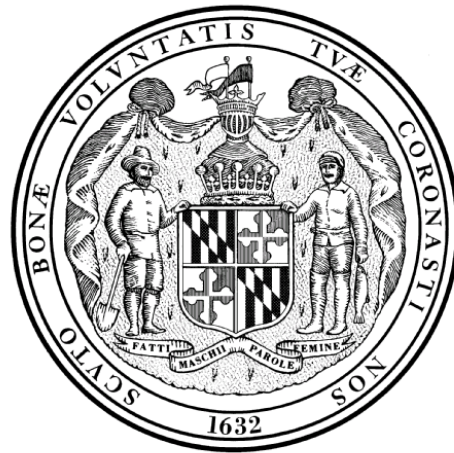


**APPLICATION FOR THE
REGISTRATION OF A PUBLIC OFFERING
STATEMENT FOR A RESIDENTIAL CONDOMINIUM**



Office of the Secretary of State
State House
Annapolis, MD 21401

Revised 7/2017

APPLICATION FOR THE REGISTRATION OF A PUBLIC OFFERING STATEMENT FOR A RESIDENTIAL CONDIMINIUM

The Maryland Condominium Act¹ requires a Public Offering Statement for all residential condominiums being offered for sale in Maryland to be registered with the Office of the Secretary of State regardless of the location of the condominium. A contract for the initial sale of a condominium unit may not be entered into until the Public Offering Statement for the proposed condominium regime has been registered with the Secretary of State and until ten days after all amendments to the Public Offering Statement have been filed with the Secretary of State.

An application for the registration of a condominium located in Maryland consists of a Public Offering Statement as described herein and in §11-126 of the Maryland Condominium Act, completed in accordance with the application form attached hereto, and a registration fee of \$5.00 per unit, but not less than \$100.00.

In the case of a condominium located wholly outside of Maryland, an application that has been approved by an agency in the State where the condominium is located and that substantially complies with the Maryland Condominium Act may be submitted to the Secretary of State for registration. If the application has been approved by that out-of-state agency, please use the Maryland application to cross-reference to the approved documents. Certification of approval from the state agency which approved the documents must also be included. If there is no out-of-state agency which has approved the application for registration or if there is no registration requirement, the application should be submitted in the same form as if the condominium were located in Maryland. In either case, the \$5.00 per unit or \$100.00 minimum fee is required with check payable to Secretary of State. If the Developer has no physical presence in Maryland, either directly or through an agent, registration is not required.

The Office of the Secretary of State has a 45-day period in which to review and either register or reject applications. The review period will not commence until all required parts of the application have been received by this Office, including the appropriate fee. This Office will acknowledge receipt of the completed application in writing and advise of the review period deadline. Applications will be reviewed as quickly as possible in order of receipt. Applicants will be called with comments to confirm registration or to discuss how the application must be revised to secure registration. If changes are required, they will be reviewed promptly. An extension of the review period deadline, for up to 30 days, may be granted upon written request of the applicant if necessary. Written acknowledgment will be mailed to confirm registration or rejection.

¹ Title 11, Real Property Article, *Annotated Code of Maryland*

INSTRUCTIONS

The following instructions should be followed carefully in preparing the applications.

1. For condominiums located in Maryland and for those condominiums located outside Maryland where there is no state registration requirement, each application shall consist of:
 - a. A completed application form with the appropriate documents attached in the order prescribed by the application, or a completed application cross-referencing to those pages of the POS¹ which contain the information; and
 - b. A registration fee of \$5.00 per unit, but not less than \$100.00.

