

BEEN ISSUED A CERTIFICATE OF OCCUPANCY, OR THE EQUIVALENT, BY THE APPROPRIATE LOCAL JURISDICTION, THE REMAINING DEPOSITS HELD IN ESCROW MAY BE USED.

[(d)] (E) Upon receipt of an application FOR THE ANNUAL RENEWAL OF A FINAL CERTIFICATE OF REGISTRATION, the Office shall review the application and determine if:

(1) The documents required have been filed;

(2) The proposed continuing care contracts meet the requirements of this subtitle;

(3) THE PROVIDER HAS COMPLIED WITH SECTION 17A OF THIS ARTICLE IF IT HAS BEEN FOUND TO BE IN FINANCIAL DIFFICULTY;

[(3) Necessary] (4) IN THOSE INSTANCES IN WHICH THE APPLICANT HAS BEEN OPERATING A CONTINUING CARE FACILITY, THE NECESSARY facilities for providing continuing care are in existence;

[(4)] (5) When appropriate, the facilities have been [otherwise] licensed or certified by the Department of Health and Mental Hygiene or the Office on Aging; and

[(5)] (6) The advertising materials and circulars filed are [untrue,] NOT deceptive, misleading, or likely to mislead.

[(e)] (F) If the application FOR RENEWAL is approved, the certificate of registration shall be issued and the provider may CONTINUE TO offer [the contract] CONTRACTS to the public. If the application FOR RENEWAL is disapproved, the Office shall set forth its reasons for denial of the application in writing.

[(f)] (G) It shall be the responsibility of the Office to make the information provided pursuant to this section available to all interested persons. The Office shall publicize the availability of this information.

[(g)] (H) Fees collected by a provider under the terms of a continuing care agreement may not be used for purposes other than those set forth in the agreement.

13.

(a) In addition to such other provisions as may be considered proper to effectuate the purpose of any continuing care agreement, each agreement executed between a subscriber and a provider shall:

(1) Show the total consideration paid by the subscriber for continuing care including the value of all property transferred, donations, entrance fees, subscriptions,