

STATE OF NEW HAMPSHIRE

**CONDOMINIUM ACT**

**ABBREVIATED APPLICATION FOR REGISTRATION**

**PURSUANT TO RSA 356-B:51, II AND JUS 1405.14**

- Section I. Declarant and Condominium Information
- Section II. Certificate of Resolution
- Section III. Certificate of Appointment
- Section IV. Applicant's Affidavit/Affirmation
- Section V. Attorney Affirmation

Applicant must answer all questions and complete all Sections. Any question which is not applicable shall be so designated. Additional pages may be added to permit complete and comprehensive answers. Applicant may provide such further information as is germane and material to describe the proposed offering fully. Please type or print clearly in ink.

A filing fee in the amount of \$30 per lot, parcel, unit or interest, but no less than \$300 nor more than \$2,000, must accompany this Application. The filing fee should be calculated on the basis of the interests being registered in this Application only. Subsequent phases will require separate filing fees, in the amount of \$30 per lot, parcel, unit or interest, but no less than \$200 nor more than \$2,000.

THIS APPLICATION MAY BE USED FOR THE REGISTRATION OF A CONDOMINIUM OF MORE THAN 10 UNITS, BUT NOT MORE THAN 25 UNITS. SEE N.H. ADMIN. RULE JUS. 1405.14. THIS APPLICATION MAY ALSO BE USED TO REGISTER A CONDOMINIUM OF MORE THAN 25 UNITS, IF IT DOES NOT CONTAIN MORE THAN 25 RESIDENTIAL UNITS. THIS APPLICATION MAY NOT BE USED TO REGISTER A PHASE OF A PROJECT THAT WILL ULTIMATELY CONTAIN MORE THAN 25 UNITS. THIS APPLICATION MAY NOT BE USED IF TIME SHARING IS INVOLVED.

**APPLICANT MUST IMMEDIATELY NOTIFY THE BUREAU OF ANY MATERIAL CHANGE IN INFORMATION CONTAINED IN THE REGISTRATION APPLICATION.**

DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION AND ANTITRUST BUREAU  
1 GRANITE PLACE SOUTH  
CONCORD, NEW HAMPSHIRE 03301  
TEL. (603) 271-3641

SECTION I

A. IDENTIFICATION OF DECLARANT

1. a. Name of one person to whom correspondence is to be directed during registration process.

b. Address:

c. Telephone:

2. Contact person for all other purposes:

a. Name:

b. Address:

3. a. Declarant's name:

b. Declarant's address:

c. Form of organization:

d. Date organized:

e. Jurisdiction where organized:

f. Address of each of Declarant's offices in New Hampshire (if other than above):

4. Is the Declarant, developer or agent properly registered with the Secretary of State of the State of New Hampshire to do business in the State? Yes \_\_\_\_\_ No \_\_\_\_\_ If no, explain:

5. Is the Declarant, developer, or agent registered with the Secretary of State to use a trade name? Yes \_\_\_\_\_ No \_\_\_\_\_ If no, explain:

6. Has the Declarant filed, or made arrangements to file, required quarterly tax estimates relating to the business profits tax (RSA 77-A) with the Department of Revenue Administration of the State of New Hampshire? Yes \_\_\_\_\_ No \_\_\_\_\_ If no, explain:

7. Has the Declarant been affiliated or associated with any other subdivision or condominium, existing or proposed, in New Hampshire or elsewhere? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, identify all such subdivisions and condominiums by name, location, and, if applicable, N.H. Attorney General registration or exemption number.

