



**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION**

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NEVADA TIME SHARE RESALE BROKER

The attached form must be filed with the Nevada Real Estate Division (“Division”) for any broker licensed under NRS 645 who intends to sell 12 or more timeshare intervals or interests (hereafter referred to as “Applicant”).

There is no filing fee for this registration.

The Applicant must complete the attached Questionnaire, submit the fully completed and executed Questionnaire to the Projects Registration Section of the Division together with all applicable supporting documentation. Partial registrations will not be accepted and incomplete registrations may be returned prior to review.

After acceptance of the registration the Division will review the Questionnaire and supporting documentation and notify the Applicant if the registration is complete and acceptable or if additional information or clarification is needed.

At such time as the registration is complete and acceptable, the Division will issue a letter to the Applicant that is titled Time Share Resale Brokers Notice of Compliance (“Notice of Compliance”) which is the only notification that the applicant will receive from the Division that sales may commence.

After Applicant receives the Notice of Compliance and the Applicant commences a sales and marketing program the Applicant must provide each prospective purchaser with a completed copy of the Timeshare Resale Disclosure Form (“Disclosure”) prior to a purchaser signing any contract to purchase. Broker must then provide the purchaser with a fully executed copy of the Disclosure and retain a copy for the brokers sales file. The Division reserves the right to review those files at any time to assure that the Disclosures are being provided to the timeshare resale purchasers.

Applicant must submit all proposed advertising to the Division prior to use and receive a processing number as more fully described in NRS 119A.370 and NAC 119A.275-355.

There is no fee for Division approval of any advertising collateral.

No solicitation, advertising, marketing or sales promotions of any kind may be made until the Applicant has received the Time Share Resale Brokers Notice of Compliance.

1. Follow the exact format and order of the questions in this Questionnaire. You may retype the Questionnaire if it is easier or if additional space in a particular section is needed in order to provide a complete and accurate response.

The answers must be typed in a clear, legible type. Any attached exhibits must be folded to no larger than legal size. Do not submit photocopies which are not clearly readable.

2. The supporting documents shall be attached as exhibits. Each exhibit shall be identified by affixing a tab on the right side of the top sheet of the exhibit. Such identification shall conform to the outline format of the Questionnaire. Additional or supplementary exhibit material shall be identified and numbered and attached behind the primary portion of the registration.
3. There shall be an "Index to Exhibits." Such Index schedule shall follow the Questionnaire and precede the actual exhibits.
4. If the information in an exhibit is applicable to more than one part of the Questionnaire, the applicant may incorporate that information by reference to the appropriate exhibit.
5. Where items in the Questionnaire do not apply, so state by stating "Not Applicable" in answer thereto and briefly explain why.
6. After completing this timeshare registration statement and the exhibits section, please bind them at the top with a fastener, attach a cover letter explaining briefly but clearly this offering and include a copy of the Timeshare Resale Disclosure Form prepared in sample form.
7. Applicant is responsible for notifying the Division of any revision, addition, change or deletion in any of the areas identified in the Questionnaire so that the Division files may at all times be current. The applicant must notify the Division of a change within 15 days of the change. The Division will determine if the change has any material effect on the Applicant's registration.

QUESTIONNAIRE - TIME SHARE RESALE BROKERS REGISTRATION

1. Applicant

- a. Name, home address, business address, Social Security Number or Federal Tax Identification Number of broker Applicant. If Applicant uses a fictitious business name (dba) disclose that name in this area.

- b. Has Applicant ever done business under any other name other than those set forth in I. (a) above?
 Yes No If so, please provide other names. If Applicant uses a fictitious business name (dba), so state.

- c. If the Applicant is a corporation, partnership, limited liability company or any other association, give the entity name & address as well as the name and address and principal occupation of each individual owning or controlling an interest of 10% or more. Also, provide state of incorporation of applicable.

- d. Complete name (as it appears on the license), license number and date of issuance of the Real Estate License issued by the Nevada Real Estate Division.

- e. State whether the Applicant, any affiliate of the Applicant, or, any of the individuals described in question I(b) have:

- (1) Been convicted of or pled nolo contendere to a felony or other crime involving moral turpitude, fraud or misrepresentation, land sales or investments, securities sales, campgrounds, timeshares
 Yes No
- (2) Been permanently enjoined by a court of competent jurisdiction from selling real estate, timeshares, campgrounds, securities Yes No
- (3) Had a registration as a broker-dealer in securities or a license to act as a real estate broker or salesman, project broker or sales agent revoked Yes No

- (4) Been convicted of or pled nolo contendere to selling real estate, investments, securities, timeshares or campgrounds without a license Yes No
- (5) Had a permit or license to sell timeshares, securities, real estate or campgrounds revoked, canceled, withdrawn or invalidated Yes No
- (6) Been disciplined, disbarred, or suspended by any governmental body or agency for violation of any federal, state or local law or regulation in connection with activities relating to land sales, land investments, securities sales, construction or sale of homes or home improvements, campgrounds, timesharing or other similar activity. Yes No If so, describe the action. Include in your description the names and addresses of the parties involved, the type and date of the action, and the status and disposition thereof.

