





**13. DOCUMENT CHANGES**

**Note:** If you checked the box for “Notice of Intention and Statement by Purchaser of 12 or more interests” under item 1 on page 1, always submit items 13A, 13D, and 13E.

- A. Are there any changes from the last submitted escrow instructions, to include change in escrow companies? .....  Yes  No

If YES, submit new exemplar escrow instructions completed in sample form and certified by the applicant and escrow holder that all escrows will be in substantial conformance with the exemplar submitted.

- 1. Do the last submitted escrow instructions include a clause which provides for a return of funds to a non-defaulting buyer if escrow does not close within a stipulated period of time? .....  Yes  No

If NO, submit revised escrow instructions which include such a clause, with changes identified for review. (Escrow instructions must be certified by developer and escrow officer.)

- 2. Does the applicant, or applicant’s agent, have a 5%, or greater, interest in the escrow company? .....  Yes  No

- 3. Is this an application for an amended preliminary public report? .....  Yes  No

- B. Are there any changes/amendments to the management documents since last submittal?

- 1. CC&Rs .....  Yes  No

- 2. Bylaws .....  Yes  No

- 3. Articles .....  Yes  No

- 4. Rules & Regulations .....  Yes  No

If YES, submit copy of changed/amended document, with changes identified, for review.

- C. Are there any changes to the condominium plan since last submittal? (Answer NO if this is not a condominium project.) .....  Yes  No

If YES, submit a copy of the revised condominium plan for review.

- D. Have there been any changes to the deposit receipt/agreement to purchase since last submittal? .....  Yes  No

If YES, submit an exemplar document completed in sample form signed by the applicant, with changes identified for review.

- E. Have there been any changes to the grant deed since last submittal? .....  Yes  No

If YES, submit a new exemplar grant deed for review.

F. Have there been any changes to the management agreement or fidelity insurance/bond since last submittal? .....  Yes  No

If YES, submit new or revised document. All revisions to be identified for review.

**Note:** A change of management agents or addition of interests or increase in assessments may require a change in the existing fidelity insurance/bond.

G. Have there been any annexations of lots accommodations to the time-share plan since issuance of the latest public report? .....  Yes  No

If YES, submit details and documentation.

H. Have there been any changes to any trust agreement? .....  Yes  No  NA

If YES, submit new or revised document. All revisions to be identified for review.

I. Have there been any changes to the lease of furnishings or bill of sale? .....  Yes  No

If YES, submit new or revised document. All revisions to be identified for review.

J. Are there any other document changes? .....  Yes  No

If YES, identify and submit new/revised document.

**14. UTILITIES/SERVICES/HAZARDS**

A. Were any of the following utilities or services not installed as of the date of issuance of the current public report? .....  Yes  No

If YES, indicate which such facilities are now completed by checking the appropriate boxes below:

	<i>NA</i>	<i>Now Completed</i>	<i>Not Completed</i>
1. Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Electricity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Telephone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Sewage disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Streets and roads	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Gas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

B. Does the latest public report state that there are roads within the time-share plan which are to be dedicated and/or maintained by a public agency or entity, but that such dedication or maintenance had not occurred? .....  Yes  No  NA

1. If YES to item 15B, has the dedication of all such roads now been made and accepted?  Yes  No  NA

2. If YES to item 15B, have the roads, which have been dedicated, also been accepted for maintenance? .....  Yes  No  NA

3. If NO to either item 15B (1) or (2) above, submit current information, if different from the information in the latest public report, as to when dedication and/or maintenance will begin and how roads will be maintained until public maintenance begins.

C. Subsequent to issuance of the latest public report, were any districts (e.g., special districts, assessment districts, community facilities districts, etc.) created which have the power to tax or levy assessments; or are any currently being created; or has there been a change in the fees or fee structure? .....

Yes  No

If YES, has the project been annexed to any such district or is annexation imminent? ..

