

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION AND ANTITRUST BUREAU  
33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301

**ANNUAL REPORT FOR CONDOMINIUM**

- **PLEASE NOTE: THIS REPORT MUST BE RETURNED TO THE BUREAU BY APRIL 1 OF EACH YEAR UNTIL THE PROJECT IS SOLD OUT.**

FOR THE PERIOD \_\_\_\_\_ THROUGH \_\_\_\_\_

File Number:

Condominium:

Location:

Date of Original Registration:

Declarant:

Address:

Authorized Agent of Declarant Preparing this Report:

Address:

Tel. No.:

Have all the improvements in this condominium been completed and all of the lots, parcels, units or interests been disposed of by the declarant?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, no further information need be submitted. You must complete, however, the affidavit on page 11.

**\* IF ADDITIONAL SPACE IS NECESSARY IN PROVIDING COMPLETE ANSWERS, YOU SHOULD ATTACH SUPPLEMENTAL SHEETS.**

For Agency Use Only:

Date Annual Report Response Received: \_\_\_\_\_

SECTION I

Please respond to all questions. If any question is not applicable, please explain.

1. Are all filings required with the New Hampshire Secretary of State current?

Yes \_\_\_\_\_ No \_\_\_\_\_ If no, please explain.

2. (a) Number of units (and timesharing interests therein, if applicable) in the original registration. \_\_\_\_\_

In subsequent amended registrations \_\_\_\_\_

Total number currently registered \_\_\_\_\_

(b) Total number of units (and timesharing interests therein, if applicable) that remain unsold \_\_\_\_\_

3. Is there now pending in any jurisdiction any litigation involving the condominium which materially affects the owners of interests in the condominium or prospective purchasers of interests in the condominium units?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

4. Is there now pending in any jurisdiction any litigation against the declarant or any officer, director, principle of the declarant which involves condominiums, the disposition thereof or any aspect of the land sales business?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

5. During the period \_\_\_\_\_ through \_\_\_\_\_, has the declarant, any officer, director, partner or principle of the declarant, any stockholder owning more than ten percent of the outstanding shares of the declarant, or any person whose interest in the declarant exceeds ten percent:

(a) filed a petition in bankruptcy or been the subject of an involuntary petition in bankruptcy?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

(b) been the subject of any cease and desist order, suspension order, revocation of registration, or any disciplinary action by any governmental body or agency in

any jurisdiction in connection with the disposition of condominiums or any aspect of the land sales or real estate business?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

- (c) been indicted and/or convicted, in any jurisdiction, of a crime involving land dispositions or any aspect of the land sales business or of any crime involving fraud, deception, false pretenses, misrepresentation, false advertising, or dishonest dealings in real estate transactions?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

6. Does the declarant now own or has the declarant purchased or obtained an option on any additional acreage contiguous to this condominium?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details as to the declarant's plans for such additional acreage.

7. Are there unrecorded instruments known to the declarant which, if recorded, would affect the condition of title to the registered property?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

8. Have there been any liens or encumbrances filed or recorded against the condominium during the period \_\_\_\_\_ through \_\_\_\_\_?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

- 9 (a). Has there been any material change in the plan of disposition or development of the condominium since the date of your last application or last annual report?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

- (b). Is any such material change contemplated?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

10. Other than the sales of interests in condominium units in the ordinary course of business, has there been any change in the ownership of the condominium during the period \_\_\_\_\_ through \_\_\_\_\_?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

11. Is the declarant, any officer, director or principle of the declarant, any stockholder owning more than ten percent of the outstanding shares of the declarant, or any person whose

interest in the declarant exceeds ten percent involved with the development, promotion or sale of any other condominium, subdivision or time sharing development located in New Hampshire?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please identify such condominium, subdivisions or time sharing or developments.

12. Is the narrative description of the promotional plan set forth in the effective Department of Housing and Urban Development (HUD) Statement of Record or most recent application for registration current?

Yes \_\_\_\_\_ No \_\_\_\_\_ If no, please provide details.

13. Have there been any changes in the instruments of disposition being used during the period through \_\_\_\_\_, other than those submitted to the Bureau with applications for registration?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please provide details.

14. Have there been any changes in the Public Offering Statement or HUD Property Report during the period \_\_\_\_\_ through \_\_\_\_\_, other than those submitted to the Bureau with applications for registration?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, attach a copy of the revised statement or report.

15. Is there a property owners' association?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please respond to (a) – (c) below:

(a) Have there been any changes in the bylaws of the unit owners' association during the period \_\_\_\_\_ through \_\_\_\_\_?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, explain and submit a copy of the amended instruments.

(b) Has there been any change in the control of the unit owners' association or in the dues charged by the association during the period \_\_\_\_\_ through \_\_\_\_\_?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, explain.

(c) What is the current owners' association assessment?

(d) Identify the names and addresses of the current officers of the unit owners' association, if control has passed to the unit owners.

16. During period \_\_\_\_\_ through \_\_\_\_\_, have any amendments to the Statement of Record been filed with the Department of Housing and Urban Development, Office of Interstate Land Sales Registration?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, attach copies of the amendments.

