

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number: HB693

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Suit

3. Committee: General Laws

4. Title: Virginia Real Estate Time-Share Act; nonjudicial foreclosure; termination of time-share program.

5. Summary/Purpose: The bill provides for nonjudicial foreclosure of liens by the time-share association and sets out the process. The bill, among other things, also (i) provides that, without permission of such member, the name, address, telephone number and other personal information about a time-share owner or member of the association are not open to inspection by association members; (ii) provides that the association is not required to produce records that are a matter of public record or are otherwise readily available from another source; (iii) allows the developer to terminate a time-share project if he is the sole owner of all of the time-shares; (iv) provides that the offering or sale of any product that is registered with the Real Estate Board is exempt from the Wet Settlement Act; (v) allows a developer to post a letter of credit or cash with the Real Estate Board for the protection of escrowed purchase deposits; (vi) gives the developer 180 days after a sale to record the deed; and (vii) provides that if the developer has substantially complied in good faith with the Virginia Time-Share Act, a nonmaterial error or omission is not actionable and the purchaser cannot cancel his purchase contract after the expiration of the cancellation period. Finally, the bill contains technical amendments.

6. Fiscal impact: The bill does not have a fiscal impact for the Real Estate Board.

7. Budget amendment necessary: No.

8. Fiscal implications: None.

9. Specific agency or political subdivisions affected: Department of Professional and Occupational Regulation, Real Estate Board.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 2/1/06 kbs

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cc: Secretary of Commerce and Trade