

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
OFFICE OF CONSUMER AFFAIRS

PO Box 526 • Richmond, VA 23218-0526

Consumer Protection Hotline (800) 552-9963 or (804) 786-2042 • Fax: (804) 225-2666 • www.vdacs.virginia.gov

OCA-32 Revised 03/08

**REMITTANCE FORM
HEALTH SPA**

Corporate Name & Address:

Spa Name & Address:

ANNUAL REGISTRATION FEE SCHEDULE

NUMBER OF UNEXPIRED CONTRACTS	REGISTRATION FEE
0 to 250	\$200
251 to 500	\$300
501 to 2000	\$700
2001 or more	\$800

* The number of applicable unexpired contracts shall be separately calculated for each health spa location.

Annual Registration Fee \$ _____ (930-02188)
Late Filing Fees \$ _____ (930-02180)
Total Fees Submitted \$ _____
Check # _____

LATE FILING FEES

Late Annual Registration: Registration applications are due on or before July 1st of each year. Registration applications that are not **POSTMARKED** on or before July 1 shall include a late annual registration fee in the amount of \$50 for the first location and \$25 for each additional location. After August 1st, late registration fees will continue to accrue at the rate of \$25 per location. **These fees will be assessed at the beginning of each thirty (30) day period, and will continue to accrue until the registration process has been properly completed.**

Late Initial Registration: (Registration is required prior to the sale of any health spa contract). \$100 will be assessed for every (30) days, or any part thereof, that the initial registration is late.

Late Surety Filing: \$100 will be assessed for every (30) day period, or any part thereof, after a bond or letter of credit is due, or an increase in a bond or letter of credit is due, until received by this office.

NOTICE

The Code of Virginia authorizes the Department of Agriculture and Consumer Services to assess fees for returned checks. The Code also authorizes denial, and/or administrative costs on past due accounts.

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OCA-31 Revised 03/08

**APPLICATION FOR REGISTRATION
HEALTH SPA**

NOTE: Each health spa location is required to file a separate registration application.

1. Spa Name: _____
Address: _____
City: _____, Virginia Zip: _____
Phone: _____ Fax: _____

2. Name of Corporation: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____

3. Owner is a (Circle One): Corporation Partnership
 Sole Proprietorship Limited Partnership.

4. State Of Incorporation: _____

5. Federal Tax Id #: _____

6. You must provide the following **PERSONAL** information for each owner of this health spa. If the owner is a Corporation, Partnership, Limited Liability Company or other entity, the following information must be provided for each owner of that entity.

Name	Address	Phone	% of Interest
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

7. Did any of the owners listed in question 6 previously own in whole or in part a health spa that closed for business and failed to issue refunds or provide comparable alternative facilities to its members?
 _____ YES _____ NO

8. Do the owners in question 6 currently own any other health spa in Virginia?
 _____ YES _____ NO

9. If you answered **YES** to question 8, provide the spa name, address, and telephone number.

10. Date when **CURRENT** owner sold first contract for this location: _____
MM DD YY

11. Are membership contracts maintained at this facility? _____ Yes _____ No

If no, please provide the address where contracts are maintained:

12. Date this location first opened for full and regular use by members. If not opened yet, the date this location will open for full use by members. (**Current Owner**): _____
MM DD YY

13. State the total number of **unexpired** contracts: _____

14. State the total number of **unexpired** health spa contracts where: _____

a) More than a \$125 initiation fee was accepted **-or-**

b) Members paid for more than (1) month in advance (examples: paid in full, quarterly, etc.)

You must submit the appropriate letter of credit or bond for the number of contracts stated in question 14. Please see the attached information sheet for a schedule of required surety amounts. Do not submit copies of bonds or letters of credit that are currently on file with the Commissioner.

15. Has this health spa filed surety with the Commissioner? _____ Yes _____ No

For each health spa with a bond or letter of credit, specify:

a) Bank/Insurance Company Name: _____
Bank/Insurance Company Address: _____
Bank/Insurance Company Telephone Number: _____

b) Serial # or other identification # of the bond or letter of credit: _____

c) Amount of the bond or letter of credit: _____

d) Date issued: _____

I CERTIFY THAT ALL THE INFORMATION CONTAINED IN THIS REGISTRATION APPLICATION IS TRUE AND CORRECT:

Date: _____ Signature: _____

Title: _____ Print Name: _____

Sworn and subscribed to before me, a Notary Public, in and for the Commonwealth of Virginia on this _____ day of _____, 20____.

My commission expires: _____

Notary Public

IMPORTANT

- Your bond or LOC must be maintained at the level required in the surety schedule contained within the Act. Failure to maintain proper surety level will result in late fees as provided by §59.1-296.1, Code of Virginia, as amended.
- You must amend this registration within 21 days, if there is a change to the information, which is contained in this registration statement.
- All changes in ownership must be reported to this office 10 days prior to the effective date of change.
- If 50% or more of the ownership changes, the facility must register as a new facility at the time of the change in ownership. Failure to re-register, as a new facility will result in late fees of \$100 for each thirty-day period or any part thereof, following the date that ownership changed.
- If no surety is required, your contracts must contain the disclosure required by §59.1-296.2:1 [F]. Please refer to page 4 of the registration form for surety requirements.

