

**DEVELOPER APPLICATION
FOR REGISTRATION OF
TIME SHARE PLAN**

FOR OFFICE USE	Received _____
	Accepted _____
	Reg. No. _____

1. Time share property or plan
- a. Name _____
- b. Location _____
(Include mailing address)
- c. Is the plan a multiple location time share plan? YES No
If "yes," name the jurisdictions in which the plan's facilities are located _____

2. Name of applicant _____

Address _____ Phone _____

Applicant is: individual corporation limited liability company (LLC)
 partnership joint venture limited liability partnership (LLP)

<u>Name of officers/partners/members/managers</u>	<u>Title</u>	<u>Address</u>

Registered with the State Business Registration Division as a:
 corporation partnership joint venture LLC LLP

Date of registration _____

3. Responsible managing employee(s):
- | | | |
|-------------|----------------|--------------|
| _____ | _____ | _____ |
| <i>Name</i> | <i>Address</i> | <i>Phone</i> |
| _____ | _____ | _____ |
| <i>Name</i> | <i>Address</i> | <i>Phone</i> |
| _____ | _____ | _____ |
| <i>Name</i> | <i>Address</i> | <i>Phone</i> |

NOTE: Describe duties, functions, etc., of RME(s) on a separate sheet.

4. Applicant is also: acquisition agent sales agent plan manager

5. If applicant is not also the acquisition agent, sales agent or plan manager, complete the following:

Acquisition agent _____
Name

_____ Mailing Address (include suite no. & zip code)

Sales agent _____
Name

_____ Mailing Address (include suite no. & zip code)

Plan manager _____
Name

_____ Mailing Address (include suite no. & zip code)

6. Applicant's attorney _____
Name

_____ Mailing Address (include suite no. & zip code)

_____ Phone

7. Nature of time share plan: right to use ownership

a. No. of units _____
No. of time share interests in each unit _____
No. of week(s) in a time share interest _____

b. Geographical location:

- hotel
- designated for hotel use
- designated for resort use
- designated for transient vacation rentals

8. The developer's interest in the time share property _____ an option to purchase.
(is or is not)

9. Briefly state manner in which title to the time share property is held _____

(Attach separate sheet if necessary.)

10. Indicate method under section 514E-19, HRS, by which purchasers are protected against blanket liens on the time share property _____

11. Escrow account established at _____
Name

Mailing Address (include suite no. & zip code)

Phone

Account No. _____ *Date Established* _____

12. Name and address of nonprofit time share owners organization, club or association

Name

Mailing Address (include suite no. & zip code)

Phone

Date established _____

13. The following questions apply to the applicant and/or its partners, officers, directors, members, managers, and RME(s):
- a. In the past twenty years, have you been convicted of a crime in which the conviction has not been annulled or expunged, in this State or in any other state? YES NO
 If "yes," provide information on the date, place and type of conviction on a separate sheet.
 - b. Was any license, in this State or any other state, suspended or revoked at any time? YES NO
 If "yes," in what state(s) _____ and briefly describe on a separate sheet.
 - c. Is there any administrative action pending against you in this State or any other state? YES NO
 If "yes," in what state(s) _____ and briefly describe on a separate sheet.
 - d. Was any application for license denied in this State or any other state? YES NO
 If "yes," in what state(s) _____ and briefly describe on a separate sheet.
 - e. Have any complaints or charges ever been filed against you, regardless of outcome, in this State or any other state? YES NO
 If "yes," in what state(s) _____ and briefly describe on a separate sheet.
 - f. Have you ever filed for bankruptcy? YES NO
 If "yes," in what state(s) _____ and briefly describe on a separate sheet.

I hereby certify that the statements and answers on this application and accompanying documents are true and correct. I understand that any misrepresentation shall constitute grounds for refusal or subsequent revocation of license. (Section 710-1017, Hawaii Revised Statutes)

Date

Signature of Developer

Print Name and Title

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INSTRUCTIONS & INFORMATION

1. This form is to be used by a developer for registration of a time share plan. The developer's application must be submitted with the documents specified in the "*Check List for Developer Registration*" disseminated by the Department.
2. The Director will not receive this application unless the applicant has completed every statement in the application and the application is accompanied by the documents specified in the above-mentioned "*Check List for Developer Registration*."
3. Two (2) complete sets of the application must be submitted.
4. The Director will act upon this application within 60 days after receipt of a complete application.
5. If the applicant is a corporation, partnership, joint venture, limited liability company (LLC), or limited liability partnership (LLP), the applicant must designate a responsible managing employee (RME).
6. Please attach payment of registration fees in the amount specified in Section 16-53-40.3, Hawaii Administrative Rules, *Fees Relating to Boards and Commissions*, as follows:

\$750	Application (nonrefundable)
\$922	Registration
\$184	Compliance Resolution Fund, <u>PLUS</u> \$246 for each unit in the time share plan up through twenty-five units.

In addition to the above fees, payment of an initial deposit to cover the cost of the consultant review of the developer's application for registration must be submitted as authorized under Section 514E-10.5, Hawaii Revised Statutes. Additional sums may be required if the cost of the review exceeds the initial deposit. All funds in excess of the final cost of such review will be refunded to the developer.

The above-prescribed fees shall be paid in the form of a check payable to "*Department of Commerce and Consumer Affairs*."

7. Mail or deliver all required items to:

Time Share Program
Department of Commerce and Consumer Affairs
335 Merchant Street, P. O. Box 3469
Honolulu, Hawaii 96801

Pursuant to HRS § 436B-9 your application shall be considered abandoned and shall be destroyed if you fail to provide evidence of continued efforts to complete the licensing process for two consecutive years. The failure to provide evidence of continued efforts includes but is not limited to: (1) failure to submit any required information and documents requested by the licensing authority within two consecutive years from the last date the documents and information were requested, or (2) failure to complete any additional requirements for licensure that remain after the approval of your application, such as attempting to complete an exam requirement, within two consecutive years from the date your application was approved, or (3) failure to provide the licensing authority with any written communication during two consecutive years indicating that you are attempting to complete the licensing process. If an application is deemed abandoned the applicant shall be required to reapply for licensure and comply with the licensing requirements in effect at the time of the reapplication.

This material can be made available for individuals with special needs. Please call the Time Share Administrator at 586-2709 to submit your request.