

**§ 1710.100**

order should be issued, and the developer fails to cooperate with the Secretary or obstructs, or refuses to permit the Secretary to make such examination, the Secretary may issue an order suspending the Statement of Record. Such order shall remain in effect until the developer has complied with the requirements of the order. When the developer has complied with the requirements of the order, the Secretary shall so declare and thereupon the suspension order shall cease to be effective. In accordance with the procedure described in §1720.235, a hearing may be requested.

(3) Upon receipt of an amendment to an effective Statement of Record, the Secretary may issue an order suspending the Statement of Record until the amendment becomes effective if the Secretary has reasonable grounds to believe that such action is necessary or appropriate in the public interest or for the protection of purchasers. In accordance with the procedure described in §1720.235, a hearing may be requested.

(4) Suspension orders issued pursuant to this subsection shall operate to suspend the Statement of Record as of the date the order is either served on the developer or its registered agent or is delivered by certified or registered mail to the address of the developer or its authorized agent.

(Pub. L. 90-448, 82 Stat. 476, 590; 15 U.S.C. 1701 *et seq.*)

[44 FR 21453, Apr. 10, 1979]

**Subpart B—Reporting Requirements**

AUTHORITY: Pub. L. 90-448, 82 Stat. 476, 590; 15 U.S.C. 1701 *et seq.*, unless otherwise noted.

SOURCE: 44 FR 21453, Apr. 10, 1979, unless otherwise noted.

**§ 1710.100 Statement of Record—format.**

(a) The Statement of Record consists of two portions; the Property Report portion and the Additional Information and Documentation portion.

(b) General format. The Statement of Record shall be prepared in accordance with the following format:

**24 CFR Ch. X (4-1-14 Edition)**

PROPERTY REPORT

*Heading and Section Number*

- Cover Sheet .....1710.105
- Table of Contents .....1710.106
- Risks of Buying Land, Warnings .....1710.107
- General Information .....1710.108
- Title and Land Use .....1710.109
  - (a) General Instructions
  - (b) Method of Sale
  - (c) Encumbrances, Mortgages and Liens
  - (d) Recording the Contract and Deed
  - (e) Payments
  - (f) Restrictions
  - (g) Plats, Zoning, Surveying, Permits, Environment
- Roads .....1710.110
- Utilities .....1710.111
  - (a) Water
  - (b) Sewer
  - (c) Electricity
  - (d) Telephone
  - (e) Fuel or other Energy Source
- Financial Information .....1710.112
- Local Services .....1710.113
- Recreational Facilities .....1710.114
- Subdivision Characteristics and Climate .....1710.115
  - (a) General Topography
  - (b) Water Coverage
  - (c) Drainage and Fill
  - (d) Flood Plain
  - (e) Flooding and Soil Erosion
  - (f) Nuisances
  - (g) Hazards
  - (h) Climate
  - (i) Occupancy
- Additional Information .....1710.116
  - (a) Property Owners' Association
  - (b) Taxes
  - (c) Violations and Litigation
  - (d) Resale or Exchange Program
  - (e) Unusual Situations
    - 1. Leases
    - 2. Foreign Subdivision
    - 3. Time Sharing
    - 4. Membership
  - (f) Equal Opportunity in Lot Sales
  - (g) Listing of lots
- Cost Sheet .....1710.117
- Receipt, Agent Certification and Cancellation Page .....1710.118

ADDITIONAL INFORMATION AND DOCUMENTATION

- General Information .....1710.208
- Title and Land Use .....1710.209
- Roads .....1710.210
- Utilities .....1710.211
- Financial Information .....1710.212
- Recreational Facilities .....1710.214
- Subdivision Characteristics .....1710.215
- Additional Information .....1710.216

Affirmation .....1710.219

(Approved by the Office of Management and Budget under control number 2502-0243)

[44 FR 21453, Apr. 10, 1979, as amended at 49 FR 31370, Aug. 6, 1984; 49 FR 33644, Aug. 24, 1984]

**§ 1710.102 General instructions for completing the Statement of Record.**

(a) *Paper and type.* The Statement of Record shall be on good quality, unglazed white or pastel paper. Letter size paper, approximately 8 × 11 inches in size, will be used for the Property Report portion and legal size paper, approximately 8½ × 14 inches in size, will be used for the Additional Information and Documentation portion. Side margins shall be no less than 1 inch and no greater than 1½ inches. Top and bottom margins shall be no less than 1 inch. In the preparation of the charts to be included in the Property Report, the developer may vary from the above margin requirements or print the charts lengthwise on the required size paper if such measures are necessary to make the charts readable. The Statement of Record shall be prepared in an easily readable style of elite or pica or similar type of uniform font in blue, black or blueblack ink.

(b) *Numbering and dating.* Each page of the Statement of Record as submitted to OILSR shall be numbered and shall include the date of typing or preparation in the lower right hand corner, except in the final printed version of the Property Report portion.

(c) *Signing.* The Statement of Record shall be signed by the senior executive officer of the developer or a designated agent.

(d) *Printing.* The Statement of Record and, insofar as practical, all papers and documents filed as a part thereof, shall be printed, lithographed, photocopied, typewritten or prepared by any similar process which, in the opinion of the Secretary, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such materials shall be clear and easily readable.

(e) *Headings, subheadings, captions, introductory paragraphs, warnings.* Property Report subject "headings" are those descriptive introductory words

which appear immediately after section numbers 1710.106 through 1710.116 (e.g. §1710.108 has "General Information" and §1710.111 has "Utilities"). Each such heading shall be printed in the Property Report in underlined capital letters and centered at the top of a new page. Section numbers shall not be printed in the Property Report. Property Report subheadings are those descriptive introductory words which appear in italics in the regulations at the beginning of paragraphs designated by paragraph letters (a), (b), (c) etc. An example of a subheading is "water" found immediately after the paragraph letter (a) in §1710.111. These subheadings will be printed in the Property Report only if they are relevant to the subject subdivision. If printed these subheadings shall be capitalized and shall begin at the left hand margin of the page. Property Report "captions" are those descriptive introductory words which appear in italics in the Regulations at the beginning of subparagraphs designated by numbers (1), (2), (3), etc. An example of such captions is "Sales Contract and Delivery of Deed" found immediately after the subparagraph number "(1)" in §1710.109 (b). These captions are to be printed in the Property Report only if they are applicable to the subject subdivision. If printed, these captions shall be centered on the page from the side margins, and shall have only the first letter of each word capitalized. Headings and subheadings will be used in the Property Report in accordance with the sample page appearing in §1710.102. Introductory paragraphs will follow headings if they are applicable and necessary for a readable entry into the subject matters, but note, the introductory paragraphs for "Title to the Property and Land Use" are to be used in every case as provided in §1710.109(a)(1). Subheadings and captions which do not apply to the subdivision should be omitted from the Property Report portion and answered "not applicable" in the Additional Information and Documentation portion, unless specifically required to be included elsewhere in these instructions. Warnings shall be printed substantially as they appear in the instructions in §§1710.105 through 1710.118. They shall