

[NAME OF PROJECT]

## DISCLOSURE STATEMENT

Disclosure Statement dated the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ with respect to an offering by DEVELOPER (the "Developer") for the sale of certain Strata Lots located at \_\_\_\_\_, in a \_\_\_\_-phase development known as "DEVELOPMENT" (the "Development").

### DEVELOPER

Name:

Registered Office:

Mailing Address and Address for Service:

### AGENTS OF DEVELOPER

The Developer intends to market the Strata Lots (as hereinafter defined) in \_\_\_\_\_ itself and will not utilize the services of a real estate agent on an exclusive basis.

### DISCLAIMER

NEITHER THE [STATE/PROVINCIAL AUTHORITY] NOR ANY OTHER AUTHORITY OF THE GOVERNMENT OF THE STATE/PROVINCE OF \_\_\_\_\_ HAS IN ANY WAY PASSED ON THE MERITS OF THE MATTERS DEALT WITH IN THIS DISCLOSURE STATEMENT. THIS DISCLOSURE STATEMENT HAS BEEN FILED WITH THE [STATE/PROVINCIAL AUTHORITY], WHICH HAS NOT YET DETERMINED WHETHER OR NOT IT COMPLIES WITH PART \_\_\_\_ OF THE [insert name of act in your jurisdiction which governs].

NO SECURITIES COMMISSION OR SIMILAR REGULATORY AUTHORITY HAS PASSED ON THE MERITS OF THE SECURITIES OFFERED NOR HAS IT REVIEWED THIS DISCLOSURE STATEMENT AND ANY REPRESENTATION TO THE CONTRARY IS AN OFFENCE.

PLEASE REFER TO PAGE \_\_\_\_ FOR THE REAL ESTATE SECURITIES ASPECT OF THE OFFERING.

SECTION \_\_\_\_ OF THE \_\_\_\_\_ ACT PROVIDES THAT EVERY PURCHASER OF ANY PART OF THE SUBDIVIDED LAND TO WHICH THIS DISCLOSURE STATEMENT OR PROSPECTUS RELATES SHALL BE DEEMED TO HAVE RELIED ON THE REPRESENTATIONS MADE IN THE DISCLOSURE STATEMENT OR PROSPECTUS AND IF ANY MATERIAL FALSE STATEMENT IS CONTAINED IN THE DISCLOSURE STATEMENT OR PROSPECTUS, THE DEVELOPER, ITS DIRECTORS AND ANY PERSON WHO HAS AUTHORIZED THE ISSUE OF THIS DISCLOSURE STATEMENT IS LIABLE TO MAKE COMPENSATION TO THE PURCHASER, SUBJECT TO ANY DEFENSES AVAILABLE UNDER SECTION \_\_\_\_ OF THE \_\_\_\_\_ ACT.

### THE \_\_\_\_\_ ACT ( \_\_\_\_\_ ) REQUIREMENTS

The \_\_\_\_\_ Act states that a developer may sell Strata Lots prior to the proposed strata plan being deposited in a Land Titles Office if the creation of the proposed Strata Lots has been approved by an Approving Officer, all monies are held in trust and a prospectus or disclosure statement has been accepted and filed with the [state/provincial authority]. The [state/provincial authority] has held in the past that evidence of approval of the creation of the proposed Strata Lots includes the issuance of a building permit by the appropriate approving authority.

Pursuant to Policy Statements No. \_\_\_\_\_ issued by the [state/provincial authority], the [state/provincial authority] will accept for filing a prospectus or disclosure statement where the developer has been

granted development approval prior to the issuance of a building permit, and before any commitment as to financing has been obtained, provided that:

- (a) the estimated date for the issuance of a building permit and commitment as to financing, as disclosed in the prospectus or disclosure statement, is not in excess of \_\_\_\_ months from the date of the prospectus or disclosure statement;
- (b) the developer may offer proposed Strata Lots for sale under the prospectus or disclosure statement for a period of no longer than \_\_\_\_ months from the date of acceptance of the prospectus or disclosure statement by the [state/provincial authority] unless an amendment to the prospectus or disclosure statement is accepted by the [state/provincial authority] during that period, setting out particulars of the issued building permit and setting out a financing commitment acceptable to the [state/provincial authority]; and
- (c) the prospectus or disclosure statement includes, as an exhibit, a copy of the agreement for sale to be used by the developer, and that such agreement for sale shall:
  - (i) be terminable at the option of the purchaser for a period of seven days after receipt of the amended prospectus or disclosure statement if the amendments materially affect the offering or if the amended prospectus or disclosure statement is not received within nine months after acceptance of the initial prospectus or disclosure statement, at which time all funds, including interest earned, are required to be returned to the purchaser without deduction;
  - (ii) require that no greater than \_\_\_\_% of the purchase price be paid by way of deposit or otherwise; and
  - (iii) require that all such funds are to be held in a trust account of a licensee under the \_\_\_\_\_ Act a solicitor or a notary public until completion of the transaction or earlier termination.

Please see [sub]sections \_\_\_\_\_ below in respect of the above requirements.