8. Submit as Appendix A a completed form CPLC170 for each principal of the Declarant, as defined by JUS. 1401.07.

9. What is the relationship of the Applicant to the condominium (e.g. Declarant, owner of record, developer, or agent)?

10. If other than Declarant,

a. Name of Applicant:

b. Address of Applicant:

B. DESCRIPTION OF CONDOMINIUM

11. Common promotional name:

12. Location: \_\_\_\_\_  
Street or Road City or Town  
\_\_\_\_\_  
County State  
\_\_\_\_\_  
Country

13. a. Does the condominium involve conversion of rental property? Yes \_\_\_ No \_\_\_

b. Is the condominium a leasehold condominium? Yes \_\_\_ No \_\_\_

c. Does the condominium contain:

1. convertible land? Yes \_\_\_ No \_\_\_

2. convertible space? Yes \_\_\_ No \_\_\_

3. withdrawable land? Yes \_\_\_ No \_\_\_

4. additional land? Yes \_\_\_ No \_\_\_

5. any nonresidential units? Yes \_\_\_ No \_\_\_

6. any time sharing interests? Yes \_\_\_ No \_\_\_

14. The maximum number of years of Declarant control, pursuant to RSA 356-B:36, I, is \_\_\_\_years. Provisions relating to Declarant control are on page(s)\_\_\_\_\_of the Declaration and/or page(s)\_\_\_\_\_of the Bylaws.

15. Number of separate parcels of real estate included in this filing: \_\_\_\_\_

16. a. Number of acres in condominium in this filing: \_\_\_\_\_

b. Number of additional acres that later may be included by reason of future expansion or merger: \_\_\_\_\_

c. Total number of acres that the condominium ultimately may include: \_\_\_\_\_

17. a. Number of units for which registration is required in this filing: \_\_\_\_\_

(Note: The Bureau will not grant registration unless adequate financing has been committed for completion of all promised improvements and units sought to be registered in this Application.)

b. Number of additional units that may be included by reason of future conversion, expansion or merger: \_\_\_\_\_

c. Total number of units that the condominium ultimately may include: \_\_\_\_\_

d. State whether any of the units in this filing have been offered or disposed of within the meaning of RSA 356-B:50, I. Disposition includes entry into a purchase and sale agreement. Yes \_\_\_ No \_\_\_ If yes, attach copies of purchase and sale agreements.

18. a. Size of units in this filing: \_\_\_\_\_  
  minimum    average    maximum

19. List sequentially the units to be registered in this filing. Use the identifying numbers as they will appear on the site and floor plans to be recorded with the declaration.

### C. PLAN OF DEVELOPMENT FOR THE CONDOMINIUM

20.           Submit as Appendix B(1) the Declaration of the condominium.

Submit as Appendix B(2) the Bylaws of the condominium.

Submit as Appendix B(3) the rules and regulations of the condominium.

Submit as Appendix B(4) the site and floor plans of the condominium.

21. Have the plans been recorded? Yes \_\_\_\_ No \_\_\_\_

a. Date of Recording:

b. Location of Recording, including book and page reference:

22. Have the boundaries of the convertible lands, withdrawable lands, additional lands, common areas, limited common areas and any completed or proposed improvements thereon been laid out by a registered surveyor? Yes \_\_\_\_ No \_\_\_\_

a. Name of surveyor:

b. Address of surveyor:

c. Method used to depict boundaries:

D. IMPROVEMENTS (Complete information must be entered)

23. Improvements which have been completed:

<u>Description</u>	<u>When Completed</u>
Buildings	_____
Graded Roads	_____
Paved Roads	_____
Water System	_____
Sewerage System	_____
Drainage	_____
Sidewalks, Curbs, Street Lighting	_____
Electrical Supply	_____
Gas Supply	_____
Telephone Service	_____
Amenities/Recreational Facilities	_____

24. Improvements which are promised in this phase:

<u>Description</u>	<u>Percent Complete</u>	<u>Estimated Cost To Complete</u>	<u>Anticipated Completion Date</u>
Buildings	_____	_____	_____
Graded Roads	_____	_____	_____
Paved Roads	_____	_____	_____
Water System	_____	_____	_____
Sewerage System	_____	_____	_____
Drainage	_____	_____	_____
Sidewalks, Curbs, Street Lighting	_____	_____	_____
Electrical Supply	_____	_____	_____
Gas Supply	_____	_____	_____
Telephone Service	_____	_____	_____
Amenities/Recreational Facilities	_____	_____	_____

25. Is the condominium subject to approval of any local, state, or federal entity other than the registration to which this Application relates? For example, such approval may include, but is not limited to, building permits and all other approvals granted by zoning boards of adjustment, planning boards, New Hampshire Department of Environmental Services, Wetlands Bureau, and Army Corps of Engineers. Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, then submit in Appendix C evidence of approval from the governmental entity.

