

As a purchaser of prospective purchaser of time share interest, you have the following rights:

1

The right to say No.

2

The right to be informed about promotional devices.

You have the right to be informed of any devices-such as entertainment, prized, or gifts-that are being used for the purpose of soliciting sales.

If you are required to attend a sales presentation in order to claim a prizes or gift, you must be provided with a written disclosure containing a full description of the exact prize or gift, including its cash value; all terms and conditions attached to the prize or gift; a statement that you must attend a sales presentation; and an identification of the time share project to be offered for sale, including type of ownership, exchange privileges, limitations, and price ranges of the time share interests in that project.

You also have the right to receive any promotional device promised prior to the sales presentation.

3

The right to be provided with true and accurate information of all material facts concerning the time share interests and plan.

This includes:

- a. the amount of time or period of time the unit will be available to you;
- b. the location or locations of the offered time share unit;
- c. the size, nature, extent, qualities or characteristics of the offered time share units;
- d. the nature or extent of any services incident to the time share unit;
- e. the conditions under which a purchaser may exchange occupancy rights between units in different locations.

4

The right to receive a written disclosure statement:

- a. stating the name and address of the time share plan and the person or company developing the plan;
- b. stating the name and address of the plan manager, if any, and a description of the plan manager's duties and authority;
- c. describing the time share units, including the developer's schedule for completion of all buildings, units and amenities and dates of availability;
- d. describing the condominium property regime and any pertinent provisions of the condominium project instruments, if the time share plan is located in a condominium;
- e. describing any limitations or conditions on the transfer of a buyer's time share interest;
- f. stating whether the time share plan is an ownership plan (where real

- property interests are transferred by documents recorded with the Bureau of Conveyances or filed with the Land Court) or a use plan (where no documents are recorded or filed), and description of a buyer's rights and responsibilities under plan;
- g. stating that there is a seven (7) calendar day period of mutual rescission;
- h. stating that every sales or transfer made in violation of Chapter 514E, HRS, is voidable at the election of the purchaser;
- i. providing notice of any liens, title defects, or encumbrances on or affecting the title to the units or plan;
- j. providing notice of any pending or anticipated suits that are material to the time share units or plan, of which the developer has, or should have, knowledge;
- k. stating the total financial obligation of the purchaser, which shall include the initial price and any additional charges to which the purchaser may be subject;
- l. providing an estimate of the dues, maintenance fees, real property taxes, and similar periodic expenses, and the method or formula by which they were computed.

5

The right to cancel or void a contract within seven calendar days after you have received the disclosure statement or signed the contract, whichever occurs later ("seven-day right of rescission").

6

The right to be informed of the seven-day right of rescission orally and in writing at the time you sign the contract.

All promotional literature and other printed or written material must contain the caption "THIS IS A TIME SHARING SALES PRESENTATION," under which must be printed "Any purchaser has, under the law, a seven-day right of rescission of any time sharing sales contract."

7

The right to cancel or void sales made in violation of time share laws. This must be stated fairly and accurately.

8

The right to have all provisions of the contract and reservation agreement honored.

9

The right to have all rights preserved.

You have the right to have all contracts and reservation agreements free of provisions purporting to waive any right or benefit granted under Chapter 514E, HRS.

10

The right to withhold payment of any money, property, or valuable consideration prior to signing a contract or reservation agreement.

RESOURCES

HONOLULU OFFICE:

Leiopapa A Kamehameha Building
235 South Beretania Street, 9th Floor
Honolulu, HI 96813

CONSUMER RESOURCE CENTER (CRC):

Verification of current status of existing licensees or businesses, complaint history of licensees & businesses, file complaints against licensees & businesses, & other general consumer information.....**587-4272**

To call Honolulu numbers from the Neighbor Islands, dial Kauai 274-3141, Maui 984-2400, the Big Island 974-4000, Lanai/Molokai 1-800-468-4644, then dial the last five digits of the state phone number you want to call, then press the # sign.

(Neighbor Islands, repeat the same process as instructed above.)

MAUI OFFICE.....243-5808

1063 Lower Main Street, Suite C-216
Wailuku, HI 96793

KAUAI OFFICE.....274-3200

3060 Eiwa Street, Suite 204
Lihue, HI 96766

HILO OFFICE.....933-8846

120 Pauai Street, Ste. 212
Hilo, HI 96720

KONA OFFICE.....327-9590

75-170 Hualalai Road, Room C-309
Kailua-Kona, HI 96740

RICO website: cca.hawaii.gov/rico/
RICO e-mail: rico@dcca.hawaii.gov

Check Out a Business Online at cca.hawaii.gov/rico/business_online/ for:

- ✓ Business/Licensee Complaint History Search
- ✓ Business Name Search
- ✓ Professional and Vocational License Search
- ✓ General Excise Tax License Search

TIPS ON

Time Time Share

Bill of Rights



Regulated Industries Complaints Office

235 S. Beretania Street, Ninth Floor
Honolulu, Hawaii 96813

cca.hawaii.gov/rico/

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