



Presented By:



**RULES & REGULATIONS**

**AGREEMENT BETWEEN ‘DOWNTOWN NORTH BAY’ DIA  
&  
THE GRAND PRIZE WINNER OF THE ‘WIN THIS SPACE’ CONTEST’**

**ELIGIBILITY**

- The contest is open to all legal residents of CANADA, who are 19 years of age or older and residing in the Province of ONTARIO at the time of submitting an entry to the “WIN THIS SPACE” competition.
- No purchase is necessary.
- The chances of winning depend on the number of applications received.

The proposed business can be independently owned (sole proprietorship) or a partnership. In the case of a partnership, only one representative need apply to the Win This Space competition. No franchises, or individuals looking to purchase/take-over an existing business will be considered. If the candidate is a current local business owner, the application must be 1) unrelated to your existing business, or 2) introduce a new element not promoted at your existing business, or 3) expand upon an element that would be removed from your existing business, or 4) your current location is not in Downtown North Bay.

Candidates must submit an entry into the competition on or before the closing date of May 15, 2017 – 4:00 p.m. to have their idea considered as part of the competition.

Candidates must be willing to commit to signing a minimum one-year lease from one of the participating spaces, which are available for lease at the end of the competition.

**OFFICIAL RULES AND REGULATIONS**

The objectives of the “WIN THIS SPACE” competition are to:

- Attract innovative, viable businesses to ‘Downtown North Bay’ DIA area
- Reduce vacancies in the DIA
- These objectives will work to strengthen economic development in the DIA area.

By participating in the competition, each applicant agrees to these “WIN THIS SPACE” Rules & Regulations, and to all decisions of the Panel of Judges, which are final and binding.

In-kind prizes (including gift certificates) are not transferable and may not be redeemed for cash. In-kind prizes may have an expiry date and prize winners shall not be allowed extensions or substitutions.

The “WIN THIS SPACE” Rules & Regulations are subject to change and updates, which will be posted on the ‘Downtown North Bay’ DIA WIN THIS SPACE website ... [www.winthisspacedia.com](http://www.winthisspacedia.com)

The Panel of Judges will review all completed business entries, business plans, and other supporting documents submitted by the candidates. All materials submitted for consideration to the competition shall not be returned.

By submitting an application and entering the competition, each applicant advancing to the final phase of the competition authorizes ‘Downtown North Bay’ DIA to conduct a credit check and background/reference check as deemed necessary.

‘Downtown North Bay’ DIA reserves the right to use all participants’ names, likenesses, pictures, portraits, voice, biographical information, written submissions, and written or oral statements, for advertising and promotional purposes without additional compensation to participants unless required by law.

Decisions, judgments, and selections of the Panel of Judges are at the discretion of the Panel of Judges and are final.

All Applicants are asked to identify any potential conflicts of interest with ‘Downtown North Bay’ DIA when submitting their application. By discussing a potential conflict, the Win This Space organizers can clarify with the applicant whether it could be an issue.

#### **Permitted Uses**

Potential businesses must conform to any zoning/by-law requirements as outlined by the City of North Bay.

#### **Application and Selection Process**

The “WIN THIS SPACE” competition will take place in two phases. Phase One is the application process by submission of a business concept. All applications submitted on or before the closing date (May 15, 2017) will be considered by the Panel of Judges.

The Panel of Judges may choose up to **10 applicants** as Finalists (the “Finalists”) for Phase Two.

All applicants will be informed of their status in the competition, either as Finalists, or their removal from the competition.

Finalists must refine their business concepts and submit a business plan, financial plan, and marketing plan to ‘Downtown North Bay’ DIA.

Finalists must show a viable budget detailing the ability to generate any remaining income, which the lease payment of the selected space may require, over and above the Grand Prize.

At this point, the Judges Panel will select the ‘Final 5’ who must then prepare a 3 to 5 minute presentation, to be presented live to the Panel of Judges, at the live Finale, the date of which is to be determined. The Finalists will be asked to explain their business concept, and should expect to answer questions from the Panel of Judges.

‘Downtown North Bay’ DIA is looking for strong business concepts, planning documents, and live presentations. To that end, Finalists are required to take advantage of business development workshops on Business Planning, Marketing, Market Research, Making an effective ‘Pitch’, as well as mentoring offered through the Regional Business Centre. Details about the Business Centre – Nipissing Parry Sound can be found at <http://www.thebusinesscentre-nps.ca/>

Any/all additional services utilized will be at the candidates own expense and not reimbursed for by the organizers of this competition.

The Panel of Judges will use all documentation and live presentations at the Finale to select one (1) business concept as the Grand Prize Winner. Runners Up will be selected in the event that the Grand Prize Winner cannot be awarded the prize. The WINNING entry will be awarded the GRAND PRIZE, including one year lease (up to \$15,000 – not including utilities or leasehold improvements), paid out as 12 monthly cheques. The prize amount is to be specifically utilized towards the first year’s lease of one of the available commercial spaces in downtown North Bay. Any amount in excess of the noted prize will be borne by the tenant, in this case known as the Grand Prize Winner.