## SECTION II

### Mortgages

(If there is more than one mortgage encumbering the condominium, please attach separate sheets for each mortgage).

1. Original amount of mortgage? \_\_\_\_\_
2. Name of mortgagee \_\_\_\_\_  
Address of mortgagee \_\_\_\_\_
3. Unpaid balance \$ \_\_\_\_\_
4. Priority of mortgage (i.e. first, second, etc.) \_\_\_\_\_
5. Payments current? Yes \_\_\_\_\_ No \_\_\_\_\_  
If no, date of last payment \_\_\_\_\_
6. Scheduled pay-off date \_\_\_\_\_
7. Are there provisions for the partial releases with respect to individual units? Yes \_\_\_\_\_  
No \_\_\_\_\_
8. Release fees \_\_\_\_\_
9. Have there been any amendments to or changes in the mortgage since the condominium was registered? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, has the statement of record or application for registration been amended?

Yes \_\_\_\_\_ No \_\_\_\_\_

Explain any changes or amendments. Submit details on a separate attachment.

10. Provide details regarding any anticipated foreclosure proceedings by the mortgagee.

### SECTION III

#### Identification of Officers, Directors, Stockholders, Holders of Beneficial Interests, Etc.

1. Please list the current directors, president, vice-president, treasurer, and clerk of the declarant.

<u>Name</u>	<u>Title</u>	<u>Address</u>
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2. If the declarant is a closely held corporation, partnership, joint stock company, trust or sold proprietorship, list the name, address, and principal occupation of each trustee, stockholder, partner, or person having any beneficial interests therein.

<u>Name</u>	<u>Address</u>	<u>Principal Occupation</u>
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3. If the declarant is a subsidiary corporation, list the name, address, and principal occupation of each stockholder or person having a beneficial interest therein, and the name,

address and principal occupation of each stockholder owning more than ten percent of the shares outstanding in the corporation or corporations to which it is subsidiary.

<u>Name</u>	<u>Address</u>	<u>Principal Occupation</u>
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4. If the declarant is a publicly held corporation, list the name, address and principal occupation of each stockholder owning more than ten percent of the shares outstanding.

<u>Name</u>	<u>Address</u>	<u>Principal Occupation</u>
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5. Declarant's last financial statement (Balance Sheet and Income Statement) was for the period.

Enclose a copy with the Annual Report. If not available, please explain.

SECTION IV.

Taxes

1. Who is responsible for paying real estate taxes on the condominium?
  
2. As of \_\_\_\_\_, have all real estate taxes on the condominium which have been billed by the city or town in which the condominium is located been paid?

Yes \_\_\_\_\_ no \_\_\_\_\_

3. Are there any tax liens or other liens recorded against the condominium?

Yes \_\_\_\_\_ no \_\_\_\_\_. If yes, explain.

4. Is there now pending, or has there been since the date of the declarant's application or last annual report, any action (including, but not limited to audits, investigations, administrative conferences or proceedings, or court action) by any governmental authority – local, state or federal – which: (a) concerns any form of tax liability or potential tax liability of the declarant or any officer, director or principal of the declarant; and (b) could materially affect the owners of interests in the condominium units or prospective purchasers of interests in the condominium units?

Yes \_\_\_\_\_ no \_\_\_\_\_

If yes, please explain in detail the nature of the action, its present status; the governmental authority involved; the tax liability claimed or at issue; and the potential effects of the action on owners of interests in the condominium units or prospective purchasers of interests in the condominium units.



SECTION V

Improvements, Amenities

1. What improvements and amenities has the developer promised to purchasers? (List improvements, amenities and cost and construction data on schedule below.)

<u>Description</u>	<u>Total Cost to Complete</u>	<u>Percent Completed</u>	<u>Remaining Cost to complete</u>	<u>* Promised Completion Date</u>
Paved Streets	_____	_____	_____	_____
Graded Roads	_____	_____	_____	_____
Water System	_____	_____	_____	_____
Sewerage System	_____	_____	_____	_____
Drainage	_____	_____	_____	_____
Sidewalks, Curbs	_____	_____	_____	_____
Electrical Supply	_____	_____	_____	_____
Gas Supply	_____	_____	_____	_____
Telephone Service	_____	_____	_____	_____
Amenities/Recreational Facilities	_____	_____	_____	_____
Building/Units	_____	_____	_____	_____
Other	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

2. Is the construction of all promised improvements and amenities on or ahead of schedule?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If no, explain why.

\* If improvements have not been completed on the promised completion date, please explain the reason(s). Also, describe the work required to complete the improvements and the projected date of completion.

AFFIDAVIT

State of

County of

I, \_\_\_\_\_, swear that the answers and statements in the foregoing Annual Report have been made by me as the authorized agent of the declarant, that the same are true, and that I have not omitted any material facts touching upon the matters contained in said Annual Report.

\_\_\_\_\_  
Signature of Authorized Agent of Declarant

Subscribed and sworn to before me in \_\_\_\_\_ County, in the State of

\_\_\_\_\_, by \_\_\_\_\_,

who personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

My Commission Expires:

Seal