26. Has any existing tax, special tax, or assessment which affects the condominium been levied by any governmental entity? Yes \_\_\_\_\_ No \_\_\_\_\_

a. Are any such taxes proposed to be levied by any governmental entity? Yes \_\_\_\_\_ No \_\_\_\_\_

b. If yes, describe in detail and include an explanation as to whether current use taxation (RSA 79-A) applies to the condominium.

27. State whether any bond has been posted, money placed in escrow, letter of credit issued, or other financial assurance has been provided to any government entity to assure the completion of these improvements. Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, attach copies of such assurances as Appendix D.

E. MAINTENANCE

28. Have arrangements been made to provide maintenance for the condominium?  
Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, specify those arrangements for maintenance.

29. Has any government entity agreed to accept maintenance or improvements set forth in questions 23 and 24? Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, describe in detail.

30. State the relationship, if any, between the Declarant and managing agency:

31. Submit as Appendix E a projected budget for at least the first year of the condominium's operation. Include the projected common expense assessments for each unit.

32. Have provisions been made in the budget for capital expenditures or major maintenance reserves? Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, describe:

F. FINANCING

33. Submit as Appendix F a financial statement of the Declarant pursuant to Jus 1405.11.

34. Is financing being obtained from a lending institution? Yes \_\_\_\_\_ No \_\_\_\_\_

a. Name of lending Institution:

b. Address of Institution:

c. Has the loan been finalized?

d. Total amount of the loan or mortgage:

e. Amount of loan or mortgage outstanding as of the date of this filing:

35. If the loan has not been finalized, has the lending institution provided a written commitment to lend? Yes \_\_\_\_\_ No \_\_\_\_\_

a. State amount of commitment:

36. Identify any real or personal property providing security for the loan or mortgage:

37. Specify any arrangements for securing partial releases or total discharge of the loan or mortgage, if such loan or mortgage encumbers any unit which will be disposed of by the Declarant, or any common or limited common area of the condominium belonging to the purchasers.

38. Submit as Appendix G copies of any mortgages, liens, or other financial encumbrances on any unit, common area, or limited common area.

39. Pursuant to JUS. 1405.09, submit as Appendix H a statement of the plan of financing the improvements in the condominium and the maintenance thereof.

G. PROMOTIONAL PLAN

40. Describe the promotional plan for the disposition of the units or interests in the condominium:

41. Submit as Appendix I a copy of all promotional material.



42. Name and address of person who will operate the promotional plan:

a. Name:

b. Address:

43. Will all persons offering or selling the units be either the Declarant or its employees? Yes \_\_\_\_\_ No \_\_\_\_\_ If no, a real estate license must be obtained by each such person pursuant to RSA 331-A.

44. Name and address of escrow agent having responsibility for holding deposits pursuant to RSA 356-B:57:

a. Name:

b. Address:

#### H. RIGHTS AND OBLIGATIONS OF PURCHASER

45. Submit as Appendix J all legal instruments that will be delivered to the purchaser to evidence his or her interest in a unit, and any other agreement a purchaser is required to sign.

46. Are there any management contracts or other contracts, including leases, affecting the use, maintenance or administration of, or access to all or part of the condominiums? Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, submit copies of such contracts as Appendix K.

47. Will any improvements be required to be made by the purchaser in order to use the condominium unit in the manner represented by the Declarant? Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, describe any improvements to be made and the estimated costs thereof.

48. Submit as Appendix L a copy of all legal instruments relating to the Unit Owners Association.

(Note: All members of the Association must be advised of the requirements of RSA 356-B:58).

49. Describe any initial or recurring fee or charge the purchaser is required to pay arising from his purchase or use of any unit in the condominium, or from the maintenance and management of the condominium.

