

**STATE OF RHODE ISLAND  
DEPARTMENT OF BUSINESS REGULATION  
OFFICE OF CANNABIS REGULATION  
560 JEFFERSON BOULEVARD, SUITE  
204 WARWICK, RHODE ISLAND 02886**

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**IN THE MATTER OF:**

**R.M.I. COMPASSION CENTER, INC.  
Respondent.**

**DBR No.: 24OCR0012**

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**CONSENT AGREEMENT**

1. Pursuant to § 21-28.6-12(c) of The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act, R.I. Gen. Laws § 21-28.6-1 et seq. (the "Act") and § 1.2 of the Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation, 230-RICR-80-05-1 (the "Regulations"), the Department established a five-month application period from July 17, 2020 through 3:00 PM on December 15, 2020 (the "Application Period") for submission of applications for six new compassion center licenses in six geographic zones to be selected through a qualification and random lottery selection process.
  
2. On July 17, 2020, the Department posted on its website a notice announcing the opening of the Application Period along with the Department's prescribed Application form, which states in Part 1 "SECTION A: Application Period":

The period for submission of applications will be from 10:00 a.m. on July 17, 2020, through 3:00 p.m. on December 15, 2020 (the "Application Submission Deadline"). Updates regarding the application period will be posted on the Department's website: <https://dbr.ri.gov/>.

If you would like to be added to the interested parties list for the Compassion Center Application process, please email [DBR.MMPCompliance@dbr.ri.gov](mailto:DBR.MMPCompliance@dbr.ri.gov), with a subject line "New Compassion Center Application Interested Parties List."

It is Applicant's responsibility to ensure that its application is complete and submitted before the close of the Application Submission Deadline. Incomplete applications will be deficient and will not be accepted for review and evaluation, and the application fee will not be refunded. The Department will not accept or consider applications tendered after the Application Submission Deadline.

3. R.M.I. Compassion Center, Inc. ("R.M.I.") submitted its medical marijuana compassion center application for Zone 1 signed and dated November 12, 2020, by Paul J. Isikwe, Respondent's President, (the "Application") to the Department before the Application Period deadline.
4. The Application identified the property located at 1500 Diamond Hill Road, Woonsocket, RI 02895, Plat 46, Lot 29, as the proposed licensed premises for the purpose of operating the Respondent's proposed medical marijuana compassion center (the "Diamond Hill Property").
5. The Application included a letter from the City of Woonsocket Zoning Official indicating that R.M.I. submitted a zoning application for a special use permit for a compassion center on October 6, 2020.
6. On October 29, 2021, at the lottery selection conducted by the Department, Respondent's application was selected for licensure in Zone 1 for premises located at the Diamond Hill Property subject to satisfaction of the prerequisite conditions for licensure within nine (9) months as provided in Section 1.2(F) of the Regulations. The Department confirmed this conditional selection and approval by letter to R.M.I. dated October 29, 2021. The letter listed the prerequisites for issuance of the license, including numerous requirements that must be satisfied as to the compassion center premises, stating that Respondent would have nine (9) months from the date of the letter to complete the prerequisites for licensure.
7. On December 20, 2021, the Woonsocket City Council approved R.M.I.'s Diamond Hill Property for a compassion center.
8. On March 14, 2022, R.M.I.'s application for a special use permit was heard at a meeting of the Woonsocket Zoning Board ("Zoning Board").

9. The Zoning Board's 4-1 vote to deny Respondent's special use permit application was set forth in a zoning decision issued on April 13, 2022.
10. On April 27, 2022, Respondent filed a complaint in Rhode Island Superior Court seeking reversal of the Zoning Board decision in a case captioned *R.M.I. Compassion Center, Inc. v. City of Woonsocket, et al*, C.A. No. PC-2022-02360.
11. In a decision issued on March 30, 2023, the Superior Court reversed the Zoning Board decision and remanded to the Zoning Board to grant the special use permit, concluding that the Zoning Board decision was "affected by an error of law when [the Zoning Board] relied upon a nonexistent provision of the [Woonsocket Zoning Ordinance] to deny the Application" and that "there [was] no substantial evidence in the record to support the Zoning Board's Decision to deny the Application and, as such, the Decision [was] arbitrary and capricious."
12. On July 27, 2023, the Zoning Board granted R.M.I. a special use permit for the Diamond Hill Property.
13. During the pendency of its appeal to the Superior Court for relief from the Zoning Board decision denying the special use permit, R.M.I. sought extensions of the nine-month deadline to satisfy the compassion center licensure requirements set forth in the Department's October 29, 2021, conditional approval letter referenced in Paragraph 6.
14. The Department granted the following extensions based on the pendency of R.M.I.'s appeal in Superior Court, and the court's decision to reverse and remand to the Zoning Board:
  - From October 5, 2022, until February 1, 2023;
  - From February 1, 2023, until April 1, 2023;
  - From April 1, 2023, until May 15, 2023;
  - From May 15, 2023, until August 1, 2023;
  - From August 1, 2023, until October 5, 2023;
  - From October 5, 2023, until November 1, 2023; and
  - From November 1, 2023, until May 1, 2024.
15. On April 18, 2024, R.M.I. requested an extension of time until August 2, 2024, to satisfy the compassion center licensure requirements, citing construction delays and Respondent's ongoing efforts to satisfy the licensure requirements as grounds for good cause for additional time.