Yes  No  NA

If YES, submit RE 624C or the equivalent information as applicable.

What is the current tax rate? .....

\_\_\_\_\_ (rate) \_\_\_\_\_ (tax yr.)

D. 1. Is the time-share plan property located in California? .....

Yes  No

If YES, submit a completed RE 619 (Natural Hazard Supplemental Questionnaire).

If NO, go to D3.

2. Is the property within an "airport influence area," also known as an "airport referral area," related to the airport(s) stated above, as determined by an airport land use commission? .....

Yes  No

If Yes, the following statement must be included in the public report:

**Notice of Airport in Vicinity**

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

3. Does the subject property include residential structures built prior to 1978 (do not include properties sold at a foreclosure sale or housing designated for the elderly)?

Yes  No

a. If YES, pursuant to federal Real Estate Disclosure and Notification Rule (24 CFR Part 35 and 40 CFR Part 745), the seller is required to disclose to prospective buyers that this property may contain lead-based paint and/or lead-based paint hazards as well as provide certain written materials as mandated by current law. The seller is required to offer all prospective buyers an opportunity to conduct a risk assessment for lead-based paint and lead-based paint hazards prior to being obligated under a purchase contract. This risk assessment may be waived by written agreement between buyer and seller. For more information, you should contact the local office of the Environmental Protection Agency.

**15. COMPLETION INFORMATION**

A. 1. Were all common area improvements, including residential accommodations, completed when the last public report was issued? .....

Yes  No

2. If NO, are all common area improvements, including residential accommodations, now completed (B&P Code Section 11230)? .....  Yes  No

a. If YES, submit notice of completion/certificate of occupancy. Identify the improvements completed.

b. If NO, demonstrate compliance with B&P Code Section 11230. List the improvements which have not been completely installed and attach a progress report certified by a registered engineer or contractor listing those specific areas of the project in which improvements have been installed. Also list the expected date for complete installation of each improvement.

B. If any of the common area is to be owned by the homeowners' association, has it been deeded to the homeowners' association? .....  Yes  No  NA

If NO, submit explanation as to why this has not yet occurred and submit exemplar conveyance document(s).

**16. BUDGET AND ASSESSMENT INFORMATION**

A. Submit a copy of the most recent audited financial statements for the time-share plan and a certified copy of the budget meeting the requirements of B&P Code Section 11240(J).

1. a. The certification is subscribed and sworn by:

- An independent public accountant
- A certified public accountant, who is an employee of the developer.
- Another qualified individual or entity.

b. Include the following information about the person/entity certifying the budget

NAME	TELEPHONE NUMBER
ADDRESS	

**Note:** The certification must be dated within 90 days of the date of the submission of the budget and comply with B&P Code Section 11240(f).

**17. MAINTENANCE ASSESSMENTS/SUBSIDY AGREEMENT**

A. Developers maintenance expense obligation

1. Please check the appropriate box below to identify the method of fulfilling the developers obligation for expenses associated with unsold intervals and submit the financial assurances for this obligation (Section 11241):

- The developer shall pay full maintenance fee for each if the interests owned.
- The developer has entered into a subsidy agreement with the association to subsidize the association budget buy covering any shortfall from expenses incurred and assessments collected from other owners.

- 2. If the developer has entered into a subsidy agreement to cover any shortfall from expenses incurred and assessments collected from other owners, has the subsidy agreement been previously reviewed and accepted by DRE without any subsequent changes? .....  Yes  No  NA

If NO, submit the subsidy agreement and proposed financial assurances in compliance with Section 11241.

B. Other subsidies

- 1. Has the developer entered into any arrangement to reduce the purchasers assessment obligations, other than a shortfall subsidy arrangement described in 18A above? ...  Yes  No
- 2. If YES, has this subsidy arrangement been previously reviewed and accepted by DRE without any subsequent changes? .....  Yes  No  NA

If NO, submit the subsidy agreement and proposed financial assurances in compliance with Section 11242.

