

NOTE: a registration fee that is not refundable must accompany this application.

**TIMESHARE APPLICANTS DO NOT USE THIS APPLICATION YOU WILL NEED TO FILE THROUGH THE FOLLOWING SITE <https://atr.arello.org>**

- ORIGINAL APPLICATION FEE \$1,000.00
- SUPPLEMENTAL APPLICATION FEE \$243.00  
(Supplemental application needed for adding inventory for each separate project)



**APPLICATION FOR REGISTRATION AS A SUBDIVISION DEVELOPER THROUGH RECOGNITION**

*(This application is to be used for projects already approved by the State in which the project is located, whose laws are very similar to Colorado Statutes and Rules.)*

**RETURN TO:**

Division of Real Estate  
1560 Broadway, Suite 925  
Denver CO 80202  
Phone # (303) 894-2166

**MAKE CHECKS PAYABLE TO:**

Colorado Real Estate Commission  
or  
C.R.E.C.  
**No Cash or Credit Accepted**

In compliance with Title 12, Article 61, Part 4, C.R.S. and Commission Rules, application is hereby made to the Colorado Real Estate Commission for registration and certification as a subdivision developer and, in support of this application, the following statements are made under penalty of perjury in the second degree pursuant to C.R.S. 18-8-503:

1. Name of Authorized Person \_\_\_\_\_  
(If a Partnership, Corporation or LLC Applicant, print name of person authorized to apply on behalf of the Entity.)

SS# \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (Required by 24-34-107 C.R.S.) Phone \_\_\_\_\_

2. Resident Address \_\_\_\_\_  
(Street) (City) (State) (Zip)

3. The Subdivision Developer, a \_\_\_\_\_ Resident, \_\_\_\_\_ Non-Resident, intends to act as (check only one):

An Individual \_\_\_\_\_ Phone \_\_\_\_\_  
(Trade name, if any)

A Partnership \_\_\_\_\_ Phone \_\_\_\_\_  
(Name of Partnership)

I, the authorized person named above, am a general partner of the partnership and have been authorized to complete this application on behalf of the partnership. \_\_\_\_\_ Yes \_\_\_\_\_ No

A Corporation \_\_\_\_\_ Phone \_\_\_\_\_  
(Name of Corporation)

I, the authorized person named above, am an officer and/or a director of the Corporation and have been authorized by the Board of Directors to complete this application on behalf of the Corporation. \_\_\_\_\_ Yes \_\_\_\_\_ No

A Limited Liability Co. \_\_\_\_\_ Phone \_\_\_\_\_  
(Name of Limited Liability Co.)

I, the authorized person named above, am a manager of the limited liability co. and have been authorized to complete this application on behalf of the limited liability co. \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Principal office of the Subdivision Developer, wherever situate: (If principal office is changed, immediate notice must be made to the Commission.)

\_\_\_\_\_  
(Street Address) (City) (Street) (Zip)

5. Other than the principal office above, list all Colorado offices where business will be conducted: (If none, state "none".)

\_\_\_\_\_  
(Street Address) (City) (Street) (Zip)

6. State the names, resident and business addresses of all persons or other legal entities financially interested in the business of the developer as principal, partner, officer, director, stockholder, or member specifying as to each his or her capacity and title. Owners of less than twenty four percent need not be included, except that when more than one corporation owns stock in the developer, stockholders owning more than twenty four percent of the total stock in all such corporations shall be included.

(a) \_\_\_\_\_  
(Name) (Residence)

\_\_\_\_\_  
(Capacity & Title) (Business Address) (% Ownership)

(b) \_\_\_\_\_  
(Name) (Residence)

\_\_\_\_\_  
(Capacity & Title) (Business Address) (% Ownership)



7. Name the states in which the Subdivision Developer has been licensed or registered in any capacity concerning the sale or development of real estate: (If none, state "none".)

Registered Subdivider in \_\_\_\_\_ Date: \_\_\_\_\_ to: \_\_\_\_\_

Licensed Broker in \_\_\_\_\_ Date: \_\_\_\_\_ to: \_\_\_\_\_

Licensed Salesperson in \_\_\_\_\_ Date: \_\_\_\_\_ to: \_\_\_\_\_

8. Has the authorized person, developer, or any of the financially interested persons listed above in Number 6 ever been licensed as a subdivision developer, real estate broker or real estate salesperson in Colorado or another jurisdiction?

\_\_\_\_\_ Yes \_\_\_\_\_ No. (If yes to either, submit details in a separate report accompanying this application)

Has such license ever been denied, disciplined, denied renewal, revoked, suspended, censured, or the subject of a consent agreement or the subject of a current investigation? \_\_\_\_\_ Yes \_\_\_\_\_ No

**If yes, submit the following:**

I. A signed, written statement including name of agency, dates, nature of allege infraction and disposition.

II. Supporting documents including:

- a. A copy of the original charges or complaint against you.
- b. A copy of any agency order or other notification of the action taken.
- c. A confirmation of the current status of the license, certification or registration.

