the sale or change.**
- Your business is located in certain airports or parks that are not subject to the community district caps.*

*If you meet one of these exceptions to the cap, you must submit the Tobacco Retail Dealer Cap Exception Certification and supporting documentation. See Requirements section for more information.

Monitor nyc.gov/dcwp for updates about community district caps.

Who Must Have a Tobacco Retail Dealer License?

You must have a Tobacco Retail Dealer license to sell cigarettes or tobacco products, such as cigars, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, shisha, or dissolvable tobacco products directly to consumers.

This description is only a general explanation of who must have a Tobacco Retail Dealer license.

Quick List of Requirements to Apply for a Tobacco Retail Dealer License

See Requirements section for detailed descriptions. Make sure you provide all requirements; otherwise, your application is incomplete. DCWP can only consider complete applications for license issuance.

- Basic License Application
- Sales Tax Identification Number OR Application Confirmation Number
- New York State Department of Taxation and Finance Registration of Retail Dealers and Vending Machines for Sales of Cigarettes and Tobacco Products
- Proof of Business Address
- Proof of Home Address
- Tobacco Retail Dealer Cap Exception Certification and Supporting Documentation *(if applicable)*
- Granting Authority to Act Affirmation *(if applicable)*
- License Fee

Submitting your application does not mean your license is automatically approved.

Additional City or State Permits/Licenses/Clearances You May Need

You must have an *Electronic Cigarette Retail Dealer* license to sell electronic cigarettes in New York City. Electronic Cigarette Retail Dealer licenses are also subject to community district caps.

This is not meant to be a complete list. See Additional Resources section.

Application Filing Process



Schedule an appointment to file in person at the DCWP Licensing Center or NYC Small Business Support Center (addresses on page 1).

By Email: LicensingAppointments@dca.nyc.gov

By Phone*: Call (212) 436-0441. (Monday - Friday, 8 a.m. - 4 p.m.)

*This number is to schedule an appointment for in-person service only. For general questions, email onlineappsdocs@dca.nyc.gov.

Free Interpretation Services are available on-site. To request a disability-related accommodation, please email DCWP's Americans with Disabilities Act (ADA) Coordinator at humancapital@dca.nyc.gov or visit nyc.gov/dcwp and search "accommodations."

Please note:

Due to the strict timeline for submitting an application for an exception to the cap, **DCWP will temporarily accept applications by email to onlineappsdocs@dca.nyc.gov.**

Reminder: If you are applying for a license due to a sale or change in ownership, DCWP must receive your application within 30 days of the sale or change.

Important Message about Business Certificate

You must have the applicable Business Certificate based on your business's legal structure. Although DCWP does not require submission of your Business Certificate in order to process your application, DCWP may request this document under section 20-104 of the New York City Administrative Code.

Sole proprietors operating under a name other than your own must have a Business/Assumed Name Certificate.

Partnerships must have a Partnership Certificate and, if applicable, an Assumed Name Certificate for your business.

Corporations, Limited Partnerships, Limited Liability Companies, or Limited Liability Partnerships must register and remain active with the New York State Division of Corporations. You can check your status at www.dos.ny.gov/corps.

Requirements

DCWP will not accept your application if you do not submit these required documents and information:

- **Basic License Application** (attached).
- **Sales Tax Identification Number OR Application Confirmation Number.**
To apply for a Certificate of Authority in order to collect sales tax, visit www.businessexpress.ny.gov.
- **New York State Department of Taxation and Finance Registration of Retail Dealers and Vending Machines for Sales of Cigarettes and Tobacco Products.**
To apply for Registration of Retail Dealers and Vending Machines for Sales of Cigarettes and Tobacco Products, visit www.licensecenter.ny.gov or call (518) 457-5735.

- **Proof of Business Address.**

Submit a copy of ONE of the following documents in the name of either the business or an individual listed on the license application:

- Utility bill, dated within the last 90 days (e.g., telephone, gas, electric, cable, or water) OR
- Current lease or deed OR
- Current rent or mortgage bill OR
- Current (active) license or permit issued by New York State or another New York City government agency that shows your business address

- **Proof of Home Address.**

Each individual listed on the license application must provide a copy of ONE of the following documents in the individual's name:

- Utility bill, dated within the last 90 days (e.g., telephone, gas, electric, cable, or water) OR
- Correspondence from any government agency OR
- Current lease or deed OR
- Current rent or mortgage bill OR
- Driver's license OR
- Municipal ID card

For an individual who lives at another person's address, provide:

- ONE Proof of Home Address (see above) with the leaseholder's or homeowner's name AND
- A letter signed by the homeowner or leaseholder stating that the individual lives at the address

- **Tobacco Retail Dealer Cap Exception Certification (attached) and Supporting Documentation, if applicable.**

You must submit this requirement if you meet a cap exception, which include a change in ownership or partnership. The form lists required supporting documentation for relevant exceptions.

You may email supporting documentation to onlineappsdocs@dca.nyc.gov.

Note: If there is an open filing period for applications for your community district because the number of licenses is below the cap, you do not need to submit this requirement.

- **Granting Authority to Act Affirmation, if applicable (attached).**

Required if someone other than the license applicant will prepare and submit this application.

Note: The applicant must sign the license application and all related forms.

- **License Fee.**

License Period: 2 years	Expiration Date: December 31	License Fee: \$200 for full 2 years	
If You File Your Application Between These Dates:		You Will Pay:	Your License Will Expire:
From January 1 to June 30 in an odd year		\$200	December 31 of Even Years
From July 1 to December 31 in an odd year		\$150	December 31 of Even Years
From January 1 to June 30 in an even year		\$200	December 31 of Odd Years
From July 1 to December 31 in an even year		\$150	December 31 of Odd Years

Pay by:

- Check or money order payable to DCWP. *(In person)*
- Credit card (Visa, MasterCard, American Express, Discover Card only). You will be charged a nonrefundable Convenience Fee. *(In person or online)*

Additional Resources for Tobacco Retail Dealers

- For the laws and rules that may affect your business, visit nyc.gov/BusinessToolbox.
- For **Inspection Checklist: Tobacco Retail Dealers**, visit nyc.gov/BusinessToolbox.
- For resources to help your business open, operate, and grow, visit nyc.gov/business.