



## Ohio Administrative Code Rule 4301:1-1-14 Permits, transfer of.

Effective: September 30, 2015

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(A) Upon written application on forms prescribed and furnished by the division and upon approval by the superintendent of liquor control, the ownership of a permit, location of a permit, ownership and location of a permit, or interests therein may be transferred, unless otherwise prohibited by law or rule.

(1) From the holder thereof to another person when such transfer is in connection with the bona fide sale of the business or personal property assets of such permit holder and the other person and the location meet all other requirements under rule and law.

(2) In case of the death of a permit holder, to the executor or administrator of the estate, and thereafter from the executor or administrator to the legatee or heirs-at-law, or to another person provided, however, that in the case of a transfer to a person other than the legatee or heirs-at-law, such a transfer must be in connection with the bona fide sale of the business or personal property assets of such deceased permit holder, or pursuant to an order of the commission or a court of competent jurisdiction when the other person and the location meet all other necessary requirements under rule and law.

(3) In the case of a bankrupt permit holder to the trustee in bankruptcy, and thereafter from such trustee to another person when such transfer is in connection with the bona fide sale of the business or personal property assets of such bankrupt permit holder, or pursuant to an order of the commission or a court of competent jurisdiction when the other person and the location meet all other necessary requirements under rule and law.

(4) In the case of a receiver having been appointed for a permit holder, to such receiver and thereafter from such receiver to another person when such transfer is in connection with the bona fide sale of the business or personal property assets of such permit holder, or pursuant to an order of the commission or a court of competent jurisdiction when the other person and the location meet all other necessary requirements under rule and law.



(5) In the case of a guardian having been appointed for a permit holder, to such guardian, and thereafter from such guardian to another person when such transfer is in connection with the bona fide sale of the business or personal property assets of such permit holder, or pursuant to an order of the commission or a court of competent jurisdiction when the other person and the location meet all other necessary requirements under rule and law.

(6) In the case of the business of a permit holder having been seized by the internal revenue service or another federal agency or instrumentality, to the purchaser of said business from the internal revenue service or other federal agency or instrumentality. In such event, the application for transfer may be signed by an authorized federal agent or employee on behalf of the permit holder.

(7) From one member to another of a family.

(B) The division shall not transfer a permit after the fifteenth day preceding the expiration of such permit, unless the division has received an application for renewal of such permit for the next renewal period.

(C) After the filing of an application for the transfer of location of a permit, the permit holder may, during the pendency of the application, store alcoholic beverages at either location, or transfer alcoholic beverages between such locations, prior to the final approval of the transfer of the permit, provided that the manufacture, distribution or sale of alcoholic beverages pursuant to the permit shall be only from the location to which the permit is issued at the time of the manufacture, distribution or sale, and provided that the permit holder receives the prior written approval of the division.

(D) The division may assess and collect a processing fee of one hundred dollars with the filing of any application for the transfer of ownership of a permit, location of a permit, ownership and location of a permit, or interests therein.