Note: If the POS which is to be given to consumers will not include the application forms filed with the Secretary of State, please complete the application by reference to the actual POS which consumers will receive.
2. For condominiums located outside Maryland where there is a similar registration requirement, each application shall consist of:
 - a. A completed application form (including the cover sheet and consent form that cross-references to the approved documents);
 - b. The documents which were approved by the state agency where the condominium is located;
 - c. Certification of approval from the state where the condominium is located; and
 - d. A registration fee of \$5.00 per unit, but not less than \$100.00.
3. Number all pages, either consecutively from the beginning or starting with each part of the POS.
4. Applications should be mailed to Office of the Secretary of State, Condominium Office, State House, Annapolis MD 21401.
5. Please Read the attached material regarding registration requirements and the instructions provided in the application. These materials are intended to give applicants guidance in complying with the Maryland Condominium Act and the policies of this Office. Following these notes will help to expedite the review process.
6. If you have any questions, you may call us at (410) 974-5521 ext. 3879
7. Any changes in the documents or information contained in the POS which are necessary to make the POS current must be filed promptly with the Secretary of State.

¹ POS is an abbreviation for Public Offering Statement.

NOTE: THE PUBLIC OFFERING STATEMENTS WHICH ARE DISTRIBUTED TO PURCHASERS **MUST** BE IN THE SAME FORM AS APPROVED BY THE SECRETARY OF STATE.

8. Developers are reminded that they are required to file with the Council of Unit Owners a written statement describing the progress of construction, repairs, and all other work on the condominium which the developer has completed or intends to complete in accordance with the POS for the condominium. This written statement must be filed with the Council of Unit Owners within 30 days after the anniversary date for registration of the POS for the condominium, and annually thereafter until registration of the condominium is terminated.¹
9. A developer shall notify the Secretary of State in writing when all of the units in the condominium have been conveyed to unit owners other than the developer, and the developer either cannot add additional units will be added to the condominium.²

¹ Section 11-127(d)

² *Ibid.*

REQUIREMENTS

This is a description of the statutory requirements applicable to Public Offering Statements for condominiums being offered for sale in Maryland. Applications which contain this information satisfy the requirements of Maryland law.

Part 1 - Sales Contract

- A. §11-126(a)¹ provides that a contract for the initial sale of a unit to a member of the public is not enforceable by the vendor unless:
 - 1. The purchaser is given, on or before the time a contract is entered into, a POS, as registered with the Secretary of State, as amended, containing the information set forth in Section §11-126(b); and
 - 2. The contract of sale contains, in conspicuous type, notice of:
 - a. The buyer's right to receive a public offering statement,
 - b. The buyer's right to rescind the contract as described in §11-126(e); and
 - 3. The contract of sale also contains, in conspicuous type, a notice of the warranties provided by §11-131.
- B. The position of the Office of the Secretary of State is that "conspicuous type" means type in all capitals, italics, bold, underlined or some form of type which is different from and not smaller than, the body of the contract.
- C. The notice of the buyer's right to receive a POS need not list the actual items required to be included in the POS. If the items are listed, however, they should be an exact recital of the items listed in §11-126(b).
- D. The notice of the buyer's rescission rights should include all the information contained in §11-126(e), including the contract purchaser's right to return of deposits upon rescission.
- E. The notice and rescission rights may not be waived and any attempted waiver is void.
- F. The notice and rescission rights are required to be in the contract itself. Therefore, if that language is contained in an addendum to the contract, express language incorporating the addendum by reference will be required.
- G. If more than one contract is to be used (i.e., realtors are to be involved in the marketing), a copy of each contract must be included.
- H. All contracts are subject to other requirements of the Real Property Article.

