



STATE OF NEW YORK

DEPARTMENT OF LAW

REAL ESTATE FINANCE BUREAU

M E M O R A N D U M

**Re: Offering Plan Initial Submission
Checklist for Digital Submissions**

Date: February 4, 2016

The Department of Law publishes this memorandum as a guidance document pursuant to State Administrative Procedure Act § 102(14).

The Department of Law publishes this checklist as a tool to assist sponsors' attorneys comply with the new regulations that require the digital submission of offering plans and amendments, effective February 1, 2016.

OFFERING PLAN INITIAL SUBMISSION CHECKLIST FOR SUBMITTING ATTORNEYS

- One paper copy of the typed or printed bound offering plan
- One digital copy of the offering plan
- One paper copy of the typed or printed exhibit documents (*i.e.*, the binder documents)
- One digital copy of the exhibit documents (*i.e.*, the binder documents)
- One paper copy of the backup documents
 - Attorney transmittal letter
 - Notice of appearance by a licensed/registered attorney
- One digital copy of the backup documents
 - Attorney transmittal letter
 - Notice of appearance by a licensed/registered attorney
 - Copy of the “Certification of Sponsor and Principal(s) Concerning Digital Copies”¹
 - Copy of the check for the offering plan filing fee
 - Copy of the separate check for the filing fee for the Broker-Dealer registration (Form M-10)
- Check for the offering plan filing fee, made payable to the New York State Department of Law or NYS Department of Law, dated no earlier than 90 days from the submission date
- Separate Check for the Broker-Dealer Registration Statement (M-10) made payable to the New York State Department of Law or NYS Department of Law, dated no earlier than 90 days from the submission date
- Pre-paid Federal Express Shipping Label (Optional)
- One paper copy of proof of submitting attorney’s active registration status with the New York State Courts (optional, but strongly recommended)

The Department of Law reserves the right to reject for submission offering plan submissions that do not include *all* of the above documents. Please note that all digital copies must be submitted to the Department of Law on a CD-ROM, DVD, USB flash drive, or external hard drive, which is in a jewel case, sleeve, or other similar container. The CD-ROM, DVD, USB flash drive, or external hard drive containing the digital copy of the offering plan must be submitted simultaneously to the paper copy. Additionally, all digital copies must be saved and named following the conventions detailed in the Department of Law’s guidance memorandum entitled “*Digital Submission Requirements for Cooperative Interests in Realty*”.

¹ The Department of Law does not require a paper copy of this Certification.