

## PRELIMINARY PUBLIC REPORT APPLICATION INSTRUCTIONS (MOBILEHOME PARK RESIDENT OWNERSHIP PROGRAM)

RE 601 (Rev. 7/15)

SUBDIVISIONS

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### GENERAL APPLICATION INFORMATION

This is an application for a preliminary public report for a mobilehome park conversion wherein the subdivider has or intends to apply for financing through the Mobilehome Park Resident Ownership Program (MPROP), Department of Housing of Community Development, as authorized by Chapter 11 of Part 2, Division 31 of the Health and Safety Code. This application does not constitute a notice of intention for a final public report.

A preliminary public report must be obtained before a subdivider may advertise or take reservations on subdivision interests, or solicit mobilehome park tenants as required per the MPROP application process. A final public report must be obtained before any subdivision interest may be sold or leased.

If all filing requirements are met a preliminary public report will normally be issued within 14 days after receipt of the application.

### HOW TO APPLY — WHAT TO SUBMIT

To obtain a preliminary public report, complete and submit the following forms to the appropriate Department of Real Estate Subdivision Office (refer to “Where to File Your Application” on page 2).

#### **Application Submittal (Preliminary Public Report) (RE 601A)**

Complete information under “Public Report Information.” Check the appropriate boxes in the “Items Submitted” column that correspond to each item enclosed.

All items with an asterisk (\*) *must* be submitted before your file will be accepted. Submit any additional documents that are applicable.

If any of the items are deficient, DRE will check the box in the “Deficient” column, add comments if necessary, and return the form for corrections to the single responsible party (SRP) shown on the application.

#### **Preliminary Public Report Application (RE 601B)**

Submit the original and one additional copy of page 1.

- Answer all questions in the application. If an item is not applicable, state NA.
- Item #5 (Single Responsible Party)* - Only one individual

may be listed as the single responsible party (SRP). This individual may be contacted to answer any questions and will receive the preliminary public report when issued. Do not request that correspondence or extra copies of the public report be sent to other parties. In addition, copies of all written communications to the SRP will be sent to the subdivider.

*Item #16 (Certification)* – The certification states that all representations made in the application, including all exhibits, are true, accurate and complete.

#### **Filing Fee**

Submit a certified check, money order or check payable to “Department of Real Estate” for the required filing fee.

**Note:** The check must be dated not more than 60 days before the application is received by DRE. **Do not send cash. Attach the fee to the photocopy of page 1 of RE 601B.**

Filing fees include the basic filing fee and preliminary public report fee, plus a lot/unit fee for each lot/unit to be covered by this preliminary public report. Refer to Subdivision Filing Fees (RE 605) to calculate the appropriate fee.

#### **Typed Preliminary Public Report (RE 601C)**

Submit the original and three copies (reproduced on pink paper).

**Note:** All preliminary public reports are printed on pink paper so that they are easily distinguishable from final public reports, which are printed on white paper.

The preliminary public report consists of the RE 601C and RE 646 for a common interest subdivision. Follow the instructions listed below to complete these forms.

- Complete RE 601C as outlined below:
  - Subdivision Information [*front page of RE 601C*]  
Enter the name of applicant, tract or map name and number, advertising name, and county **only**. DRE will complete the file number, issuance date, and expiration date fields.
  - Location and Size [*page 2, RE 601C*]  
This subdivision contains (#) lots, units, or spaces on (#) acres and is located at (*street address or cross streets*) within the city limits of (*city/town*) or approximately (#) miles from (*city/town*).
  - Reservation Money Handling [*page 2 of RE 601C*]  
Add the name and street address of the escrow depository. Do not use a post office box.
  - Type of Subdivision – Choose one of the following to indicate the type of subdivision (project):

Condominium  
 Limited Equity Housing Cooperative  
 Planned Development  
 Stock Cooperative

- 5) Interest To Be Conveyed (page 2) – Choose the appropriate phrase below, fill in the blanks and enter the phrase on page 2. (If none of the statements below is representative of your offering, rephrase the statement and explain the reasons in a cover letter.)
- a) Condominium  
*You will receive fee title to a specified unit and an undivided fractional interest as a tenant-in-common in the common area together with a membership in the \_\_\_\_\_ Association and rights to use the common area(s).*
- b) Stock Cooperative or Limited Equity Housing Cooperative  
*You will receive an exclusive right of occupancy and lease to a specified space together with member ship (or shares) in the \_\_\_\_\_ Cooperative Corporation which owns the property.*
- c) Planned Development  
*You will receive fee title to a specified lot together with a membership in \_\_\_\_\_ Association and rights to use the common area(s).*

#### Address Labels

Prepare five, self-adhesive, self-addressed address labels for the SRP of this project and another five for the subdivider.

*Example:* Ms. Josephine Wayne  
 Smith Title Company  
 123 Main Street  
 Anywhere, California 90000

#### WHERE TO FILE YOUR APPLICATION

There are two DRE Subdivision Regional Offices. Each office processes applications for subdivisions being developed in certain counties as shown below.

