BIENNIAL NOTICE TO RENEW
PLAN MANAGER

INSTRUCTIONS & INFORMATION

1. This form is to be used by a plan manager for renewal of the time share plan manager registration on or before December 31, 2016. A separate application for renewal shall be submitted for each time share plan for which the applicant is registered as a plan manager.

2. This application will not be received by the Director unless every statement in the application has been completed by the applicant and the application is accompanied by the documents specified in Section 16-106-4.2(d), Hawaii Administrative Rules (HAR), Time Sharing.

3. The Director will act upon this application within 60 days after receipt of a complete application.

4. Please attach payment in the amount of $270 ($190 renewal (nonrefundable), $80 Compliance Resolution Fund). Payment shall be in the form of a check made payable to: "***Department of Commerce and Consumer Affairs***". (check must be in U.S. dollars and be from a U.S. financial institution.)

   The applicant's plan manager registration may be renewed on inactive status upon payment of the above fees.

5. Failure, neglect or refusal by the applicant to pay the renewal and CRF fees or to submit the documents required by Section 16-106-4.2(d), HAR, shall constitute a forfeiture of the applicant's registration. Any registration which has been forfeited may be restored within 90 days upon written application and payment to the Department of the delinquent fees and a penalty fee of $400, provided that the registration meets all of the requirements for renewal specified in Section 16-106-4.2(d), HAR. The applicant shall not engage in any time share activities in connection with the forfeited registration until the registration has been restored.

6. Mail all required items to:

   Time Share Program
   Department of Commerce and Consumer Affairs
   P.O. Box 3469
   Honolulu, HI 96801

   OR

   Deliver to office:

   Time Share Program
   Department of Commerce and Consumer Affairs
   335 Merchant Street, Rm. 329
   Honolulu, HI 96813

7. Section 237D-2, Hawaii Revised Statutes, subjects timesharing to the transient accommodations tax (TAT). Every time share plan shall be represented by a plan manager who "shall be liable for and pay to the State" the TAT.

   Each plan manager and Operator must register with the **Department of Taxation**. For more information, **please call the Taxpayer Services Branch at (808) 587-4242 or toll-free at 1-800-222-3229.**

This material can be made available for individuals with special needs. Please call the Time Share Administrator at (808) 586-2709 to submit your request.

Section 16-106-4.2(d), Hawaii Administrative Rules (excerpt)

§16-106-4.2 Biennial renewal requirement.

* * *

(d) A plan manager, including the developer if it is also the plan manager, shall submit the following to the director at the to the director at the time of renewal of the plan manager's registration not later than December 31 of each odd-numbered year*; provided that the plan manager shall submit a separate application for renewal with respect to each time share plan with which the plan manager is registered; and provided further that no application for renewal shall be deemed complete, nor shall the same be accepted for registration, unless the prescribed information is provided separately tabbed and numbered in the exact order as follows:

(1) An application for renewal of registration on a form prescribed by the director;
(2) The address at which all accounting records, including but not limited to receipts, expenditures, and payment vouchers, are currently maintained;
(3) Satisfactory evidence that the plan manager is currently bonded as required by section16-106-40 to cover any default of the plan manager and any of the employees of the plan manager of their duties and responsibilities;
(4) A copy of the executed management agreement currently applicable to the time share plan;
(5) The name and address of the person in the State authorized to receive service of process on behalf of the plan manager; provided that written notification of any change of this name or address shall be submitted to the director within twenty days of any change;
(6) If a corporation, partnership, or joint venture, a certificate of good standing issued by the Business Registration Division of the Department not more than forty-five days before the date of submission of the application; and
(7) The biennial renewal fee.

* * *

* NOTE: Statutory amendment to Hawaii Revised Statutes section 514E-10(e) now provides for plan manager renewal by December 31 of each even-numbered year.

Print Form

Forfeited _____

Restored _____

APPLICATION FOR RENEWAL OF REGISTRATION OF TIME SHARE PLAN MANAGER

Reg. No. TSM - _____

Reg. No. RB - _____

1. Name of Applicant: _____

2. Address: _____ Phone: _____

3. Status of registration: ☐ active ☐ inactive

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

Name of officers/partners/members/managers	Title	Address

5. Responsible managing employee(s)

_____
Name

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

_____
Name

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

_____
Name

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

6. Applicant's attorney: _____
Name

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

(CONTINUED ON PAGE 2)

Plan Manager	627	$190
CRF	621	$ 80
Penalty	631	$400
Service Fee	BCF.....	$ 25

This material can be made available for individuals with special needs. Please call the Time Share Administrator at (808) 586-2709 to submit your request.

7. Time share property or plan

a. Name: _____

b. Location: _____

Mailing Address (include suite no. & zip code)

c. Developer: _____

Name

_____ _____

Mailing Address (include suite no. & zip code) *Phone No.*

d. Reg. No. TD - _____

e. Number of time share units managed: _____

Attach a list of all time share units on a separate sheet of paper.

8. Plan manager's account required under Section 16-106-33, Hawaii Administrative Rules, Time Sharing, currently maintained at:

_____

Name

_____ _____

Mailing Address (include suite no. & zip code) *Phone No.*

_____

Account No.

9. Answer ALL questions with an "X" in the appropriate box, an unanswered question is an incomplete application. The questions apply to the applicant and/or its partners, officers, directors, and RME(s):

a. Have you ever had any license suspended, revoked, or otherwise subject to disciplinary action? ..... ☐ YES ☐ NO

b. Are there any disciplinary actions pending against you?..... ☐ YES ☐ NO

c. Have you ever been convicted of a crime in any jurisdiction that has not been annulled or expunged? ..... ☐ YES ☐ NO

For any "YES" response above, please provide information on the date, place and type of conviction or disciplinary action on a separate sheet of paper and attach to this renewal.

I certify that the above information and statements are true and correct.

_____ _____

Date *Signature of Applicant*

_____

Print Name and Title

Applicant is registered with the Department of Taxation as required under Section 237D-4, Hawaii Revised Statutes ..... ☐ YES ☐ NO

All questions regarding Section 237D-4 may be directed to the Department of Taxation, Taxpayer Services Branch at (808) 587-4242 or toll-free at 1-800-222-3229.

Print Form