**18. FINANCING**

- A. Will the buyer be offered financing by other than a state or federally regulated lender? Respond NA if previously approved and there are no changes. ....  Yes  No  NA

If YES, submit exemplar promissory note(s) and deed(s) of trust completed in sample form.

- B. Will you be negotiating, arranging, or helping purchasers obtain any adjustable or variable rate loans offered by a state of federally regulated lender? .....  Yes  No  NA

- C. Will you be offering loans with balloon payments, subsidized interest and loan payments, “creative financing” plans, equity sharing plans, any type of “affordable housing” financing or other similar financial programs? Respond NA if previously approved and there are no changes. ....  Yes  No  NA

If YES, submit all details along with documents (including fact sheets, if any, for approval) which will be used.

- D. Are sales in this time-share plan subject to the requirements of Section 2957 or 2963 of the Civil Code? .....  Yes  No

**19. RIGHTS, PRIVILEGES, BENEFITS**

- A. Does the offering include an “exchange program” which is a method, arrangement or procedure for the voluntary exchange of the right to use and occupy accommodations and facilities among purchasers of time-share interests or other property interests, wherein the purchaser’s total contractual financial obligation is less than three-thousand dollars (\$3,000) per time-share interest, other than any assignment of rights pursuant to a reservation system? .....  Yes  No  NA

Respond NA, if previously approved with no subsequent changes.

If YES, provide responses and exhibits under A1–A13 below.

1. Identify exchange company

NAME
ADDRESS

- 2. Submit a copy of the form of agreement between the exchange company and the purchaser.
- 3. Submit a copy of any materials which will be used in promoting the exchange program.
- 4. The public report must include disclosures regarding the exchange program as required by B&P Code Section 11234(19).

B. Does the offering include “incidental benefits” in which there is an accommodation, product, service, discount, or other benefit, other than an exchange program, which is offered to a prospective purchaser of a time-share interest prior to the end of the rescission period set forth in B&P Code Section 11238, the continuing availability of which for the use and enjoyment of owners of time-share interests in the time-share project is limited to a term of not more than three years? [Refer to B&P Code Section 11237(b)] .....  Yes  No  NA

Respond NA, if previously approved with no subsequent changes.

If YES, please describe each incidental benefit.

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1. If the reply to B above is YES, complete B1a–1c below.

a. Will the continued availability of any incidental benefit for the use and enjoyment of owners of time-share interests be necessary in order for any accommodation or facility which is not an incidental benefit to be used, occupied, or enjoyed by the owners in a manner consistent in all material respects with the plan of use and enjoyment set forth in the time-share documents or represented by or on behalf of the developer, in writing in a purchaser’s purchase contract, in the public report, or in any advertisement or promotion, or otherwise? .....  Yes  No

If YES, provide an explanation. If YES, these benefits may not qualify under B&P Code Section 11211(m).

b. Will the use of or participation in any incidental benefit by an owner of a time-share interest be completely voluntary, and payment of any fee or other cost associated with the incidental benefit be required only upon that use or participation? .....  Yes  No

If NO, provide an explanation. If NO, these benefits may not qualify under B&P Section 11211(m).

- c. Will any costs of acquisition, operation, maintenance, or repair of any incidental benefit be passed on to purchasers of time-share interests in the time-share project as common expenses of the time-share project? .....  Yes  No

If YES, provide an explanation. If YES, these benefits may not qualify under B&P Section 11211(m).

