

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES



**ADAM H. PUTNAM
COMMISSIONER**

**DANCE STUDIO
REGISTRATION PACKAGE**
Chapter 501.143, Florida Statutes
5J-8.003

Florida Department of Agriculture and Consumer Services
Florida Dance Studio Registration Package

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Florida Department of Agriculture and Consumer Services Florida Dance Studio Registration Package

Section 501.143, Florida Statutes, the Dance Studio Act requires ballroom dance studios or individuals offering ballroom dance studio lessons or services in Florida to register annually with the Department of Agriculture and Consumer Services. In addition, if the dance studio or individual has been in business for less than three years and receives or requires an advance payment in excess of \$250 or receives payments in installments, it must post a surety bond, letter of credit or certificate of deposit. This law also requires that all contracts for dance studio services or lessons be in writing and contain certain consumer protection clauses.

Enclosed is a Dance Studio registration package. Please complete the registration form and return it with a check for \$300, a security document in the appropriate amount, and a copy of the written contract to the Department of Agriculture and Consumer Services, Division of Consumer Services, (Attn: Dance Studios), Post Office Box 6700, Tallahassee, Florida 32399-6700. The registration package must be received by our office within 30 days if it is determined that you are subject to the registration requirements.

PLEASE BE ADVISED that it is a violation of Section 501.143, Florida Statutes, for any ballroom dance studio in Florida to conduct business without registering annually with the Department. If you are engaged in the sale of ballroom dance services or lessons, you are advised to cease such activity until you are properly registered. If you are subject to this law, you should be aware that failure to comply may subject you to injunctive and other relief, including fines up to \$5,000 per violation.

The annual license fee is \$300 **per location**. Please return to the Department: (1) the application form; (2) \$300 filing fee; (3) Copy of contracts for services or lessons; (4) Original surety bond, letter of credit or certificate of deposit in the amount of; (a) \$5,000 if the ballroom dance studio has been in business under the same ownership for less than 1 year; (b) \$10,000 if the ballroom dance studio has been in business under the same ownership for at least 1 year but less than 2 years; (c) \$15,000 if the ballroom dance studio has been in business under the same ownership for at least 2 years, but less than 3 years.

MEMBERSHIP CONTRACT REQUIREMENTS

Florida law requires all agreements made between dance studios and customers for ballroom dance services or lessons to be in writing. The law also requires the written contract to contain specific written provisions and a copy of the signed contract must be provided to the customer at the time the customer signs the contract. For your convenience, we have developed this informational checklist which provides a list of all contract provisions required by the Dance Studio Act. Please use this checklist to insure your contract conforms to Florida law [Chapter 501.143(4), F. S.].

1. Every contract for ballroom dance studio services or lessons must be in writing.
2. A copy of the contract signed by all parties must be provided to the customer at the time the customer signs it.
3. The contract must set forth the customer's total obligation for services or lessons.
4. The contract must contain a written statement detailing the hourly or lesson rate charged for lessons. If more than one type of lesson is purchased by the customer, or if different rates are charged for different types of lessons, the statement must disclose each type of lesson purchased and the hour or lesson rate for each.
5. In the event a dance studio cannot assign a specific hourly or lesson rate to its services or lessons, the dance studio must set the charges forth in specific terms in the written contract.
6. If the contract calls for payment to be made in installments, the dance studio must comply with the provisions of the Retail Installment Sales Act, Chapter 520, part II, Florida Statutes.
7. Each contract of a ballroom dance studio shall include the phrase "(Name of Firm) is registered with the State of Florida as a Ballroom Dance Studio Registration Number."
8. Every contract for services or lessons which are either paid for in advance or which the customer agrees to pay for installment payments must contain the following provisions in boldface type under conspicuous caption:
 - a. A provision for the penalty-free cancellation of the contract within 3 days, exclusive of holidays and weekends, of its making, upon the mailing or delivery of written notice to the ballroom dance studio. Written notice may be construed as any written expression of the customer to not be bound by the contract. The ballroom dance studio shall refund upon such notice all moneys paid under

the contract except the amount for ballroom dance studio services or lessons actually rendered or to have been rendered, by contract, during the number of days prior to the cancellation notice. A refund shall be issued within 20 days after receipt of the notice of cancellation made within the 3-day notice.

