

Sanctuary Belize Litigation & Receivership

Frequently Asked Questions (FAQs)

Update as of October 26, 2022

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Redress Plan

1. What is the Redress Plan?

The Redress Plan, also called the Compensation Plan, was proposed by the Federal Trade Commission (FTC) to compensate eligible Sanctuary Belize, Kanantik, and other specified buyers and owners with funds recovered in the *In re Sanctuary Belize Litigation* matter. The Compensation Plan will be implemented by the Receiver. At this stage, buyers and owners must file a completed Claim Application by the **December 12, 2022** deadline to be eligible to participate in the Compensation Plan.

2. Has the Court approved the Compensation Plan?

The Court has entered an [Order](#) approving the initial steps of the Compensation Plan. For now, here are the things the Court has directed the Receiver to do:

- (1) Send notices to buyers and owners about the Compensation Plan,
- (2) Conduct information sessions to provide buyers and owners with more information and answer questions,
- (3) Distribute, collect, and review Claim Applications, and
- (4) Let people know about their eligibility under the Compensation Plan.

Other parts of the Compensation Plan – for example, how and when payments will be distributed, and options to keep a lot – remain under the Court’s consideration and haven’t yet been approved.

3. When will the Court approve the remaining portions of the Compensation Plan?

At this stage, we don’t know. The Court has directed the Receiver to file a report by March 13, 2023, with an update on the initial completed steps of the Compensation Plan. The Receivership Team isn’t authorized to move forward with the remaining components of the Plan – including making any payment distributions and offering lot ownership options – until the Court says so. It’s uncertain when that might be, but the Receivership Team will provide additional information as it becomes available.

4. Has the Compensation Plan changed since the FTC’s initial filing?

No. The Compensation Plan the FTC filed with the Court hasn’t changed. You can read the Plan on the *Helpful Resources* page of the Receiver’s website at www.SanctuaryBelizeReceivership.com.

Information Sessions

5. How can I access a recording of the information session about the Compensation Plan and the Claim Application process, as well as the related reference materials?

On October 11, 2022 at 2 p.m. ET, and October 13, 2022 at 7 p.m. ET, the Receiver held live information sessions on Zoom where lot buyers and owners were able to learn more about the Compensation Plan and the Claim Application Process. During the Zoom information sessions, the Receivership Team walked through helpful information relating to the Compensation Plan and the Claim Application process, and also showed related PowerPoint slides on the screen for consumers joining via computer. If you weren't able to attend either of the sessions – or would like to watch a session again -- a recording, along with the slide materials presented, are available on the *Helpful Resources* page of the Receiver's website at www.SanctuaryBelizeReceivership.com.

Consumer Eligibility

6. How do I know whether I'm eligible to participate in the Compensation Plan?

The [Compensation Plan](#) explains eligibility in detail. In general, if a buyer purchased a lot in Sanctuary Belize, Kanantik, or other covered development area, or has an ownership interest in one of the lots in those development areas, chances are good that they are eligible.

To be eligible, the buyer must have bought a lot in Sanctuary Belize, Kanantik, or other covered development area from the original developers named in the FTC's *In re Sanctuary Belize Litigation*, or acquired an interest in a lot from someone who bought it from those original developers.

There are a few reasons why a buyer or owner wouldn't be eligible, including, for example, if they received a full refund. Additionally, if a buyer or owner performed work for the original developers or received compensation from the original developers, they may not be eligible to participate in the Compensation Plan.

Regardless, the Claim Application is designed to gather the information from buyers and owners that is necessary to determine eligibility. We encourage you to file a completed Claim Application by the **December 12, 2022** deadline for each lot you bought or own.

7. What if I didn't receive a specific lot when I bought from the sellers named in the lawsuit?

In general, if a buyer had a contract with the original developers / defendants to buy a lot, but didn't receive a specific lot, chances are that they will be eligible under the Compensation Plan as long as they meet the other requirements of the Plan. The Claim Application is designed to gather information from lot buyers and owners that is necessary to determine eligibility. We encourage you to file a completed Claim Application by the **December 12, 2022** deadline for each lot you bought.

8. How does the Compensation Plan apply to lot purchasers who paid in full for their lot? Will lot purchasers who paid in full be eligible to receive compensation?

Lot purchasers who paid for their lots in full are generally eligible to participate in the Compensation Plan, as long as they meet the other requirements of the Plan.

The Claim Application is designed to gather information from lot buyers and owners that is necessary to determine eligibility. We encourage you to file a completed Claim Application by the **December 12, 2022** deadline.

9. How does the Compensation Plan consider buyers who partially paid for their lot? Are they eligible to receive compensation?

Buyers who partially paid for their lots are generally eligible to participate in the Compensation Plan, as long as they meet the other requirements of the Plan.

