

**Effective 5/10/2016**

**57-19-5 Registration -- Filing application.**

- (1) A person may apply for registration of a development by filing with the division:
  - (a) an application in the form prescribed by the director;
  - (b) the written disclosure described in Section 57-19-11; and
  - (c) financial statements and other information that the director may by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, require as being reasonably necessary to determine whether the requirements of this chapter have been met and whether any of the events specified in Subsection 57-19-13(1)(g) have occurred.
- (2) An interest in a development that is encumbered by a lien, mortgage, or other encumbrance may not be accepted for registration or offered to the public unless:
  - (a) adequate release or nondisturbance clauses are contained in the encumbering instruments to reasonably assure that the purchaser's interest in the development will not be defeated; or
  - (b) the division accepts other equivalent assurances that, in the division's opinion, meet the purposes of this Subsection (2).
- (3)
  - (a) A person who applies for a development registration shall include with the application a filing fee of \$500 for up to 100 interests, plus an additional \$3 per interest for each interest over 100, up to a maximum of \$2,500 for each application.
  - (b) If the division determines that an on-site inspection of the development is necessary, the development shall pay the division the actual amount of the costs and expenses incurred by the division in performing the on-site inspection.
- (4) A person may add an additional site or interest to an approved development registration by:
  - (a) filing an application for consolidation accompanied by an additional fee of \$200 plus \$3 for each additional interest, up to a maximum of \$1,250 for each application; and
  - (b) providing the information required under Subsection (1) for each additional site or interest.

Amended by Chapter 255, 2016 General Session