REGISTRATION FORMS THAT ARE NOT PROPERLY COMPLETED, SIGNED, NOTARIZED, AND ACCOMPANIED BY THE APPROPRIATE REGISTRATION AND LATE FEES, WHERE APPLICABLE, WILL BE REJECTED. THE SPA WILL BE CONSIDERED UNREGISTERED AND LATE FILING FEES WILL CONTINUE TO ACCRUE.

YOU MUST PROVIDE WITH THIS REGISTRATION FORM:

- A sample copy of your current health spa contract(s), marked "Exhibit A."
- A current price list for all contracts sold by this health spa, marked "Exhibit B."

PLEASE RETAIN THIS PAGE FOR YOUR RECORDS

VIRGINIA PRIVACY ACT DISCLOSURE

All information which you disclose may be used for law enforcement purposes, including civil enforcement of the Virginia Consumer Protection Act of 1977 and the Virginia Health Spa Act. Pursuant to the Virginia Freedom of Information Act, all information which you disclose will be available for inspection by the public.

SURETY PROVISIONS

No owner shall be required to file bonds or letters of credit in excess of \$300,000. If the \$300,000 limit is applicable, then the bonds or letters of credit filed by such owner shall apply to all health spas owned or operated by the same owner.

AMOUNT OF BOND OR LETTER OF CREDIT REQUIRED

For every contract where the health spa accepted:

More than a \$125 initiation fee

-or-

Members paid for more than (1) month in advance
(examples: paid in full, quarterly, etc.), as listed in question #14.

The required amount of surety listed below must be on deposit with the Office of Consumer Affairs:

NUMBER OF APPLICABLE CONTRACTS	AMOUNT OF BOND OR LETTER OF CREDIT
0 to 250	\$10,000
251 to 500	\$20,000
501 to 750	\$30,000
751 to 1000	\$40,000
1001 to 1250	\$50,000
1251 to 1500	\$60,000
1501 to 1750	\$70,000
1751 to 2000	\$80,000
2001 or more	\$100,000

REGISTRATION CHECKLIST

IN ORDER TO AVOID DELAYS, PLEASE REVIEW THIS CHECKLIST CAREFULLY BEFORE RETURNING YOUR REGISTRATION APPLICATION:

- Completed the registration application accurately and completely?
- Attached a copy of your membership contract?
- Attached a current price list for all contracts being sold?
- Attached your check for the registration fee and any applicable late fee?
- Signed and notarized your registration application?
- Retained page 4 for your records?

Schedule A - Calculation of Bondable Contracts

This schedule is an integral part of your Health Spa registration application and **must** be submitted along with the application. Shaded areas indicate where answers are needed.

		Total Contracts	Total Bondable	13 Month Calculation	Multiples Calculation
1	What is the total number of unexpired health spa contracts? (See Schedule B for the amount of your annual registration fee.)				
2	What is the total number of unexpired health spa contracts entered into prior to July 1, 2004 where the spa collected more than \$75 initiation fee and/or more than one full month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
3	What is the total number of unexpired health spa contracts entered into July 1, 2004 thru December 31, 2004, where the spa collected more than \$125 initiation fee and/or more than one full month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
4	What is the total number of unexpired health spa contracts entered into on or after January 1, 2005, where you collected more than \$125 initiation fee and/or more than one full month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
5	What is the total number of unexpired health spa contracts entered into since January 1, 2005?				
6	What is the total number of unexpired health spa contracts entered into since January 1, 2005, that exceeds 13 months?				
7	Divide the number in question 6 by the number in question 5. If this number is less than 10%, complete only question 8.		%		
	If the answer to question 7 is 10% or less, you must submit the appropriate surety for the number of contracts listed in number 8 below.				
8	Add questions 2, 3, and 4 to determine the number of bondable contracts for which you must submit surety.				
	If the answer to question 7 is 10% or greater, you must complete the remainder of this form.				

		Total Contracts	Total Bondable	13 Month Calculation	Multiples Calculation
9	What is the total number of unexpired health spa contracts with an initial term 13 months or less entered into on or after January 1, 2005, where you collected more than \$125 initiation fee and/or more than one month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
10	What is the total number of unexpired health spa contracts with an initial term of 24 months or less but that exceeds 13 months entered into on or after January 1, 2005, where you collected more than \$125 initiation fee and/or more than one month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
11	Of the contracts listed in question number 10, on how many of these contracts did you collect less than a \$250 initiation fee and you did not collect more than one month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
12	Subtract the number from question 11 from question 10.				
13	Multiply the answer in question 12 by 2.				
14	What is the total number of unexpired health spa contracts with an initial term of 36 months or less but more than 24-months, entered into on or after January 1, 2005, where you collected more than \$125 initiation fee and/or more than one month and a prorated monthly fee for the month when the contract was initially executed in advance?				
15	Of the contracts listed in question number 14, on how many of these contracts did you collect less than a \$250 initiation fee and you did not collect more than one month, and a prorated monthly fee for the month when the contract was initially executed, in advance?				
16	Subtract the number from question 15 from question 14.				
17	Multiply the answer in question 16 by 3.				
18	Total Bondable Contracts - Add questions 2, 3, 9 11, 13, 15, and 17				
	Please refer to the Schedule B to determine the appropriate amount of surety that must be maintained by your health spa. Failure to maintain the appropriate level of surety at all times will result in the assessment of late fees of \$100 for every 30 days the surety is late.				