

AGREEMENT BECAUSE OF A SUBSTANTIAL CHANGE IN THE SUBSCRIBER'S PHYSICAL, MENTAL OR FINANCIAL CONDITION, THE AGREEMENT SHALL BE AUTOMATICALLY CANCELLED, AND THE SUBSCRIBER OR THE SUBSCRIBER'S LEGAL REPRESENTATIVE SHALL RECEIVE WITHIN 30 DAYS THEREAFTER A FULL REFUND OF ALL MONEYS PAID TO THE PROVIDER, EXCEPT:

(1) THOSE SPECIAL ADDITIONAL COSTS INCURRED BY THE PROVIDER DUE TO MODIFICATIONS IN THE STRUCTURE OR FURNISHINGS OF THE UNIT SPECIFICALLY REQUESTED BY THE SUBSCRIBER AND SET FORTH IN WRITING IN A SEPARATE ADDENDUM TO THE AGREEMENT AND SIGNED BY THE SUBSCRIBER, AND

{2} (II) A PROCESSING FEE APPROVED BY THE OFFICE.

(2) IN THE EVENT THAT THE SUBSCRIBER RESCINDS THE CONTINUING CARE AGREEMENT PRIOR TO OCCUPYING THE UNIT FOR ANY REASON OTHER THAN THE REASONS SPECIFIED IN SECTION 14(B)(1), THE REFUND PROVISIONS SHALL BE THE SAME AS THOSE PROVIDED FOR IN SECTION 14(B)(1), EXCEPT THAT THE PROVIDER MAY HOLD AN ADDITIONAL AMOUNT OF UP TO 4 PERCENT OF THE ENTRANCE FEE UNTIL A CONTINUING CARE AGREEMENT IS ENTERED INTO BETWEEN THE PROVIDER AND ANOTHER SUBSCRIBER WITH RESPECT TO THE UNIT OR 80 PERCENT OF THE UNITS AT THE FACILITY ARE CONTRACTED FOR, WHICHEVER OCCURS FIRST.

(C) {1} A SUBSCRIBER MAY RESCIND A CONTINUING CARE AGREEMENT AT ANY TIME IF THE TERMS OF THE AGREEMENT ARE IN VIOLATION OF THE TERMS OF THIS SUBTITLE AND THE SUBSCRIBER IS INJURED BY THE VIOLATION. THE SUBSCRIBER SHALL BE ENTITLED TO TREBLE DAMAGES FOR EXTENSIVE INJURIES ARISING FROM THE VIOLATIONS.

{2} -- IF -- A -- SUBSCRIBER -- ELECTS -- TO -- RESCIND -- AN AGREEMENT UNDER THIS SUBSECTION, THEN THE FACILITY SHALL PAY TO THE SUBSCRIBER A REFUND EQUAL TO THE ENTRANCE FEE DIVIDED BY THE SUBSCRIBER'S YEARS OF EXPECTED LIFETIME AT ADMISSION MULTIPLIED BY THE SUBSCRIBER'S YEARS OF EXPECTED LIFETIME AT DISCHARGE OR DISMISSAL. YEARS OF EXPECTED LIFETIME SHALL BE COMPUTED FOR BOTH PURPOSES ON THE BASIS OF THE LIFE TABLES MOST RECENTLY PUBLISHED BY THE U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES AT THE TIME THE AGREEMENT IS RESCINDED.

{2} -- NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF A SUBSCRIBER ELECTS TO RESCIND SUCH AN AGREEMENT UNDER THIS SUBSECTION, THEN THE SUBSCRIBER SHALL RECEIVE A FULL REFUND OF ALL MONEYS PAID TO THE FACILITY.

(D) IF AN APPLICANT FOR ADMISSION TO A CONTINUING CARE FACILITY WITHDRAWS THE APPLICATION PRIOR TO EXECUTION OF A CONTINUING CARE AGREEMENT, THE APPLICANT SHALL RECEIVE A FULL REFUND OF ALL MONEYS PAID TO THE PROVIDER EXCEPT A PROCESSING FEE APPROVED BY THE OFFICE.