**20. ADDING TIME-SHARE INTERESTS, ACCOMMODATIONS, OR COMPONENT SITES TO THE TIME-SHARE PLAN.**

- A. Does the time-share plan include additional time-share interests, accommodations, or component sites that were not described in the existing or expired public report? .....  Yes  No

If YES, check the applicable box(es) below and provide the requested information:

1. Adding \_\_\_\_\_ interests to the time-share plan. Identify the section in the timeshare declaration or other document establishing the timeshare plan that defines the developer and/or association authority to add interests to the time-share plan. If association membership or board approval is required, submit evidence of same, as well as the instrument that adds interests to the time-share plan.
2. Adding \_\_\_\_\_ accommodations to the time-share plan. Provide the information requested in 20A1 above and submit the following for each additional accommodation:
- a. Recorded maps, condominium plans, site plans and personal property inventory that identify the new accommodations in relation to the existing time-share plan improvements.
  - b. Evidence of completion or completion assurances for the additional accommodations, to satisfy Section 11230.
  - c. Identification of the method of conveyance of the additional accommodations and personal property to the association and/or purchasers.
3. Adding \_\_\_\_\_ component sites to a multi-site time-share plan / specific time-share interest. Provide the information requested in 20A1 and 20A2 above, and submit the following for each additional component site:
- a. All information required by Section 11234(b) and evidence:
    - 1) That the accommodation is presently suitable for human occupancy or that financial arrangements have been made to complete construction or renovation of the accommodation to make it suitable for human occupancy on or before the first date for occupancy by a time-share owner, and
    - 2) That there is an enforceable use right assuring occupancy of the accommodation by a time-share owner.
4. Adding \_\_\_\_\_ component sites to a multi-site time-share plan / nonspecific time-share interest. Provide the information requested in 20A1 above, as well as a completed RE 668B for each additional component site.

**21. MARKETING AND PROMOTIONS**

Indicate which of the following inducements or representations will be a part of the time-share plan offering. For each YES answer *submit* complete details of the program.)

**Note:** Respond NA only if the applicant has current DRE approval for the subject matter and there have been no changes. For each NA answer, submit an attachment explaining the referenced subject matter of the offering and the date of DRE approval.

- A. Money back guarantee or repurchase warranty? .....  Yes  No
- B. Construction or equipment guarantees, including guarantees to repair latent construction defects, beyond manufacturer's warranty? .....  Yes  No
- C. Gift, free trip, discounted purchase price or similar promotional device? .....  Yes  No
- D. Program or arrangements for resale by purchasers of subdivision interests? .....  Yes  No
- E. Program or plan for leasing or renting of subdivision interests on behalf of non-occupying owners? .....  Yes  No
- F. Membership in club or association other than: 1) homeowners' association, 2) an exchange program listed in response to item 1J1 above, or 3) membership which is an incidental benefit listed in response to item 1J3 above? .....  Yes  No
- G. The use or availability for use of commercial or recreational facilities, whether within or outside the boundaries of the subdivision (other than an exchange program or incidental benefit), which will be owned or controlled by an association of interest owners? .....  Yes  No
- H. Will your sales program include representations in regard to the use of recreational areas and/or facilities which are not owned by the association of owners (excluding benefits due to exchange programs and incidental benefits)? .....  Yes  No

If YES, attach an explanation of the conditions of use, such as memberships, conditions and fees, or other charges.

**Note:** All advertising must conform to Commissioner's Regulation 2811 and California B&P Code Sections 17537-17539. Also, insofar as applicable, it must conform to the provisions of Regulation 2848.

**22. PURCHASE MONEY HANDLING**

- A. 1. Is this a time-share plan offering time-share use interests? .....  Yes  No
  - If Yes, will the accommodations be free and clear of blanket encumbrances? .....  Yes  No
  - a. If Yes, the accommodations must be conveyed to a trustee or association acceptable to the Commissioner prior to close of escrow for the first sale of a time-share interest. Submit a copy of the trust agreement or document (not covered under Regulation 2809.1) for the conveyance of accommodations to the association in compliance with B&P Code Section 11255.

b. If NO, submit trust agreement in compliance with B&P Code Section 11255.

NAME OF TRUSTEE	TELEPHONE NUMBER
ADDRESS	

B. 1. Will the time-share property be completed and be free and clear of any liens and blanket encumbrances at the time a public report is issued? .....  Yes  No

If Yes, all purchase monies must be impounded into an acceptable escrow depository or, in lieu of an escrow impound, the commissioner may accept a bond or other financial assurance in accordance with B&P Code Section 11043(c) until the expiration of the rescission period.