- f. List all current or pending litigation or disciplinary proceedings by any individual or agency in county courts of record or higher which may have an effect upon the broker, the timeshare interests the Applicant proposes to sell, any owner's association affiliated with any of the timeshare interests the Applicant proposes to sell or any of the persons described above. Any case for which a complaint or initial pleading has been filed 7 days or more prior to the mailing of this application or amendment must be included. Describe the action and give names and addresses of parties and counsel, identification of the court, pertinent dates, gist of the action or the disposition at the time the filing is submitted. A new action or the disposition of any action is a material change and must be reported to the Division by the applicant within 15 days of its occurrence.

- g. List by date of occurrence, any denial order or suspension or loss of license or permit to sell issued by any local, state or federal governmental agency against applicant or any employee of the Applicant who was or is involved in any way in time share sales, development, management, advertising, rental, solicitation or any other related area. Explain the basis of each order and the final disposition.

- h. Give a brief history of the Applicant's business background and experience in real estate, and timeshare projects in which he has been involved.

- i. List all states within which the Applicant holds a license to solicit or sell real property including but not limited to time share interests.

2. Offering.

- a. Estimated number of timeshare interests currently available for sale by Applicant.

10-25 25-50 50-75 75-100 100-200

[if more, please provide an estimate within 10%]

- b. Type of timeshare plans available in this offering: (Ownership, Right to Use, Vacation Club, etc.)

- c. Localities within which the current available timeshares are located (states, provinces, countries)

- d. Location of sales records: (Records for all sales are required to be kept in the State of Nevada. If originals of these documents will be kept out of state, then duplicate records must be kept in the State of Nevada).

- e. Common promotional name to be used by Applicant in advertising this offering.

- f. Is the broker/Applicant providing any financing assistance to purchasers? Yes No If yes, explain and provide all terms and conditions of sale, if applicable

- g. What has the Applicant done to assure that the timeshares being included in this resale program are free and clear of any existing liens or encumbrances?

- h. Please confirm that at the time of conveying title, contract to use, points or club membership, all of the timeshare interests subject to this registration will be free and clear of any encumbrances including but not limited to existing mortgages and taxes and association liens.

- i. Sales prices range from \$ _____ to \$ _____
- j. Have any timeshare been offered for sale at any time prior to the date of this application for registration? Yes No If yes, explain

3. Promotional Activities

- a. Describe the proposed sales program to be used for the procurement of prospective purchasers, the sale to purchasers and the retention of purchasers after sale, including but not limited to the following specific areas:

- (1) The form and content of advertising to be used

- (2) If there are any inducements such as gifts, free offers or any other promises offered to prospective purchasers, explain: (Disclose fully all information regarding inducements including, but not limited to, the following: gifts, free offers, resale or lease program, exchange privilege, inspection privilege, offered by the Applicant as inducements.)

- (3) The nature of promotional meetings.

- b. Submit the names of all sales personnel and the locations of branch offices at which they will be operating, and the name of the broker or broker-salesman in charge of each location, if applicable.

- c. Will your sales program indicate in any manner that the timeshares will or may appreciate in value or may or will be a hedge against inflation? Yes No Specify the statements that will be made.

In addition to any supporting information or documentation that may be required to be included in this registration, please submit a copy of the financial statement of the Applicant. Such financial registration(s) shall not be more than 6 months old and shall include a balance sheet and statement of profit and loss.

If applicable, Applicant must submit a copy of the documents involved in the litigation or other action listed in Section I, (f, g, h), if any. This includes but is not limited to copies of the following:

1. All Pleadings
2. Decision or other disposition

CONSENT TO SERVICE OF PROCESS

(APPLICANT: MAIL THIS FORM DIRECTLY TO THE NEVADA SECRETARY OF STATE FOR FILING)

SECRETARY OF STATE
101 N Carson St. Ste 3
Carson City, NV 89701-4786

STATE OF _____ }
COUNTY OF _____ } ss.