¹ Section numbers refer to Title 11 of the Real Property Article, *Annotated Code of Maryland* (The Maryland Condominium Act)

Part 2 - Declaration, Bylaws and Rules and Regulations

- A. §11-126(b)(2) requires the POS to contain a copy of the proposed declaration, bylaws, and rules and regulations.
- B. §11-103(a) provides that the declaration shall express **at least** the following:
 - 1. The name by which the condominium is to be identified, the name shall include the word "condominium" or be followed by the phrase "a condominium";
 - 2. A description of the condominium sufficient to identify it with reasonable certainty together with a statement of the owner's intent to subject the property to the condominium regime established under Title 11;
 - 3. A general description of each unit, including its perimeters, location, and any other data sufficient to identify it with reasonable certainty;
 - 4. A general description of the common elements together with a designation of those portions of the common elements that are limited common elements and the unit to which the use of each is restricted initially;
 - 5. The percentage interests appurtenant to each unit as provided in §11-107; and
 - 6. The number of votes at meetings of the Council of Unit Owners (hereinafter referred to as "the Council") appurtenant to each unit.
- C. If the developer intends to expand the condominium, the declaration must include the information required by §11-120.
- D. §11-104(b) provides that the bylaws shall express **at least** the following particulars:
 - 1. The form of administration, indicating whether the Council shall be incorporated or unincorporated, and whether, and to what extent, the duties of the Council may be delegated to a board of directors, manager or otherwise, and specifying the powers, manner of selection and removal of them;
 - 2. The mailing address of the Council;
 - 3. The method of calling the unit owners to assemble; the attendance necessary to constitute a quorum at any meeting of the Council; the manner of notifying the unit owners of any proposed meeting; who presides at the meetings of the Council, who keeps the minute book for recording the resolutions of the Council and who counts votes at meetings of the Council; and
 - 4. The manner of assessing against and collecting from unit owners their respective shares of the common expenses.

- E. Applicants should be particularly aware of §§11-109, 11-109.1, 11-109.2. and 11-110 regarding the requirements for the first annual meeting of unit owners, notice and open meeting requirements for meetings of the Council and board of directors, use of proxies and election materials and the manner of preparing and adopting budgets for assessing and collecting common expenses. All documents will be reviewed to assure compliance with these sections.
- F. The bylaws may contain any other provision regarding the management and operation of the condominium including any restriction on or requirement respecting the use and maintenance of the units and the common elements.

Remember, however, that any such provisions will be reviewed to assure compliance with applicable Maryland law, particularly the Real Property Article, *Annotated Code of Maryland*.

Part 3 - Governing Instrument

§11-126(b)(4) requires the POS to include a statement of whether or not the Council will be an incorporated body. If incorporated, the POS is to include a copy of the proposed Articles of Incorporation.

Part 4 - Contracts

- A. §11-126(b)(4) requires the POS to include a copy of any proposed management contract, insurance contract, employment contract or other contract affecting the use, maintenance or access of all or part of the condominium to which it is anticipated the unit owners or the Council will be a party.

Note: §11-114 prescribes mandatory insurance coverage to be maintained by the Council. If a copy of the actual insurance policy (or policies) is not available, please disclose the **anticipated** (1) amounts of insurance, (2) insurance coverage, (3) premium and (4) insurance carrier.

- B. In addition, the POS must contain a statement of the rights of the Council to terminate contracts entered into during the Developer Control Period under §11-133 of the Act.

Part 5 - Budget

- A. §11-126(b)(5) requires the POS to include a copy of the actual annual operating budget or, if none exists, a copy of the projected annual operating budget for the condominium including reasonable details concerning: the estimated monthly payments by the purchaser for assessments; the monthly charges for the use, rental or lease of any facilities not part of the condominium; details concerning the amount of the reserve fund for repair and replacement and its intended use and any initial capital contribution or similar fee, other than assessments for common expenses, to be paid by unit owners to the Council or vendor and a statement of how the fees will be used.

- B. §11-109.2 requires the annual budget to provide for at least the following line items: income, administration, maintenance, utilities, general expenses, reserves and capital items. All budgets submitted as part of the POS must include at least these items.
- C. Because §11-114 mandates that the Council maintain certain types of insurance policies, it is the position of the Office of the Secretary of State that the budget must contain a line item for insurance.
- D. If the condominium is expanding, the POS should include a proposed budget for the first phase, **and** a budget for the condominium as fully expanded.
- E. Once an actual budget has been adopted, it should be filed as an amendment to the POS.