I. FILING WITH FEDERAL OR STATE AUTHORITIES

50. Has a registration or exemption been granted by any federal or state regulatory agency other than a New Hampshire agency? Yes \_\_\_\_\_ No \_\_\_\_\_ Pending \_\_\_\_\_

a. If yes or pending, list the jurisdiction, and state whether granted or pending:

51. Has any registration or exemption filing been rejected, suspended or revoked by any such regulatory agency? Yes \_\_\_\_\_ No \_\_\_\_\_

a. If yes, identify the agency and describe the status:

SECTION II

CORPORATE  
CERTIFICATE OF RESOLUTION

I, of \_\_\_\_\_, (Name and Title)  
(Declarant)

hereby certify that the following vote was adopted unanimously at a regularly (or specially) held and called meeting of the Board of Directors of said corporation held on

\_\_\_\_\_  
(Date and Year)

at, a quorum being present and voting (Address)

throughout.

Voted: To authorize \_\_\_\_\_ to make and file an Application for registration with the Office of the Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, pursuant to the provisions of RSA 356-B.

Voted: To authorize an Irrevocable Appointment of the Office of Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, to receive service of any legal process in any non-criminal proceeding arising under RSA 356-B against the Declarant or any of its personal representatives.

I, \_\_\_\_\_, also hereby certify that the above vote has not been amended or altered and that it is presently in full force and effect.

Witness my hand and the seal of said corporation on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Name/Title)

(Seal)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace/Notary Public

(Seal)

SECTION II

PARTNERSHIP OR OTHER BUSINESS ORGANIZATION  
CERTIFICATE OF RESOLUTION

I, \_\_\_\_\_ of \_\_\_\_\_  
(Name/Title) (Subdivider)  
\_\_\_\_\_ hereby certify that the following  
(Address)

vote was adopted unanimously by the partners or the owners or principals, if  
other form of business organization, at a meeting held on \_\_\_\_\_  
(Date and Year)  
at \_\_\_\_\_.  
(Address)

Voted: To authorize \_\_\_\_\_ to make and file an Application  
for Registration with the Office of the Attorney General, Consumer Protection and Antitrust  
Bureau, State of New Hampshire, pursuant to the provisions of RSA 356-B.

Voted: To authorize the Irrevocable Appointment of the Office of the Attorney General,  
Consumer Protection and Antitrust Bureau, State of New Hampshire, to receive service of any legal  
process in any non-criminal proceeding arising under RSA 356-B against the Declarant or any of its  
personal representatives.

I, \_\_\_\_\_, also hereby certify that the above vote has not been  
amended or altered and that it is presently in full force and effect.

Witness my hand on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Name/Title

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Justice of the Peace/Notary Public

(Seal)

SECTION III

CERTIFICATE OF APPOINTMENT

Pursuant to RSA 356-B:51, I(a), \_\_\_\_\_  
(Declarant)

hereby irrevocably appoints the Consumer Protection and Antitrust Bureau, Office of the Attorney General, State of New Hampshire, agent to receive service of any lawful process in any non-criminal proceeding arising under RSA 356-B against the Declarant or any of its personal representatives.

Witness my hand and seal, if any, of the grantor, on this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Name/Title

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace/Notary Public

(Seal)

SECTION IV

APPLICANT'S AFFIDAVIT/AFFIRMATION

I, \_\_\_\_\_, of \_\_\_\_\_,  
(Address)

being duly sworn, depose and say that I am authorized to make and file this Application for Registration with the Office of the Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, and that I have examined said Application and the information contained herein, including the documents attached hereto, and certify that the same is, to the best of my knowledge and belief, true, correct and complete in all respects.

\_\_\_\_\_  
(Date) (Signature)

\_\_\_\_\_  
(Title)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

\_\_\_\_\_  
Justice of the Peace/Notary Public

SECTION V

ATTORNEY AFFIRMATION

I, \_\_\_\_\_, of \_\_\_\_\_, (Name)

hereby certify that I am an attorney licensed to practice law in New Hampshire, and that the

condominium instruments and other legal documents for \_\_\_\_\_  
(Condominium name)

located in \_\_\_\_\_ (City, State)

comply with the provisions of RSA 356-B and the administrative rules thereunder, and that I

have advised Declarant \_\_\_\_\_ of the obligations under  
(Declarant's Name)

RSA 356-B and the administrative rules adopted thereunder.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace/Notary Public