The Claim Application is designed to gather information from lot buyers and owners that is necessary to determine eligibility. We encourage you to file a completed Claim Application by the **December 12, 2022** deadline.

10. How does the Compensation Plan consider Kanantik lot buyers and owners?

Kanantik buyers and owners are generally eligible to participate in the Compensation Plan, as long as they meet the other requirements of the Plan.

The Claim Application is designed to gather information from lot buyers and owners that is necessary to determine eligibility. We encourage you to file a completed Claim Application by the **December 12, 2022** deadline.

11. If I bought a lot located outside of Sanctuary Belize or Kanantik, am I still eligible to participate in the Compensation Plan?

A small number of people may have eligible claims under the Compensation Plan because they bought lots from the original developers / defendants elsewhere in Belize, or in Costa Rica, the Dominican Republic, and possibly another country. To the extent that they meet all other eligibility requirements, the Compensation Plan treats those people the same as Kanantik lot buyers and owners.

The Claim Application is designed to gather information from lot buyers and owners that is necessary to determine eligibility. We encourage you to file a completed Claim Application by the **December 12, 2022** deadline.

Filing Your Claim Application

12. Why do I need to complete a Claim Application?

The FTC has previously highlighted that the Court-ordered Compensation Plan is your best chance to get compensation. The Compensation Plan requires buyers and owners to file a Claim Application to establish their eligibility and participate in the Plan.

Filing a Claim Application doesn't commit a buyer or owner to participate in the Plan. But if you don't file a completed Claim Application by the **December 12, 2022** deadline, you won't be eligible to participate in the Compensation Plan later. So there is no downside to filing a Claim Application to keep your options open at this initial stage.

13. When will the Claim Application be available?

By October 27, 2022, Claim Applications will become available, and the Receiver will distribute applications for each identified lot. Each Claim Application will include a Unique ID number for tracking purposes.

14. When is the deadline to file my Claim Application?

THE DEADLINE TO FILE YOUR CLAIM APPLICATION IS DECEMBER 12, 2022.

Under the Compensation Plan, to establish your eligibility and participate in the Plan, you must file your completed Claim Application by this deadline.

15. How will I know if the Receiver got my completed Claim Application?

The Receivership Team will tell you when they receive your Claim Application. The status of your Claim Application will also be available on the Claim Application Portal, which can be accessed at www.SanctuaryBelizeReceivership.com.

16. How do I complete my Claim Application?

File your Claim Application through an easy-to-use online Claim Application Portal. Using the Portal will help ensure your Claim Application is filed by the deadline. It also will tell you the status of your Claim Application and whether any additional information or documents may be required. The Claim Application Portal is available at www.SanctuaryBelizeReceivership.com.

For more information on how to register, setup a Claim Application Portal Account, and complete the online Claim Application, please review the Claim Application Portal User Guide found on the *Helpful Resources* page of the Receiver's website at: www.SanctuaryBelizeReceivership.com.

While paper application forms will be available, we encourage you to file your Claim Application online. If you don't have access to a computer, please consider asking a family member or friend to help. The online Claim Application Portal is the best way to file your Claim Application without delay.

But if you still want to file a paper application, please contact the Receiver as soon as possible. Completed paper Claim Applications must be postmarked by **December 12, 2022**.

17. How can I access the online Claim Application Portal and get to my Claim Application?

By October 27, 2022, the Receivership Team will send a notice to all consumers with a link to the online Claim Application Portal. The Claim Application will be available on the Portal. Additional instructions will be provided along with the Claim Application. The Notice also will include a Unique ID number for tracking purposes.

For more information on how to register, setup a Claim Application Portal Account, and complete the online Claim Application, please review the Claim Application Portal User Guide found on the *Helpful Resources* page of the Receiver's website at: www.SanctuaryBelizeReceivership.com.

18. How do I complete a Claim Application?

The online Claim Application is designed to be user-friendly and easy to get through. If you have any questions while completing your Claim Application, please contact the Receivership Team.

19. What information and documentation do I need to include in the Claim Application?

A completed Claim Application will generally require information about the buyer's / owner's interest in the lot and payments they made to purchase the lot. In cases where this information is available in the Receivership entities' business records, the Receivership Team will include it in the Claim Application for the buyer or owner to review and verify.

We encourage all buyers and owners to gather records now that will help them file the Claim Application by the **December 12, 2022** deadline. Examples of records that may be helpful in completing your Claim Application include:

- lot sales contracts,
- payments records,
- title records,
- any lot transfer documents, and
- any other correspondence or transaction documents related to the lot.

Depending on your situation, other records may also be necessary to complete your Claim Application. Additional guidance will be provided in the Claim Application and through the Claim Application Portal.