KNOW ALL MEN BY THESE PRESENTS:

that pursuant to the provisions of Nevada Revised Statutes 119A

_____ hereinafter referred to as "Applicant" or "Broker" hereby irrevocably constitutes and appoints the Secretary of State of the State of Nevada or his successor in office, to be its true and lawful attorney within this state, upon whom all legal process in any suit, action or proceeding arising under, or in any way connected with the violation of any provision of Nevada Revised Statutes 119A or any rule or order pursuant thereto, or based upon any fraud, deceit, breach of contract or other thing connected with the sale or offer for sale of timeshare interests, may be served with the same force and validity as if in fact served upon said applicant, personally, within the State of Nevada. This appointment and the authority of said attorney shall continue in force and effect so long as any such liability remains outstanding, and a copy of any process served hereunder may be sent by registered mail addressed to:

Street Address *City* *State* *Zip*

STATE OF _____ }
COUNTY OF _____ } ss.

IN WITNESS WHEREOF, the aforesaid Broker has caused these presents to be executed this _____ day of _____ 20 _____

CORPORATE SEAL
(If corporation)

Broker

BY _____
Signature

Attest:

Secretary

Title

FOR CORPORATION	Before me, a Notary Public, in and for said county and state, personally appeared _____ and _____ to me
	known to be the persons who executed the foregoing instrument, who being first duly sworn, severally made oaths that they are the president and secretary, respectively, of said corporation; that the seal affixed hereto is the seal of said corporation, and that said instrument was signed, sealed and delivered in behalf of said corporation by authority of its board of directors as its free and voluntary act for the use and purposes therein set forth.
	WITNESS my hand and official seal this _____ day of _____ 20 _____ My Commission expires: _____
	(SEAL) _____ <i>Notary Public</i>
FOR PARTNERSHIP OR TRUST	Before me, a Notary Public, in and for said county and state, personally appeared _____ to me known
	to be the person who executed the foregoing instrument, who, being first duly sworn, upon oath deposes and says that he is a (partner)(trustee) of said (partnership) (trust), that said instrument was signed, sealed and delivered for and on behalf of said (partnership) (trust) and with authority of its (partners)(trustees) as its free and voluntary act for the use and purposes therein set forth.
	WITNESS my hand and official seal this _____ day of _____ 20 _____ My Commission expires: _____
	(SEAL) _____ <i>Notary Public</i>
FOR INDIVIDUAL	Before me, a Notary Public, in and for said county and state, personally appeared _____ to me known
	to be the person who executed the foregoing instrument, who, being first duly sworn, upon oath deposes and says that he is a (partner)(trustee) of said (partnership) (trust), that said instrument was signed, sealed and delivered for and on behalf of said (partnership) (trust) and with authority of its (partners)(trustees) as its free and voluntary act for the use and purposes therein set forth.
	WITNESS my hand and official seal this _____ day of _____ 20 _____ My Commission expires: _____
	(SEAL) _____ <i>Notary Public</i>

AFFIDAVIT OF APPLICANT

STATE OF _____ }
COUNTY OF _____ } ss.

I, _____, a licensed real estate broker in the State of Nevada, accept the responsibility for this registration as a Time Share Resale Broker.

Pursuant to NRS 119A and NRS 645 and the regulations for these statutes, I am responsible for the sales activities of the licensed salespersons, the time share sales agents and time share representatives that may be working on my behalf for the time share interests that I am offering for sale subject to this registration.

I further state that:

1. I have prepared and/or reviewed the attached registration.
2. I have completely read Chapter 119A NRS and NRS 645 NAC 119A and I am aware that it is my responsibility to see that the sales operation will be in complete compliance with these laws and all regulations promulgated thereunder.
3. Attached is my outline for the sales operation.
4. I understand it is my obligation to notify the Division, in writing, if I terminate my time share resale broker activity, employ or terminate timeshare sales agents, licensed salespersons or representatives.
Termination of my time share resale activity automatically terminates this registration.

I hereby certify under penalty of perjury that the statements contained in this Time Share Resale Broker Registration together with any documentation submitted herewith are full, true, complete and correct; and that I am the broker offering for sale to the general public, the resale timeshare interests cumulatively described herein.

I further affirm and swear that I will notify the Division of any material change to the information contained in this registration within fifteen (15) days so that the registration on file with the Division will remain current and accurate.

I understand that all advertising must be submitted and approved pursuant to NRS 119A and NAC 119A and I will not utilize any advertising until I obtain such written approvals.

<i>Broker Name (Print)</i>	<i>Signature of Broker</i>
<i>License Number</i>	<i>Telephone</i>
<i>Date</i>	<i>Firm Name of Broker</i>
<i>Date</i>	<i>Firm Address</i>

Subscribed and sworn to before me this _____ day of _____ 20 _____

My Commission expires: _____

Notary Public