Part 6 - Collections

§11-126(b)(6) requires the POS to contain a plain language statement of the Policy and Procedures for collecting assessments and handling collection of delinquencies, including reasonable details concerning:

- (i) The number and percentage of unit owners who are delinquent or in arrears in an amount equal to or greater than 50% of the annual assessment of the unit owner;
- (ii) The number of unsatisfied liens currently recorded against unit owners under the Maryland Contract Lien Act;
- (iii) The number of unsatisfied judgments obtained against unit owners for unpaid assessments; and
- (iv) The total amount of arrearages among all unit owners.

Part 7 - Leases

§11-126(b)(7) requires the POS to include a copy of any lease to which it is anticipated the unit owners or the Council will be a party following closing. Examples include the leasing of laundry equipment or the right to use recreational facilities pursuant to a lease.

Part 8 - Expansion Plans

- A. §11-126(b)(8) requires the POS to contain a description of any contemplated expansion of the condominium with a general description of each stage of expansion and the maximum number of units that can be added to the condominium.
- B. §11-120(b) provides:
 - 1. The declaration establishing the condominium shall describe each parcel of property which may be included in each section to be added to the condominium. This description may be made by reference to the condominium plat.

2. The declaration establishing the condominium shall show (1) the maximum number of units which may be added, and (2) the percentage interests in the common elements, the percentage interests in the common expenses and common profits and the number of votes appurtenant to each unit after the addition of each section of property to the condominium.

The percentage interests in the common elements and in common expenses and common profits and the number of votes that each unit owner will have may be shown by reference to a formula or other appropriate method of determination following each expansion of the condominium.

3. The condominium plat for the original condominium shall include, in general terms, the outlines of the land, building and common elements of each successive section that may be added to the condominium.
 4. In the declaration establishing the condominium a right shall be reserved in the developer for a period, not exceeding 10 years from the date of recording of the declaration, to add to the condominium any successive sections described in the declaration and in the condominium plat.
- C. Declaration and plat amendments, as well as a revised budget, should be filed with the Office of the Secretary of State as amendments to the POS when the developer exercises the right to expand the condominium.
 - D. The registration fees accompanying the original application should be calculated to include the total number of units in the condominium as fully expanded.

Part 9 - Floor plans

- A. §11-126(b)(9) requires a copy of the floor plan of the unit or the proposed condominium plats to be included in the POS.
- B. If the description of the units or common elements is incorporated in the declaration by reference to the plat, as permitted by the §11-103(b), a copy of the proposed plat shall be submitted with the POS. Upon recordation, a copy of the recorded plat shall be filed with the Office of the Secretary of State as an amendment to the POS. If copies of the plat are not available at the time of application, a disclosure statement that copies are available for the buyer's inspection upon request is sufficient.

Part 10 - Facilities

§11-126(b)(10) requires the POS to include a description of any recreational or other facilities which are to be used by the unit owners or maintained by them or by the Council and a statement as to whether or not they are to be part of the common elements.

Part 11 - Streets

§11-126(b)(11) requires the POS to include a statement as to whether streets within the condominium are to be dedicated to public use or maintained by the Council.

Note: If streets are to be part of the condominium, the proposed budget should contain a line item for street maintenance or reserves for street repairs.

Part 12 - Judgments

§11-126(b)(12) requires the POS to include a statement of any judgments against the Council and the existence of any pending suits to which the Council is a party.

Part 13 - Condition of Structure

§11-126(b)(13) requires the POS to include, in the case of condominiums containing buildings substantially completed more than five years prior to the filing of the application for registration, a statement of the physical condition and state of repair of the major structural, mechanical, electrical and plumbing components of the improvements to the extent reasonably ascertainable, and estimated repair costs for which a present need is disclosed in the statement. The engineering report must include a statement of repairs which the developer intends to make in the conversion process. The vendor is entitled to rely on the reports of architects or engineers authorized to practice their profession in this State for this part of the POS.

