**Section 1451.40 Alternative Registration**

a) An alternative registration as set forth in Section 5-15(g) shall include but not be limited to:

1) certificate of authority to transact business in Illinois, if applicable;

2) consent to service of process;

3) consent to examine and audit special accounts;

4) a completed timeshare plan application;

5) copies of any disclosure documents required to be given to purchasers or required to be filed with the jurisdiction in which the timeshare plan is approved;

6) an acceptable assurance in the amount of $1,000,000, which may include an irrevocable letter of credit drawn on a federal or state chartered financial institution, or such other financial assurance acceptable to the Department; and

7) the required filing fee.

b) Claims by any Illinois purchaser pursuant to Section 5-15(g) of the Act shall be subject to the following procedures:

1) the Illinois purchaser must first obtain a final judgment in any court of competent jurisdiction against the developer or his or her agents or employees, on the grounds of conduct as determined by the Department, that constitutes a violation of the Act or this Part;

2) the Illinois purchaser must submit an affidavit to the Department along with a copy of the final judgment stating that the developer has failed to satisfy the judgment within 180 days after all appeals have been exhausted; and

3) upon receipt by the Department of the information required by 68 Ill. Adm. Code 1451.40(b)(1) and (2), the Department, from the acceptable assuance, shall cause satisfaction of the judgment, or portion of the judgment, that constitutes actual monetary loss to the Illinois purchaser.

(Source: Amended at 35 Ill. Reg. 15044, effective September 9, 2011)