9. Name the states in which the Authorized Person is or has been licensed are registered in any capacity concerning the sale or development of real estate: (If none, state "none").

Registered Subdivider in \_\_\_\_\_ Date: \_\_\_\_\_ to: \_\_\_\_\_

Licensed Broker in \_\_\_\_\_ Date: \_\_\_\_\_ to: \_\_\_\_\_

Licensed Salesperson in \_\_\_\_\_ Date: \_\_\_\_\_ to: \_\_\_\_\_

**10. Answer all of the following (Do not include misdemeanor traffic violations.)**

Within the last ten years has the authorized person, developer, directors, officers or any financially interested person listed in number 6 been:

- a. Yes \_\_\_\_\_ No \_\_\_\_\_ (Initial one) Convicted or pleaded Nolo Contendere to a felony, or theft related offense?
- b. Yes \_\_\_\_\_ No \_\_\_\_\_ (Initial one) Agreed to a deferred prosecution or a deferred judgment to any felony, or theft related offense?
- c. Yes \_\_\_\_\_ No \_\_\_\_\_ (Initial one) Charged with any felony or theft related petty offense.

\* If you answer yes to either a, b, or c above, you must list below the nature of each charge or conviction. You must also obtain and submit the addendum to the application for Registration and Certification as a Subdivision Developer, Commission form REC-SAA. Failure to submit the supplemental information required by form REC-SAA will suspend processing of you application.

**Nature of charge or conviction**

1. \_\_\_\_\_

11. Have there been any sales from the property prior to registration? \_\_\_\_\_ yes \_\_\_\_\_ no

12. List all licensed real estate marketing companies that will be conducting sales activities

\_\_\_\_\_

(Name)	(Address)	(City)	(State)(Zip)	(Phone)
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13. Name and address of Legal Counsel if any.

_____ (Firm Name)	_____ (Attorney Name)
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_____ (Correspondence address)	_____ (E-Mail Address)
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\_\_\_\_\_ (Fax Number)

I, \_\_\_\_\_ the above named attorney representing the above named developer hereby certify to the following:

\_\_\_\_\_ **Initial** The above named attorney is licensed to practice law in the state of \_\_\_\_\_ having a Supreme Court Attorney Registration Number \_\_\_\_\_.

\_\_\_\_\_ **Initial** The developer is duly qualified, validly existing and in good standing in the State of Colorado and in the State in which the developer is organized, if other than Colorado (state any limitations to the certification on a separate sheet.

\_\_\_\_\_ **Initial** The owners association is a \_\_\_\_\_ (insert type of organization of owner association) duly qualified, validly existing and in good standing in the State of \_\_\_\_\_. The owner association) was organized by filing of \_\_\_\_\_ on \_\_\_\_\_ (insert date) in the state of \_\_\_\_\_.

\_\_\_\_\_ **Initial** The owner association has not been organized as of the date of this application. The developer intends to organize the owner association by filing \_\_\_\_\_ (state the type of documents that you will use to legally organize the owner association) on \_\_\_\_\_ (state the approximate date which the Owner Association will be organized).

\_\_\_\_\_ **Initial** The declaration of protective covenants and plat map have been recorded in all Counties as required. (If Colorado is the situs state, you are in full compliance with the Colorado Common Interest Ownership Act ("CCIOA"). Include any limitations to this certification on a separate sheet.

**13. ANSWER THE QUESTIONS BELOW**

- Yes  No Do you understand that you may not market or offer the property for sale in Colorado prior to registration?
- Yes  No Do you understand that unless otherwise exempted, you are to use Colorado licensed real estate brokers for any transactions that take place in Colorado?
- Yes  No Have you read and do you understand the Registration and Certification of Subdivision Developer's Statute (C.R.S. Title 12, Article 61, Part 4.) and the Commission Rules pursuant thereto?
- Yes  No Do you understand that a Subdivision Developer's Certificate expires on December 31 following the date of issuance and a request for renewal on the form supplied by the Commission must be made prior to that date, accompanied by the statutory fee?
- Yes  No Do you understand that if you do not renew on or before December 31st of any year, you may not sell in Colorado until you are reinstated?
- Yes  No Are there any liens or unpaid court judgments filed against the Subdivision Developer at the present time? If yes, submit details on separate sheet)
- Yes  No Are there any lawsuits filed against the Subdivision Developer, which affect the title of the subdivided property? (If yes, submit details on a separate sheet).
- Yes  No Do you understand that each subdivision developer shall have a continuing duty to disclose any lis pendens or lawsuit filed against the subdivision developer within thirty (30) days after its recording or service of process?
- Yes  No Do you understand that each subdivision developer shall have a continuing duty to disclose to the Real Estate Commission any blanket encumbrance on a subdivision registered in the Office of the Colorado Real Estate Commission within thirty (30) days after its creation?