Part 14 - Condominium Control

§11-126(b)(14) requires the POS to include a description of any provision in the declaration or bylaws providing for or limiting the duration of developer control requiring the phasing-in of unit owner participation or a statement that there is no such provision.

Note: The bylaws must be consistent with the requirements of §11-109(c)(11). Furthermore, the Attorney General has issued an opinion that once the condominium regime has been established, a developer may control the affairs of the condominium only to the extent that the developer holds a controlling number of votes in the Council, either as a result of holding legal title to units or by proxy. The developer cannot, therefore, provide for its "control" of the Council after the transfer of units to which a controlling majority of the votes are appurtenant.¹

Part 15 - Notice of Intention to Create a Condominium

- A. §11-126(b)(15) requires the POS to include a copy of the notice and materials required by §§11-102.1 and 11-137, if the condominium is one which will be created by the conversion of a rental facility.

¹ See 64 Opinion of the Attorney General 71 (1979).

- B. §11-137(c) requires the following material to be included with the notice of intention to create a condominium: a purchase offer, an application for extended lease and a lease containing these terms required by this section. These materials must be included in this portion of the application.

Part 16 - Tenant Leasing

In accordance with §11-102.2 of the Act, the application for registration of a residential rental facility should include a list of all tenants whose leases were terminated during the 180-day period prior to the filing of the application for registration.

Part 17 - Extended Leases

§11-126(b)(16) requires the POS to include a statement whether the unit being purchased is subject to an extended lease under §11-137 or local law, and a copy of any extended lease.

Part 18 - Insurance Requirements

§11-126(b)(7) requires the POS to include a written notice of the unit owners' responsibility for the council of unit owners' property insurance deductible and the amount of the deductible.

Part 19 - Consent Form

Please have the developer sign the attached consent form, giving the Office of the Secretary of State jurisdiction over the application and certifying that the application is true, complete and submitted subject to the penalties of perjury.

APPLICATION FOR THE REGISTRATION OF A PUBLIC OFFERING
STATEMENT FOR A RESIDENTIAL CONDOMINIUM

Please type all information

Section 1.

Name of Condominium

Street Address

City, State, Zip

County(ies) in which Condominium is located

Section 2.

Name of Developer

Names of **all** Officers or Partners if Developer is a Corporation or a Partnership. If Partner is a Corporation, submit names of Officers for Corporation.

Street Address

City, State, Zip

Area Code & Telephone Number

Section 3.

Name of Person to Contact Regarding the Application

Area Code & Telephone Number of Contact Person

Section 4.

Name of Real Estate Broker Listing Condo

Name of Person to Contact re: Listing

Area Code & Telephone Number of Real Estate Broker

Section 5.

_____ Units are hereby submitted for registration, consisting of (check one)

G New Construction, **G** Existing Structure(s), **G** Combination, **G** As Fully Expanded

Section 6.

Name of Resident Agent for Condominium

Street Address

City, State, Zip

Area Code & Telephone Number

Section 7.

Are the documents for the project recorded? **G** yes **G** no Date _____

Anticipated Recordation Date _____ Liber No. _____ Folio No. _____

TO BE COMPLETED BY THE OFFICE OF THE SECRETARY OF STATE	
Date Received _____	Fee Received _____
Date Acknowledged _____	Date Registered _____
Date Rejected _____	Review Period Ends _____

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDIMINIUM IN THE STATE OF MARYLAND

For

Name of Condominium

PART 1 – SALES CONTRACT

Insert this sheet immediately before a copy of the actual or proposed Contract of Sale which is to be used. If more than one contract format is to be used, include a copy of each, including those to be used by real estate brokers who have been granted a listing for the project.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 2 – DECLARATION, BYLAWS AND RULES AND REGULATIONS

Insert this sheet immediately before a copy of the actual or proposed declaration, bylaws and rules and regulations.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 3 – GOVERNING INSTRUMENT

Insert this sheet immediately before a copy of the Articles of Incorporation for the Council of Unit Owners.