### **Available Properties**

Throughout the competition, ‘Downtown North Bay’ DIA will actively seek available commercial properties within the district that can be featured in “WIN THIS SPACE”. The Grand Prize Winner agrees to select an available commercial property that is participating in the “WIN THIS SPACE” competition.

Properties must be located within ‘Downtown North Bay’ DIA, and must be available for lease.

There is no cost for property owners to participate. The property owner/manager agrees to prominently display “WIN THIS SPACE” posters in storefronts, and provide the DIA with listing information. The DIA will promote participating properties as part of the “WIN THIS SPACE” competition.

Properties are active listings. As such, if a property is leased during the competition, it will be removed from the inventory of participating properties.

### **Unsuccessful Candidates**

‘Downtown North Bay’ DIA strives to provide support to any viable business entering the competition, whether or not that business wins the “WIN THIS SPACE” competition, and may provide assistance in further business planning, networking or about available commercial property in Downtown North Bay.

### **Grand Prize Winner**

In addition to numerous prizes specific to business services (donated by ‘Downtown North Bay’ member businesses), the Grand Prize is a prize of a one year lease in one of the downtown properties participating (to a maximum of \$15,000 – not including utilities or leasehold improvements).

Upon being chosen as the Grand Prize Winner, the Winner agrees to select an available commercial property that is participating in the “WIN THIS SPACE” competition. It is understood and agreed that the Grand Prize is conditional on the Winner undergoing a bona fide Landlord’s statement tenant approval process and negotiating/obtaining a fully executed lease agreement, no later than 60 days within winning “WIN THIS SPACE” (subject to change).

The lease agreement and term will be agreed upon by the landlord/property agent and the candidate, and not involve ‘Downtown North Bay’ DIA or the Panel of Judges.

If selected as the Grand Prize Winner, the candidate agrees to accept the prize award from the ‘Downtown North Bay’ DIA and its partners, but ‘Downtown North Bay’ DIA will make the lease payments directly to the landlord. The Grand Prize Winner will not receive the money directly.

Should the situation arise, the Grand Prize Winner’s business must show a viable budget detailing their ability to generate any remaining income needed to cover expenses above and beyond the lease payment supplied by Win This Space.

In the event a Grand Prize Winner cannot make suitable leasing arrangements to set up their business within two months of winning the Grand Prize, the prize will be awarded to an alternate winner as selected by the Judging Panel to fulfill the role of the winner.

If the Grand Prize Winner closes the business prior to the first year, all remaining payments towards the monthly lease amount will be returned back to the 'Downtown North Bay' DIA and its partners and the remaining prize amount will be offered to one of the competition's runners up.

If the Grand Prize Winner does not execute a lease agreement within 60 days of winning "WIN THIS SPACE", (subject to change) the Grand Prize is forfeited. The Grand Prize can be awarded to the first Runner Up and so on, as selected by the Panel of Judges to fulfill the role of the Winner.

Prizes are not transferable and may not be redeemed for cash. The Grand Prize Winner may not request substitutions.

Information regarding the Grand Prize Winner will be posted on the 'Downtown North Bay' DIA website ... [www.downtownNorthBay.ca](http://www.downtownNorthBay.ca) and will be released to the public through media alerts and other written and oral venues.

### **Winner's Obligation**

The Grand Prize Winner will be obligated to:

- Execute a minimum one-year lease for a participating commercial property, within the 'Downtown North Bay' DIA;
- Open to the general public no later than 60 days of signing the lease (subject to change); and,
- Operate during all normal/customary business hours for the term of the lease (as per Monday to Saturday guideline 9 am to 6 pm).

The Grand Prize Winner cannot utilize the Grand Prize for any expense other than the lease of the space.

The Grand Prize Winner may not sublet any part of the leased space during the first year unless outlined in the business plan submitted and approved by the Panel of Judges on the winning entry.

Should the monthly lease amount negotiated between the Grand Prize Winner and property owner/manager fall into more than 2 months arrears, the Grand Prize Winner will forfeit the balance of the Grand Prize outstanding from the 'Downtown North Bay' DIA.

### **General Provisions**

By accepting a prize, the winner agrees:

- (i) to release the 'Downtown North Bay' DIA, any related companies and their respective officers, directors, employees and agents, including but not limited to their advertising and promotional agencies and the independent contest organizations from any and all liability, loss or damage incurred with respect to the awarding, receipt, possession, and/or use or misuse of applicable Prize and with respect to his/her/its participation in the Contest;
- (ii) all causes of action arising out of or connected with this Contest, or any prize awarded, shall be resolved individually, without resort to any form of class action; and
- (iii) any and all claims, judgments, and award shall be limited to actual out-of-pocket costs incurred, excluding attorneys' fees and court costs.

By entering the Contest, all applicants agree to abide by these Rules and the decisions of the 'Downtown North Bay' DIA which are final in all respects.

I, \_\_\_\_\_ (Grand Prize Winner of Win This Space Downtown North Bay) have read the above, and confirm that I meet the eligibility requirements of the Win This Space Downtown North Bay Contest and will abide by the rules and regulations and winner's obligations as set out in this document.

\_\_\_\_\_  
Grand Prize Winner of 'Win This Space'

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date