

BIENNIAL NOTICE TO RENEW DEVELOPER

INSTRUCTIONS & INFORMATION

1. This form is to be used by a developer for renewal of the registration of the developer's time share plan on or before December 31, 2022.
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 514E-10(f), Hawaii Revised Statutes (HRS), Time Sharing Plans.

The certified statement required under section 514E-10(f)(2) shall identify:

For interval/weeks based time share plans:

- (a) All of the time share units in the time share plan registered pursuant to this chapter,
- (b) The total number of time share interests registered for sale in each unit pursuant to this chapter, and
- (c) The total number of time share interests that have not yet been sold in each unit as of the date specified in the developer's certification, which date shall not be more than sixty days prior to the date of the developer's certification.

For points based time share plans:

- (a) Each property in the time share plan registered pursuant to this chapter,
- (b) The total number of points registered for sale in each property pursuant to this chapter, and
- (c) The total number of points in the time share plan that have not yet been sold as of the date specified in the developer's certification, which date shall not be more than sixty days prior to the date of the developer's certification.

3. The Director will act upon this application within 60 days after receipt of a complete application.
4. Fees: Please attach the following application fees. 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.

Active \$476 Renewal Fee (nonrefundable)
 \$ 80 Compliance Resolution Fund Fee
 \$556 TOTAL

Inactive \$ 12 Inactive Registration Fee (nonrefundable)
 \$ 80 Compliance Resolution Fund Fee
 \$ 92 TOTAL

For inactive registrations, only the renewal application form and inactive fees are required to be submitted.

5. Failure, neglect or refusal by the applicant to pay the renewal and CRF fees or to submit the documents required by Section 514E-10(f), HRS, shall constitute a forfeiture of the applicant's time share plan 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 514E-10(f), HRS. 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*

NOTE: Section 514E-10(f), HRS can be found on the following page.

Section 514E-10(f), Hawaii Revised Statutes

- (f) An application for renewal of a developer registration shall be on a form prescribed by the director and shall include:
 - (1) A current disclosure statement that meets the requirements of section 514E-9 and section 16-106-3, Hawaii Administrative Rules, if not already on file;
 - (2) A statement that is certified by the developer to be true and correct in all respects and that identifies, as appropriate:
 - (A) The time share units in the time share plan registered pursuant to this chapter; the total number of time share interests registered for sale in each unit pursuant to this chapter; and the total number of time share interests that have not yet been sold as of the date specified in the developer's certification, which date shall not be more than sixty days prior to the date of the developer's certification; or
 - (B) The property in the time share plan registered pursuant to this chapter; the total number of points registered for sale in each property pursuant to this chapter; and the total number of points in the time share plan that have not yet been sold as of the date specified in the developer's certification, which date shall not be more than sixty days prior to the date of the developer's certification;
 - (3) If the developer is a corporation, partnership, joint venture, limited liability company, or limited liability partnership, an original certificate of good standing issued by the business registration division of the department of commerce and consumer affairs not more than forty-five days before the date of submission of the renewal application; and
 - (4) The biennial renewal fee.

* * *

Forfeited _____

Restored _____

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

Registration. No. TD - _____

1. Time share property or plan

a. Name: _____

b. Location: _____

(Include mailing address)

c. Status of registration: ☐ active ☐ inactive

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

Name of Applicant

Mailing Address (include suite no. & zip code)

Phone No.

Name of officers/partners/members/managers

Title

Address

3. Responsible managing employee(s):

Name

Mailing Address (include suite no. & zip code)

Phone No.

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

(CONTINUED ON PAGE 2)

5. Number of units/intervals to be renewed: _____
(Attach a certified statement meeting the requirements of HRS §514E-10(f)(2))

6. Answer ALL questions with an "X" in the appropriate box. The application will be incomplete if any question is unanswered.
The questions apply to the applicant and 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.

7. Name and address of the plan manager, all sales agents, and all acquisition agents, including the developer if it is also acting as such.
(Attach a separate sheet if necessary):

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)

8. Applicant's attorney: _____
Name

Mailing Address (include suite no. & zip code)

9. Person in the State authorized to receive service on behalf of the developer:

Name

Mailing Address (include suite no. & zip code)

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

11. Escrow

a. Escrow agent: _____
Name

Licensed as a Hawaii escrow depository (for time share plans located in Hawaii) ☐ YES ☐ NO

b. Escrow account currently maintained at: _____

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

Account No. *Date Established*

12. Date of current Disclosure Statement: _____

Do not submit revised disclosure statements, or any other revised documents, with the renewal application.

I 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 Applicant

Print Name

Print Title