

or [circular] OTHER PROMOTIONAL MATERIAL for the facility [during the past 5 years] NOT PREVIOUSLY APPROVED BY THE OFFICE; and

[(11)] (10) Other reasonable and pertinent data [as] THAT the Office [may require] REQUIRES.

(F) IF THE PROVIDER PLANS TO ADVERTISE BEFORE HAVING A CERTIFICATE OF REGISTRATION ISSUED UNDER § 11 OF THIS SUBTITLE, THE FORM AND SUBSTANCE OF ANY ADVERTISEMENT OR ADVERTISING CAMPAIGN MUST BE SUBMITTED TO THE OFFICE AND APPROVED BEFORE THE ADVERTISEMENT OR ADVERTISING CAMPAIGN MAY BE USED.

[(f)] (G) A preliminary certificate of registration shall be issued by the Office if it determines that:

- (1) The feasibility study has been approved;
- (2) The CONTINUING CARE agreement to be used between the provider and the subscriber meets the requirements of §§ 13, 14, and 15 of this [article] SUBTITLE;
- (3) All of the financial and organizational materials required to be submitted under subsection (e) of this section have been submitted to the Office; and
- (4) [All] THE FORM AND SUBSTANCE OF ALL advertising and OTHER promotional materials [have been approved by the Office] FILED ARE NOT DECEPTIVE, MISLEADING, OR LIKELY TO MISLEAD.

[(g)] (H) If a preliminary certificate of registration is not obtained from the Office within 6 months of the approval of a feasibility study, or such longer time as is allowed by the Office for good cause shown, the provider shall refund all deposits and cease in its attempts to market continuing care [at the location specified in the] UNDER THAT application.

11.

(a) A provider may not provide continuing care until the issuance of a certificate of registration by the Office. The application shall be filed in a form satisfactory to the Office. The application shall contain at least the following information:

- (1) Verification that subscribers' continuing care agreements have been executed for at least 65 percent of the independent living units and at least 10 percent of the total entrance fee for each contracted unit has been collected;
- (2) Verification that the [applicant] PROVIDER has received a written commitment for permanent long-term financing, [and] AND, when requested by the permanent financing lender, the Office may issue a letter stating that all requirements of paragraph (1) of this subsection have been met; and
- (3) Verification that application for construction financing has taken place. When requested by a construction lender, the Office may issue a letter stating that all requirements of paragraphs (1) and (2) of this subsection have been met and on closing of the construction loan the certificate of registration shall be issued.