**Section 1451.210 Guidelines for Advertising and Promotional Materials**

Any advertising materials relating to a timeshare plan, including prizes, discounted vacations and gift promotional offers, must be in full compliance with Section 10-25 of the Act and the guidelines set forth in this Section.

a) A seller or other person using an advertisement or promotion in connection with the offering of a timeshare plan shall clearly disclose:

1) that any person whose name or address is obtained during the promotion may be solicited to purchase a timeshare interest and attendance at a sales presentation may be required;

2) the name of each seller or other person trying to sell a timeshare interest through the promotion and the name of each person paying for the promotion;

3) the complete rules of the promotion;

4) the method of awarding prizes, gifts, discounted vacations or other benefits under the promotion; a complete and fully detailed description, including approximate retail value of all prizes, gifts, discounted vacations or benefits under the promotion; any required deposits or additional fees; the quantity, if limited, of each prize, gift or benefit that will be awarded or conferred; and the date by which each prize, gift or benefit will be awarded or conferred;

5) that the purpose of the promotion is to sell timeshare interests, which shall appear in bold face or other conspicuous type, and may be satisfied by the following disclosure statement in bold face, 10 point type: "THIS ADVERTISING MATERIAL IS BEING USED FOR THE PURPOSE OF SOLICITING THE SALE OF TIMESHARE INTERESTS" or substantially similar language and format acceptable to the Department.

b) A seller or other person using an advertisement or promotion in connection with the offering of a timeshare plan shall provide the disclosures required by subsection (a) in writing or electronically to a prospective purchaser at least once before the earlier of:

1) A reasonable period before the scheduled sales presentation to ensure that the prospective purchaser receives the disclosures before leaving to attend the sales presentation; or

2) The payment of any nonrefundable monies by the prospective purchaser in regard to the advertisement or promotion.

c) A seller or other person operating an exhibit booth, kiosk, or any other type of stand-alone display in Illinois must prominently disclose on the signage, in at least 2" typed letters, the name of the seller and/or person paying for the promotion.

d) If a seller or other person represents that a prize, gift, or benefit will be awarded in connection with a promotion, the prize, gift or benefit must be awarded or conferred in a manner represented, and on or before the date represented.

e) A seller or other person using an advertisement or promotion in connection with the offering of a timeshare plan shall not:

1) misrepresent a fact material to a purchaser's decision to purchase a timeshare interest;

2) predict specific or immediate increases in the value of a timeshare interest unless the increases are bonafide pending price increases by the seller;

3) materially misrepresent the qualities or characteristics of a timeshare property or the amenities available to a purchaser;

4) misrepresent the length of time that accommodations or amenities will be available to the purchaser of a specific or non-specific timeshare interest; or

5) knowingly misrepresent the conditions under which a purchaser of a specific or non-specific timeshare interest may exchange the right of his or her occupancy for the right to occupy an accommodation in another location.

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