If the Council of Unit Owners is to be unincorporated, insert this sheet immediately before a statement of that fact.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 4 – CONTRACTS

Insert this sheet immediately before a copy of any contracts to which the Council will be a party following closing.

Note: A copy of any proposed **insurance contract** that the council of unit owners is required to maintain under §11-114 of the Maryland Condominium Act must now be submitted as a part of the Public Offering Statement.

Please note that until this requirement is met, the Public Offering Statement is incomplete.

If a copy of the actual insurance policy (or policies) is not available, please disclose the *anticipated* (1) amounts of insurance, (2) insurance coverage, (3) premium and (4) insurance carrier.

In addition, the Public Offering Statement must contain a statement of the right of the council of unit owners to terminate contracts entered into during the Developer Control Period under §11-133 of the Maryland Condominium Act. Please provide this statement on a separate page here.

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 5 – BUDGET

Insert this sheet immediately before the following:

- A. A copy of the actual or projected annual operating budget for the condominium, including reasonable details concerning:
1. The estimated payments by the purchaser for assessments;
 2. Monthly charges for the use, rental or lease of any facilities not part of the condominium;
 3. The amount of the reserve fund for repair and replacement and its intended use; and

(Include details concerning the method of calculating the reserve fund, life expectancy and replacement costs.)
 4. Any initial capital contributions or similar fees, other than assessments for common expenses to be paid by unit owners to the council of unit owners or vendor and a statement of how the fees will be used.

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 6 – COLLECTIONS

Insert this sheet immediately before a copy of the following:

A plain language statement of the policy and procedures for collecting assessments and handling collection of delinquencies, including reasonable details concerning:

- (i) The number and percentage of unit owners who are delinquent or in arrears in an amount equal to or greater than 50% of the annual assessment of the unit owner;
 - (ii) The number of unsatisfied liens currently recorded against unit owners under the Maryland Contract Lien Act;
 - (iii) The number of unsatisfied judgments obtained against unit owners for unpaid assessments; and
 - (iv) The total amount of arrearages among all unit owners.
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Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 7 – LEASES

Insert this sheet immediately before a copy of any lease to which it is anticipated the unit owners or the Council of Unit Owners will be a party following closing.

If no such leases are anticipated, insert this sheet immediately before a statement of that fact.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 8 – EXPANSION PLANS

If it is anticipated that the condominium will be expanded in the future, insert this sheet immediately before a statement describing the contemplated expansion including:

- A. General description of each state of expansion;
 - B. The maximum number of units that may be added to the condominium; and
 - C. An explanation of how the percentage interests and votes appurtenant to each unit will be adjusted upon expansion.
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Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 9 – FLOOR PLANS

Insert this sheet immediately before a copy of the floor plan of each unit of the condominium or the proposed condominium plats.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 10 – FACILITIES

Insert this sheet immediately before a description of any recreational or other facilities that are to be used and maintained by the unit owners or Council of Unit Owners. For each facility, indicate whether or not it is to be a part of the common elements of the condominium.

If no recreational or other facilities are to be a part of the condominium, insert this sheet immediately before a statement of that fact.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 11 – STREETS AND THEIR MAINTENANCE

Insert this sheet immediately before a statement as to whether streets within the condominium are to be dedicated to public use or maintained by the Council of Unit Owners.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 12 – JUDGMENTS

Insert this sheet immediately before a list of judgments recorded against the Council of Unit Owners and the existence of any pending suit(s) to which the Council of Unit Owners is a party. Identify the title of the case, the court, and the type of judgment or action, if applicable.