20. If I already filed paperwork with the former Receiver at Robb Evans & Associates, or with the current Receiver, do I still need to file a Claim Application?

Yes. All lot buyers and owners who want to participate in the Compensation Plan must file a Claim Application. The Claim Application you receive will likely have some parts already filled in based on information available from the Receivership's business records. However, it's possible that the Receivership Team may ask you for documents you previously sent, or for new information. Because of this, we encourage you to gather records now that will help you file the Claim Application by the **December 12, 2022** deadline.

21. If I bought multiple lots, do I need to complete a Claim Application for each lot?

Yes. If you bought more than one lot, you must complete a separate Claim Application for each lot. The Receivership Team should be providing you with a separate Claim Application for each lot. Each Claim Application will have a Unique ID number for tracking purposes. If you do not receive a Claim Application for one of the lots you bought or have an ownership interest in, please contact the Receivership Team.

22. If I jointly bought and co-signed an agreement to buy a lot with somebody else, are we required to file one Claim Application for that lot?

Yes. If buyers / owners jointly bought and co-signed for a lot (for instance, as a married couple or business partner), and still maintain the joint ownership interest, they must file a single, joint Claim Application. The Claim Application Portal will include information on how to file a joint Claim Application.

23. What happens if a co-signor to the purchase agreement for my lot is deceased?

If an individual who co-signed for the purchase of your lot is deceased, you (and any other lot buyer(s) who co-signed) must submit a single, joint Claim Application. The legal representative of the decedent's estate or the current owner of the decedent's interest must be part of the joint Claim Application. The Claim Application Portal will include additional information about supporting documentation that will be needed.

24. What happens if I no longer have a formal legal relationship with a co-signor to the purchase agreement of my Eligible Lot (for instance, if we are divorced or went through a business dissolution)?

Generally, if a lot buyer or owner no longer has a formal legal relationship with the co-signor of the lot that was purchased, they will still be required to coordinate with the other co-owner(s) in order to file a single, joint Claim Application. However, if one of the co-signors to the original purchase agreement legally assigned their interest to someone else, the Claim Application will provide an opportunity for the person filling out the application to explain the assignment and provide supporting documents. The Claim Application Portal will include additional information about supporting documentation that will be needed.

25. What happens if one of the co-signors for the purchase of my lot assigned his or her interest in the lot to me?

If any of the original co-signors for the purchase of the lot later assigned their interest to the person submitting the Claim Application, the application will provide an opportunity to explain the assignment and provide documentation showing the details of the transfer. The Claim Application Portal will include additional information about supporting documentation that will be needed.

Claim Application Deficiencies

26. What does it mean if the Receivership Team notifies me that my Claim Application is deficient?

A Claim Application is deficient if it's missing information or documentation required by the Compensation Plan to determine things like a buyer's / owner's eligibility or future compensation amount.

If the Receivership Team contacts you about a deficiency in your Claim Application, please provide the requested information or documentation as soon as possible. Your Claim Application won't be considered complete until you provide the necessary information and/or documentation. After meeting the **December 12, 2022** deadline to submit your application, you will have until January 10, 2023 to resolve any deficiencies. In order to remain eligible under the Compensation Plan, please plan to respond to the Receivership Team as quickly as possible.

27. How long do I have to resolve potential Claim Application deficiencies?

You should resolve any potential Claim Application deficiencies as soon as possible to help ensure your completed Claim Application is filed in time. After meeting the **December 12, 2022** deadline to submit your application, you will have until January 10, 2023 to resolve any deficiencies. In order to remain eligible under the Compensation Plan, please plan to respond to the Receivership Team as quickly as possible.

28. How will I know if the Receiver received my supplemental information or documentation filed in response to a Claim Application deficiency notice?

The Receivership Team will let you know once they receive the supplemental information and documentation you send to us in response to a Claim Application deficiency notice.

29. What if I don't have supporting documentation asked for in the Claim Application or requested by the Receivership Team?

If you don't have the documentation required as part of the Claim Application process, you may file a sworn declaration in its place. The declaration should provide a clear explanation of: (1) why the documentation isn't available; and (2) what the missing documentation would have established. If it is necessary for you to provide a written declaration, it should include the name of the lot purchaser, as well as the unique Claim Application identification number and related lot description at the top. The declaration should also indicate that it is true and correct to the best of the applicant's knowledge and belief, and be signed by the person submitting it.

Claim Application Status and Dispute Process

30. When will I hear from the Receiver about my Eligibility under the Compensation Plan?

By February 9, 2023, the Receivership Team will notify all of those who filed Claim Applications about whether they are eligible to participate in the Compensation Plan.