**14. Type of Subdivision being registered: Check appropriate box:**

- |                                                      |                                           |                                               |
|------------------------------------------------------|-------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Condominium conversions     | <input type="checkbox"/> Time-share (Fee) | <input type="checkbox"/> Raw Ground           |
| <input type="checkbox"/> Cooperative Housing Project | <input type="checkbox"/> Time-share (Use) | <input type="checkbox"/> Leasehold time-share |

(a) Name of subdivision(s): \_\_\_\_\_

(b) Address (Location) of project: \_\_\_\_\_

Located in the County of \_\_\_\_\_ State of \_\_\_\_\_

(c) Number of units or lots: \_\_\_\_\_ Size of fractional interests or lots: \_\_\_\_\_

(d) Who holds legal title? \_\_\_\_\_

(e) List the name of each subdivision and the identifying number of each unit or lot being registered: \_\_\_\_\_

(f) The developer's interest is evidenced by a/an (check one)

- |                                                |                                                    |                                             |
|------------------------------------------------|----------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Warranty Deed         | <input type="checkbox"/> Installment Land Contract | <input type="checkbox"/> Option to purchase |
| <input type="checkbox"/> Other (explain) _____ |                                                    |                                             |

(g) Has or will each site, lot or unit be surveyed before sale or lease? \_\_\_\_\_ Yes \_\_\_\_\_ No

If NO, explain when this will be done or how the property will be identified for each purchaser \_\_\_\_\_

(h) Answer the following:

1. Has a plat of this subdivision been recorded? \_\_\_\_\_ Yes \_\_\_\_\_ No Rec.# \_\_\_\_\_ Date \_\_\_\_\_

2. Has a plat of this subdivision been approved by the county or municipality in which it is located? \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If not, when will this be done?  
\_\_\_\_\_

**15. The Subdivision Developer must submit with this application, a copy of the sales contract and disclosure document that contains the written disclosures required by Rule S-23, S-24 and 12-61-406(3) C.R.S. The Commission has formulated a set of guidelines to be used as a checklist to help in completing this application. If you do not have a set of**

guidelines you can contact the Commission staff to obtain a copy, or download a copy from our homepage. The Commission phone number is 894-2166 our homepage is at [HTTP://www.dora.state.co.us/real-estate](http://www.dora.state.co.us/real-estate)

**NOTICE**

If the applicant subdivision developer is the owner of or becomes the owner of additional real property, from which sales or leases are intended, a "Supplemental Application for Registration as a Subdivision Developer" form must be completed for each, and written notice of approval from the Colorado Real Estate Commission received before any sales or lease activity is conducted.

**16. DOCUMENTATION MUST BE SUPPLIED OF THE FOLLOWING: (FOR EASIER REVIEW PLEASE SUBMIT APPLICATION AND ALL DOCUMENTS TWO HOLE PUNCHED IN A LEGAL SIZED TOP BOUND FOLDER).**

- (a) If the applicant is a corporate developer, a copy of the Certificate of Authority to do business in the State of Colorado or a Certificate of Incorporation issued by the Secretary of State for the State of Colorado must accompany the application.
- (b) A copy of the letter of approval from the State in which the project is located.
- (c) If the developer of a subdivision is a limited partnership, proof of registration in accordance with state and local requirements and a copy of the certificate of limited partnership, or certificate of authority filed with the Colorado Secretary of State shall accompany the application.
- (d) If the developer is a limited liability co., proof of filing Articles of Organization with the Colorado Secretary of State or a copy of the Certificate of Authority.
- (e) Copies of a recorded deed or other documents evidencing the developer's title or other interest in the subdivision AND AN UP TO DATE TITLE COMMITMENT, POLICY or report abstract and opinion, or other evidence acceptable to the Commission documenting the condition of such title or interest. If title is evidenced by a contract to purchase or option agreement, the developer must file escrow documents escrowing sales proceeds until the developer obtains title and can deliver free and clear title to the purchasers or other acceptable arrangement.
- (f) Sample copies of contracts, Public Offering Statement that include the disclosures required by Rule S-23, or a Colorado addendum to the POS that includes the elements of Rule S-23 that are not a part of the POS, a copy of the form of warranty deed you will use to convey free and clear title.
- (g) A subdivision developer who receives cash or receivables from a purchaser for an uncompleted project, must submit copies of an escrow agreement, with an independent escrow agent, whereby all funds and receivables received from purchasers are held pending completion of promised amenities and improvements or, the developer obtains a letter of credit or bond payable to an independent escrow agent or any other financial arrangement, the purpose of which is to ensure completion of the promised accommodations, improvements and facilities.
- (h) Where an installment land contract is used, the contract must provide for tax payments to the public trustee pursuant to 38-35-126 C.R.S.

I DECLARE UNDER PENALTY OF PERJURY IN THE SECOND DEGREE PURSUANT TO 18-8-503 C.R.S., THAT THE STATEMENTS MADE IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_

Print name of Authorized person

Signature

Title

If a corporation, partnership or limited liability co., the natural person signing must be authorized on behalf of the corporation, partnership or limited liability co. to sign this document.)

The above application has been \_\_\_\_\_ (approved) \_\_\_\_\_ (disapproved)

FOR THE REAL ESTATE COMMISSION

BY \_\_\_\_\_ DATE \_\_\_\_\_