

SUBJECTED TO A DECLARATION BY A PERSON WHO IS NOT AFFILIATED WITH THE VENDOR, THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION SHALL BE DEEMED TO HAVE BEEN FULFILLED WITH RESPECT TO THE PROPERTY IF:

(I) THE VENDOR GIVES TO THE PURCHASER A CERTIFICATE THAT SETS FORTH THE INFORMATION REQUIRED TO BE DISCLOSED BY SUBSECTION (B) OF THIS SECTION; AND

(II) THE CERTIFICATE IS SIGNED BY:

1. AN AUTHORIZED REPRESENTATIVE OF THE PERSON WHO SUBJECTED THE PROPERTY TO THE DECLARATION;

2. THE MANAGEMENT AGENT OF THE HOMEOWNERS ASSOCIATION; OR

3. AN OFFICER OR AGENT WHO IS AUTHORIZED TO PROVIDE INFORMATION REGARDING THE PROPERTY.

(2) THE VENDOR SHALL BE ENTITLED TO RELY UPON THE CERTIFICATE FURNISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE VENDOR HAD, AFTER REASONABLE INVESTIGATION, REASONABLE GROUNDS TO BELIEVE, AND DID BELIEVE, AT THE TIME THE CERTIFICATE WAS PROVIDED TO THE PURCHASER, THAT THE STATEMENTS CONTAINED IN THE CERTIFICATE WERE TRUE AND THAT THERE WAS NO OMISSION TO STATE A MATERIAL FACT NECESSARY TO MAKE THE STATEMENTS CONTAINED IN THE CERTIFICATE NOT MISLEADING.

11B-106.

(A) A CONTRACT FOR THE RESALE OF A LOT WITHIN A DEVELOPMENT, OR FOR THE INITIAL SALE OF A LOT WITHIN A DEVELOPMENT CONTAINING 12 OR FEWER LOTS, TO A MEMBER OF THE PUBLIC WHO INTENDS TO OCCUPY OR RENT THE LOT FOR RESIDENTIAL PURPOSES, IS NOT ENFORCEABLE BY THE VENDOR UNLESS:

(1) THE PURCHASER IS GIVEN, ON OR BEFORE ENTERING INTO THE CONTRACT FOR THE SALE OF SUCH LOT, THE DISCLOSURES SET FORTH IN SUBSECTION (B) OF THIS SECTION; AND

(2) THE PURCHASER IS GIVEN ANY SUBSTANTIAL AND MATERIAL AMENDMENT TO THE DISCLOSURES AFTER THEY BECOME KNOWN TO THE VENDOR.

(B) THE VENDOR SHALL PROVIDE THE PURCHASER THE FOLLOWING INFORMATION IN WRITING:

(1) A STATEMENT AS TO WHETHER THE LOT IS LOCATED WITHIN A DEVELOPMENT;

(2) (I) THE CURRENT MONTHLY FEES OR ASSESSMENTS IMPOSED BY THE HOMEOWNERS ASSOCIATION UPON THE LOT;