### **Applicable Law**

16. Pursuant to R.I. Gen. Laws § 21-28.6-12(b)(8): “If at any time on or after January 1, 2019, fewer than nine (9) compassion centers are holding valid licenses in Rhode Island, the department of business regulation shall accept applications for new compassion centers and shall continue the process until nine (9) licenses have been issued by the department of business regulation.”
17. Pursuant to R.I. Gen. Laws § 21-28.6-12(c)(1), each application for a compassion center shall be submitted in accordance with regulations promulgated by the Department and shall include information regarding the center’s incorporation, the proposed location and facility premises, principal officers and board members, security and safety measures, policy and procedure manuals, and recordkeeping procedures.
18. Section 1.2(B)(1) of the Regulations provides that “[a]pplications for compassion centers may only be submitted to DBR for consideration during an open application period announced by DBR.”
19. Section 1.2(C)(3) of the Regulations provides that “DBR will evaluate applications based upon the information provided by applicants on the application forms/submissions and otherwise obtained during the application process.”
20. Section 1.2(C)(4)(f) of the Regulations requires, in relevant part, that the submitted compassion center application include “[t]he proposed physical location of the compassion center by plat and lot number, street address and zoning district.”
21. Section 1.2(C)(4)(f)(1) of the Regulations requires that the submitted compassion application include “[e]vidence of compliance for the location(s) with the local zoning laws in the form of a certificate or letter from an authorized zoning official.”
22. Section 1.2(E)(1) of the Regulations provides that “[o]nce DBR completes its review of all applications, DBR will notify all qualified applicants and publicly announce the date, time, and manner of randomly selecting qualified applicants for approval in each available zone.”
23. Section 1.2(E)(3) of the Regulations provides that “DBR will select a qualified applicant for each available zone. After the qualified applicant(s) have been selected for each available zone, any applicant selected for multiple zones must accept a single zone and reject the other zones. After each applicant, if any, which

has been selected for multiple zones accepts a single zone and rejects all others, another applicant will be drawn and selected for any rejected zone(s). This process shall continue until there is a separate and distinct qualified applicant selected for each available zone. Once a zone selection has been made, the decision is final and cannot thereafter be amended or altered. Any applicant selected for multiple zones who chooses which single zone they would like to be licensed in, may not thereafter alter that decision or change zones at any time.”

24. Section 1.2(E)(5) of the Regulations provides that “[t]he selected applicants shall be deemed approved conditionally, subject to satisfaction of all requirements for final licensure.”
25. Section 1.2(F)(1) of the Regulations requires that “[u]pon notification by DBR, the approved applicant must take reasonable and documented efforts to complete the prerequisites for issuance of the license. If satisfaction of all requirements for licensure takes longer than nine (9) months, the approved applicant must show good cause to DBR why additional time should be granted and the application approval should not be rescinded.”
26. In an effort to effect a timely and amicable resolution of the issues raised in this Consent Agreement without an administrative hearing, the Department and the Respondent enter into this Consent Agreement. Based upon Respondent’s representations and agreements set forth herein, the Department agrees to a final extension of the nine-month deadline for satisfying the compassion center licensure requirements until August 2, 2024, with the ability to request a one-time extension of that deadline for thirty (30) days, subject to satisfaction of the following terms and conditions set forth in this Paragraph 26:
  - a. No later than August 2, 2024, Respondent shall satisfy all compassion center licensure requirements, including, without limitation, all requirements for the property located at 1500 Diamond Hill Road, Woonsocket, Rhode Island, pursuant to Sections 1.2(F) of the Regulations; for good cause shown and if compassion center licensure requirements have been substantially completed, Respondent may request a one-time extension of thirty (30) days with no further extension requests to be made by Respondent or granted by the Department;
  - b. Respondent shall submit weekly status reports to the Department;
  - c. Respondent shall make the Diamond Hill Property accessible and available for regular inspection by OCR staff members;
  - d. Upon completion and satisfaction of all compassion center

licensure requirements as set forth in the Regulations and in paragraph 26(a) of this Consent Agreement, the Department shall issue Respondent a license to operate a medical marijuana compassion center;

- e. Respondent agrees and acknowledges that it expressly selected resolution of this matter by Consent Agreement, rather than proceeding through the administrative hearing process beginning with the issuance of an Order to Show Cause.
27. *Final Determination.* The parties agree that this Consent Agreement and its terms represent the final determination of this matter.
28. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*
29. *Enforcement.* If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take administrative action in accordance with applicable law.
30. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department of any other governmental agency.

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SIGNATURE PAGE

For the Department:

Respondent: R.M.I. Compassion Center, Inc.

  
Signature

Erica Ferrelli  
Chief, Office of Cannabis Regulation

Date: 5/9/2024

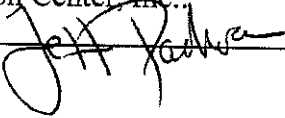
  
Signature

By: Dr. Paul J. Isikwe  
Title: President

Date: May 8, 2024

Counsel for Respondent R.M.I.  
Compassion Center, Inc.:

Signature



Jeffrey Padwa  
Padwa Law, LLC  
One Park Row, 5th Floor  
Providence, RI 02903

Date: 5/8/24