If there are no judgments or suits pending, insert this sheet immediately before a statement of that fact.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 13 – CONDITION OF STRUCTURE(S)

- A. If the condominium contains buildings substantially completed more than five years prior to applying for registration, attach a statement of the physical condition and state of repair of the following:
1. Major structural components:
 2. Mechanical system(s):
 3. Electrical system(s):
 4. Plumbing components:
- B. Provide an estimate of repair costs for each item described in A above, where a present need for repair is indicated.
- C. Provide a description of those repairs that the developer intends to make in the conversion process.
- D. For each of the improvements listed in Part 13, indicate whether the assessment of condition and estimate of repair costs is that of an architect or engineer or of the applicant.
- E. If the structure was not completed five or more years prior to applying for registration, insert this sheet immediately before a statement indicating when the structure was or is anticipated to be substantially completed.
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Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 14 – CONDOMINIUM CONTROL

Insert this sheet immediately before a statement describing any provision in the declaration or bylaws that limits or provides for the developer's control of the condominium or provides for the phasing-in of unit owners participation or a statement that there is no such provision.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 15 – NOTICE OF INTENTION TO CREATE A CONDOMINIUM

If the condominium is one that will be created by the conversion of a rental facility, insert this sheet before a copy of the notice required by §11-102.1 of the Act and those materials required by §11-137 of the Act.

If the condominium is not one that will be created by the conversion of a rental facility, or if there are no tenants in the building, please insert a statement to that effect.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 16 – TENANT LISTING

If the application for registration of a condominium pertains to a rental facility that involves tenants, a list of all tenants whose leases were terminated during the 180-day period prior to the filing of the application for registration should be inserted following this page.

If the condominium is not one that will be created by the conversion of a rental facility, or if there are no tenants in the building, please insert a statement to that effect.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 17 – EXTENDED LEASES

If the unit being purchased is subject to an extended lease under (1) §11-137 of the Maryland Condominium Act or (2) local law, please provide a copy of that lease.

If the unit being purchased is **not** subject to an extended lease, please provide a statement to that effect.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 18 – INSURANCE REQUIREMENTS

Include a written notice of the unit owners' responsibility for the council of unit owners' property insurance deductible and the amount of the deductible.

Applicant's comments, if any:

Office of the Secretary of State
APPLICATION FOR THE REGISTRATION OF A
CONDOMINIUM IN THE STATE OF MARYLAND

PUBLIC OFFERING STATEMENT

PART 19 – CONSENT FORM

Name of Condominium Project

Applicant understands that registration approval of public offering statements for all condominiums being offered for sale in Maryland is a condition of law necessary to offer condominiums for sale in Maryland, and that this requirement is intended to provide basic protection to Maryland consumers. Therefore, in consideration for approval of this application to register a public offering statement for the above-named condominium project, the applicant:

1. Acknowledges that he/she has read the foregoing application to register a condominium and subject to the penalties of perjury certifies that the information is true and complete to the best of his/her knowledge;¹
2. Agrees that no contracts for the initial sale of units will be entered into until the application for registration has been registered with the Secretary of State;
3. Agrees that he/she shall only deliver copies of the Public Offering Statement as currently registered with the Secretary of State to members of the public;
4. Agrees to promptly file copies of all amendments to the Public Offering Statement with the Secretary of State prior to distribution to members of the public;
5. Agrees that the Secretary of State or the Secretary's designee may inspect a copy of the developer's Public Offering Statement at the sales office upon request;
6. Agrees to comply with the Maryland Condominium Act and all applicable regulations that may be promulgated by the Secretary of State to carry out the Maryland Condominium Act;
7. Agrees to notify the Secretary of State when all units have been conveyed to contract purchasers; and
8. Acknowledges that failure to comply with the requirements of the Maryland Condominium Act, the application for registration of the Public Offering Statement, or the Registration Order for the condominium are grounds for the Secretary of State to revoke or suspend registration of the Public Offering Statement for this condominium.

Date

Signature of Applicant

¹ If the constitution of the applicant changes, a new consent form with the new applicant's signature must be filed with this Office.