You must file your application in the appropriate office. Some applications may be transferred to the other Regional Office for processing. You will be advised if your file is transferred.

*The following counties are covered by the Southern office:*

Imperial	Los Angeles
Orange	Riverside
San Bernardino	San Diego
Santa Barbara	Ventura

#### Subdivisions Office - South

320 W. 4th Street, Suite 350  
 Los Angeles, CA 90013-1105  
 Telephone: (213) 897-3908

*All Other Counties are covered by the Northern office:*

#### Subdivisions Office - North

1651 Exposition Blvd., Sacramento, CA 95815  
 Mailing address: P.O. Box 137005  
 Sacramento, CA 95813-7005  
 Telephone: (916) 576-3374

#### PRELIMINARY PUBLIC REPORT ISSUANCE PROCEDURE

The Department will review your pre-typed preliminary public report, and if the documents meet DRE standard, the report will be returned to the SRP.

***You are required to duplicate the preliminary public report on pink paper and provide a copy to each party making a reservation.***

#### RECEIPT FOR PUBLIC REPORT (REQUIRED BY REGULATION 2795.1)

Each prospective purchaser must be given a copy of the public report for which a receipt must be completed and retained for three years. A Receipt for Public Report (RE 614E) shall be used by the owner/subdivider (or agent). (Refer to Figure A.) A copy of RE 614E will be provided when the public report is issued.

***The receipt is to be kept on file by the subdivider or his/her representative/agent for three years.***

***Regulation 2795.1(a)*** states, "A receipt on the form specified herein shall be taken by or on behalf of the subdivider from each person executing a reservation agreement under authority of a preliminary public report and each person who has made a written offer to purchase or lease a subdivision interest under authority of a final subdivision public report."

Subsection (b) of Regulation 2795.1 provides that the receipt shall be retained for a period of three years from the date of the receipt and shall be available for inspection by DRE during regular business hours.

***Section 11018.1 of the Business and Professions Code*** stipulates when and to whom the subdivider or subdivider's agent or salesperson must give copies of the public report.

- (a) A copy of the public report of the commissioner, when issued, shall be given to the prospective purchaser by the owner, subdivider or agent prior to the execution of a binding contract or agreement for the sale or lease of any lot or parcel in a subdivision. The requirement of this section extends to lots or parcels offered by the subdivider after repossession. A receipt shall be taken from the prospective purchaser in a form and manner as set forth in regulations of the Real Estate Commissioner.
- (b) A copy of the public report shall be given by the owner, subdivider or agent at any time, upon oral or written request, to any member of the public. A copy of the public report and a statement advising that a copy of the public report may be obtained from the owner, subdivider or agent at any time, upon oral or written request, shall be posted in a conspicuous place at any office where sales or leases or offers to sell or lease lots within the subdivision are regularly made.

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**SUPPLEMENTAL ITEMS**
**Communications with the Department**

When corresponding with the Department's Subdivision Offices, always identify the DRE-assigned file number. This will assist DRE staff to quickly locate the file and to match the mail with the appropriate file for processing.

**Reference Material**

The Department has the following publications available for purchase. These may be helpful reference materials for public report applicants.

Real Estate Law Book

Real Estate Reference Book

Subdivision Public Report Application Guide (SPRAG)

Operating Cost Manual for Homeowners Associations

Please refer to Publications Request (RE 350) for ordering information.

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**FIGURE "A"**

**RECEIPT FOR PUBLIC REPORT OR CALIFORNIA PERMIT**

The Laws and Regulations of the California Real Estate Commissioner require that you as a prospective purchaser or lessee be afforded an opportunity to read the public report or permit for this subdivision before you make any written offer to purchase or lease a subdivision interest or before any money or other consideration toward purchase or lease of a subdivision interest is accepted from you.

In the case of a preliminary or interim public report or permit you must be afforded an opportunity to read the public report or permit before a written reservation or any deposit in connection therewith is accepted from you.

In the case of a conditional public report or permit, delivery of legal title or other interest contracted for will not take place until issuance of a final public report or permit. Provision is made in the sales agreement and escrow instructions for the return to you of the entire sum of money paid or advanced by you if you are dissatisfied with the final public report or permit because of a material change. (See California Business and Professions Code §11012.)

**DO NOT SIGN THIS RECEIPT UNTIL YOU HAVE RECEIVED A COPY OF THE PUBLIC REPORT AND HAVE READ IT.**

I read the Commissioner's Public Report or Permit on \_\_\_\_\_ *[File Number]*

\_\_\_\_\_ *[Tract Number or Name]*

I understand the public report or permit is not a recommendation or endorsement of the subdivision, but is for information only.

The issue date of the public report or permit which I received and read is: \_\_\_\_\_.

\_\_\_\_\_  
*Signature* \_\_\_\_\_ *Date*

\_\_\_\_\_  
*Address*