

TIME-SHARE PRELIMINARY PUBLIC REPORT - APPLICATION INSTRUCTIONS

RE 603E (Rev. 7/15)

SUBDIVISIONS

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GENERAL APPLICATION INFORMATION

This is an application for a preliminary public report for a time-share plan. It does not constitute a notice of intention for a final public report.

A preliminary public report must be obtained before a developer may advertise or take reservations on time-share interests. A final public report must be obtained before any time-share 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 Subdivisions Technical Unit at the Department of Real Estate (refer to “Where to File Your Application” on page 2).

Application Submittal (Preliminary Public Report) (RE 603F)

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 contact person, also known as the single responsible party (SRP) or contact person shown on the application.

Preliminary Public Report Application (RE 603G)

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 (SRP)* - Only one individual may be listed as the 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 developer.

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 90 days before the application is received by DRE. **Do not send cash. Attach the fee to the photocopy of page 1 of RE 603G.**

Filing fees include the basic filing fee and preliminary public report fee, plus a time-share interest fee for each time-share interest 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 603H)

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.

Complete RE 603H as outlined below:

- Time-Share Plan Information [front page]**
Enter the name of developer, tract or map name and number, advertising name, county and state **only**. DRE *will complete the file number, issuance date, and expiration date fields.*
- Location and Size [page 2]**
This time-share plan contains (#) interests (#) accommodations and is located at (*street address or cross streets*) within the city limits of (*city/town*) or approximately (#) miles from (*city/town*) within the State of California..
- Reservation Money Handling [page 2]**
Add the name and street address of the escrow depository. Do not use a post office box.

Address Labels

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

Example: Mr. John Smith
Smith Company
123 Main Street
Anywhere, CA 90000

WHERE TO FILE YOUR APPLICATION

Department of Real Estate
Subdivisions Technical Unit
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 B&P CODE SECTION 11236)

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 (Time-Share Plan) (RE 614B) shall be used by the developer. (Refer to Figure A.) A copy of RE 614B will be provided when the public report is issued.

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

B&P Code Section 11236(a) states, "A receipt on the form specified herein shall be taken by or on behalf of the developer 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 time-share interest under authority of a preliminary, conditional, or final public report."

Subsection (b) of Section 11236 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.

B&P Code Section 11234 stipulates when and to whom the developer or developer's agent or salesperson must give copies of the public report.

The developer shall provide the public report to each purchaser of a time-share interest in any time-share plan at the time of purchase. The public report shall be in writing and dated and shall require the purchaser to certify in writing the receipt thereof.

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.

FIGURE "A"

Receipt for Public Report (Time-Share Plan)

The Laws and Regulations of the Commissioner require that you as a prospective purchaser or lessee be afforded an opportunity to read the public report for this time-share before you execute a contract to purchase or lease a time-share interest or before any money or other consideration toward purchase or lease of a time-share interest is accepted from you.

You must be afforded an opportunity to read the public report before a written reservation or any deposit in connection therewith is accepted from you.

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

I have read the Commissioner's public report on _____
_____ *(file number, tract number, or name).*

I understand the public report is not a recommendation or endorsement of the time-share, but is for information only. The issue date of the public report or permit which I received and read is: _____.

Signature *Date*

Address

Developer is required to retain this receipt for three years.