31. What happens after I get notice of my eligibility status after I file a completed Claim Application?

The Receiver will file a progress report with the Court by March 13, 2023. The Receiver isn't authorized to move forward with the remaining components of the Compensation Plan – including making payment distributions and offering lot ownership options – until the Court says so. Right now, we don't know when the Court will address the remaining components of the Plan, but the Receiver will provide more information as soon as it becomes available.

32. What happens if my Claim Application is denied?

If your Claim Application is denied, and you believe you are eligible under the terms of the Compensation Plan, you may challenge the decision by sending a dispute notice to the Receiver and to the FTC.

33. What must a Dispute Notice include and how should I submit it?

After eligibility notifications are distributed, if you decide to file a written dispute notice to challenge a decision, the Compensation Plan requires that you send it both to the Receiver and to the FTC. The Receivership Team will provide more guidance on related procedures, but the dispute notice will generally be required to:

- (1) identify the decision the buyer / owner believes is unreasonable;
- (2) include a declaration explaining in detail why the buyer / owner believes the decision is unreasonable or inconsistent with the Compensation Plan and how the decision adversely affects the buyer / owner;
- (3) clearly describe the relief the buyer / owner wants; and
- (4) enclose any supporting evidence necessary to evaluate the dispute.

Lot Locations & Title

34. How can I check on my lot location in Sanctuary Belize or Kanantik?

Based on existing Receivership business records, available Sanctuary Belize and Kanantik subdivision maps will be posted on the Receiver's website at www.SanctuaryBelizeReceivership.com by October 27, 2022. While the maps (showing lot numbers) will remain available to assist buyers and owners in completing their Claim Applications, considering the Court's findings regarding the fraud scheme perpetrated

by the original developers / defendants, the accuracy of the subdivision maps (and lot assignments) will be subject to additional verification.

35. How do I know if I hold title to my lot? What is a Transfer Certificate of Title (TCT)? Should I have a TCT?

A Transfer Certificate of Title, or TCT, is the Belizean equivalent of a land deed in the United States. If a buyer / owner holds legal title to their lot, they should have received (or be entitled to receive) a TCT from the government of Belize.

Determinations, Compensation, & Consumer Options

36. When can I expect to hear my options about lot ownership and participation in any future potential development plan in connection with the Belize properties?

The Court's August 18, 2022 Order allows the Receiver only to determine whether consumers are eligible to participate in the Compensation Plan. At this time, the Receiver isn't authorized to move forward with the remaining components of the Compensation Plan – including making payments and offering lot ownership options – until the Court says so. Right now, we don't know when the Court will address the remaining components of the Plan, but the Receiver will provide more information as soon as it becomes available.

37. When can I expect to receive compensation and how much compensation will I receive?

Under the Court's August 18, 2022 Order, the Receiver is not yet authorized to make payment determinations and distributions to eligible buyers and owners. Right now, we don't know when the Court will address the remaining components of the Plan, but the Receiver will provide more information as soon as it becomes available.

38. What does the term "Amount Paid" mean under the Compensation Plan, and how will it be applied?

Under the Compensation Plan, each lot buyer / owner will receive a pro rata share of assets collected by the FTC or Receiver associated with the development area in which they bought (for example, Sanctuary Belize or Kanantik). Distribution based on a pro rata share means eligible owners / buyers can expect to recover cash proportional to the payments they made relative to all of the other eligible lot buyers and owners. According to the Compensation Plan, your pro rata share will be based on the amount paid for each lot, factoring in any potential refunds or sales proceeds received if the lot was later sold. The amount paid categories under the Compensation Plan generally include: principal, interest, Belize general sales tax, and HOA fees. The amount paid categories don't include any transaction costs or payments related to improvements made on the land.

Based on a review of available records, the Claim Application will include a good faith estimate of what the Receivership Team believes the buyer or owner has paid based on

a review of available corporate records. Buyers and owners will have the opportunity to accept the amounts calculated by the Receiver, or to challenge those amounts by providing supporting information and documentation.

More Resources

There are several resources available on the Receiver's website with helpful information on the Claim Application process, including:

- [The Compensation Plan](#);
- The [Court's Order](#) approving parts of the Compensation Plan; and
- [Claim Application Portal User Guide](#) for instructions on how to register, setup a Claim Application Portal Account, and complete the online Claim Application.

Additionally, if you have questions or would like additional information, please use any of the following ways to contact the Receivership Team:

- **Recommended:** Go to the Receiver's website at www.SanctuaryBelizeReceivership.com, and click onto the "Contact Us" button
- Send an Email to: info@sanctuarybelizereceivership.com
- Call the Claim Application Helpline: 1-856-246-5171 (8:00am ET - 6:00pm ET)
- Mail to:

Ankura Consulting Group, LLC
2000 K Street NW, 12th Floor
Washington, DC 20006
Attention: Sanctuary Belize Receiver