If No, all purchase monies must be impounded into an acceptable escrow depository or, in lieu of an escrow impound, the commissioner may accept a bond or other financial assurance in accordance with B&P Code Section 11043(c) until both the improvements are completed in compliance with B&P Code Section 11043(b) and the time-share interests can be conveyed free and clear of any liens and blanket encumbrances or alternative arrangements are made under B&P Code Section 11244(a).

2. Will all purchase monies will be impounded in the following escrow account in accordance with B&P Code Section 11043(a)? .....  Yes  No

NAME		
ADDRESS (POST OFFICE BOXES ARE NOT ACCEPTABLE)		
CITY	STATE	ZIP CODE

3. Will a bond (RE 600L) or blanket bond (RE 600K) to the State of California in the amount of \$\_\_\_\_\_ will be furnished to the Real Estate Commissioner pursuant to B&P Code Section 11243(c)? .....  Yes  No

a) If Yes, *submit* original of security and instructions to depository (RE 600F). If RE 600L or RE 600K is on file, complete the following:

SECURITY NUMBER	AMOUNT	TYPE (CHECK ONE) <input type="checkbox"/> RE 600L <input type="checkbox"/> RE 600K
PRINCIPAL		
ISSUER		

- b) Will funds received in excess of the security be impounded in a neutral escrow account, pursuant to B&P Code Section 11243(a)? .....  Yes  No  NA

(1) If Yes, complete the following information.

NAME		
ADDRESS (POST OFFICE BOXES ARE NOT ACCEPTABLE)		
CITY	STATE	ZIP CODE

4. Will an escrow bond, irrevocable letter of credit, or other financial assurance or arrangement acceptable to the commissioner be secured? .....  Yes  No

If Yes, describe financial arrangement and submit a copy of arrangement for review.

The amount of the financial arrangement is: ..... \$ \_\_\_\_\_

5. Is the time-share property subject to a blanket encumbrance and will the developer, as an alternative to the financial arrangements under B&P Code Section 11243(a) or (c), comply with one of the alternative arrangements in B&P Code Section 11244(a)(2), (3), or (4) prior to issuance of the public report? .....  Yes  No

- a. If Yes, will the developer record a subordination and notice of creditors as required under B&P Code Section 11244(a)(2)? .....  Yes  No

If Yes, submit copies of subordination document(s) and creditors notice(s) in compliance with B&P Code Section 11244(a)(2).

- b. If Yes, has the developer transferred or will the developer transfer the accommodations, amenities, or all use rights to a nonprofit owners' association and make any lien or other encumbrance subject to a subordination and notice of creditor's instrument in compliance with B&P Code Section 11244(a)(3)? .....  Yes  No

If Yes, submit copies of evidence of the transfer and subordination and creditor's notice in compliance with B&P Code Section 11244(a)(3).

- c. If Yes, will arrangements be made to adequately protect the rights of purchasers in compliance with B&P Code Section 11244(a)(4)? .....  Yes  No

If Yes, explain arrangements and submit copies of documents to support arrangements.

**Note:** The alternative arrangements under B&P Code Sections 11244(a)(2), (3), and (4) are not acceptable alternatives to B&P Code Sections 11243(a) and (c) as long as the improvements in the time-share property are not completed.

6. Submit an executed statement and authorization consenting to an audit or examination of escrow account information.

**23. INVENTORY CONTROL SYSTEM (SECTION 11246)**

A. Does the time-share plan involve sales of time-share estates for which the developer offers and the title insurance company agrees to provide title insurance? .....  Yes  No

1. If YES, complete the following:

NAME OF INSURER*		
ADDRESS (POST OFFICE BOXES NOT ACCEPTABLE)		
CITY	STATE	ZIP CODE

\* The title insurance company must be deemed acceptable under B&P Code Section 11246.

2. If NO, submit a certification by an independent third party that is dated not more than three months prior to the submittal of this application and is in compliance with B&P Code Section 11246.

a. The independent third party is one of the following:

- Title insurance company licensed to do business in California
- Independent certified public accountant

b. Provide the following information:

NAME OF TITLE COMPANY OR CPA		TELEPHONE NUMBER
NAME OF PERSON SIGNING CERTIFICATION (IF TITLE COMPANY)	CAPACITY (IF TITLE COMPANY)	
BUSINESS ADDRESS		
CITY	STATE	ZIP CODE

**24. DEVELOPER INFORMATION**

A. If new applicant, give names and addresses of partners of any joint venture, partnership and/or other individuals with a substantial financial interest (attach lists on separate sheet if necessary) in the time-share interests owned.

NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE
NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE

NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE

**B. Agent of owner, if any.**

NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE

C. If new applicant, is developer a California resident? .....  Yes  No

1. Is developer a California resident? .....  Yes  No

If a nonresident of the State of California, *submit* an irrevocable consent (original and one copy) that if any action is commenced against the developer in the State of California and personal service of process upon the entity or individual cannot be made in this State, a valid service may be made by delivering the Consent To Service of Process (RE 608's) to the California Secretary of State.

2. Is the developer a corporation or limited liability company organized under the laws of a state other than California? .....  Yes  No

If YES, *submit* a Certificate of Status for the foreign entity to transact business in California, issued by the California Secretary of State.

**25. GOVERNING AGENCY REQUIREMENTS**

*Out-of-State Offerings Only — New applicants, new components sites, or new accommodations*

A. Does the city, county, state or country in which the time-share plan is located require a filing or registration of your offering? .....  Yes  No

If YES, submit a copy of any authorization to sell, lease, or advertise, or evidence from appropriate authorities that no such authorization is required.

B. Has the city, county, state or country in which the time-share plan is located, denied or disapproved your offering? .....  Yes  No

If YES, submit a copy of denial or explain on separate sheet.

**26. PUBLIC REPORT**

A. Submit copy of draft public report meeting the requirements of B&P Code Section 11234(a). Additional disclosures for nonspecific interest multi-site time-share plans are required under B&P Code Section 11234(b). See Time-Share Public Report Preparation (RE 622H).

B. If the time-share plan is located outside this state and the situs state public report contains disclosures that are substantially equivalent or greater than the disclosures required by B&P Code Section 11234, the situs state public report may be submitted in lieu of 26A above.

**CERTIFICATION**

I/We hereby certify under penalty of perjury that the information contained in this form constitutes my/our Registration to sell or lease time-share interests, and that the information, together with any documents submitted herewith, are full, true, complete and correct; and that I/we am/are the owner(s) of the interests herein described, or will be the owner(s) at the time interests are offered for sale or lease to the general public — or that I am the agent authorized by such person(s) to complete this statement.

- Certification signed outside the State of California must be acknowledged by a Notary Public.
- Prior to signing, review all answers submitted. Errors or omissions must be corrected and initialed by the developer(s).
- If the developer is a corporation, limited liability company (LLC), partnership, etc., the individual(s) signing the certification must stipulate the capacity (e.g., president, manager, general partner, etc.) of the signer and an authorization to sign (e.g., a corporate resolution, LLC statement, partnership statement, etc.) must be submitted.
- If an agent will be submitting documents to Department of Real Estate on behalf of the developer, the developer must provide written authorization to that effect.

SIGNATURE OF DEVELOPER ➤	DATE
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PRINTED NAME OF DEVELOPER	CAPACITY
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NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.

SIGNATURE OF DEVELOPER ➤	DATE
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PRINTED NAME OF DEVELOPER	CAPACITY
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NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.

BUSINESS ADDRESS

CITY	COUNTY	STATE
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