- b. A provision for the cancellation of the contract, if the buyer dies or becomes physically or mentally unable to avail himself of the dance studio lessons or services or if the lessons or services cease to be offered as stated in the contract, after 3 business days of its making and release from further payments upon notice of cancellation. After three business days the studio shall charge only for the dance instruction and dance instruction services actually furnished under the agreement plus a reasonable and fair service fee. The studio shall refund the balance in three equal monthly installments, to be completed within not more than ninety days after receiving notice of cancellation.

“Reasonable and fair service fee” means no more than 10 percent of the total contract price for contracts of \$1,000 and under. For contracts over \$1,000, “reasonable and fair service fee” shall mean no more than \$100 plus an amount equal to 5 percent of the total contract price over \$1,000 (not to exceed \$250 in total).

OTHER REQUIRED DOCUMENTS AND FEES

In order to process your application as quickly as possible, and avoid costly delays, please verify that all items listed below are included prior to sending:

- Completed registration application.
- \$300 fee (Make check payable to the Florida Department of Agriculture and Consumer Services). All fees are nonrefundable.
- Copy of **each membership contract** offered to the public. Requires contract provisions provided.
- Original copy** of bond, letter of credit, or guaranty agreement secured by a certificate of deposit (*if applicable*). Sample forms can be accessed online at www.800helpfla.com.

Please submit everything listed above (completed application; \$300 check or money order made payable to FDACS, copies of contracts, and security if applicable) to:

Florida Department of Agriculture and Consumer Services
Health Studio Program
P.O. Box 6700
Tallahassee, FL 32399-6700

SECURITY REQUIREMENTS

Do you need to post security?

Have you been in business for less than 3 years under the same ownership? Yes No

Do you require or receive advance payments from any customer in excess of \$250.00 or enter into retail installment contracts for payment by any customer for dance services or lessons? Yes No

If you answered **YES** to **BOTH** of the above questions then you must post an original security instrument in the appropriate amount with the Florida Department of Agriculture and Consumer Services as follows: (1) for dance studios operating less than 1 year, surety in the amount of \$5,000; (2) for dance studios operating 1-2 years, surety in the amount of \$10,000; (3) for dance studios operating 2-3 years, surety in the amount of \$15,000. A security instrument may be in the form of a surety bond, irrevocable letter of credit, or guaranty agreement secured with a certificate of deposit.

Florida Department of Agriculture and Consumer Services
Division of Consumer Services



ADAM H. PUTNAM
COMMISSIONER

**DANCE STUDIO
REGISTRATION APPLICATION**

Florida Dance Studio Act
Chapter 501.143, Florida Statutes
5J-8.003

1-800-HELP-FLA (435-7352) • 850-410-3800 *Calling Outside Florida*
www.800helpfla.com • 850-410-3804 *Fax*

Make check or money order
payable and remit application to:

FDACS
P.O. Box 6700
Tallahassee, FL 32399-6700

Note: All documents and attachments submitted with this application are subject to public review pursuant to Chapter 119, F.S.

Annual Registration Fee: \$300, Section 501.143(3)(d), Florida Statutes. Please submit a check or money order payable to the Department of Agriculture and Consumer Services. All fees are non-refundable. This application will be returned if it does not bear an authorized signature or is incomplete.

Business Information

Please Select one:

- New Filing Change of Owner Renewal

1. Legal Name of Dance Studio (include fictitious name or DBA):

2. Business Street Address (include APT or SUITE #):

City: _____ State: _____ Zip Code: _____

Mailing Address (if different from above):

City: _____ State: _____ Zip Code: _____

3. Telephone Number:
(_____) _____ - _____

Fax Number:
(_____) _____ - _____

Email Address: _____

Website: _____

4. Federal Employer ID Number (FEIN):
_____ - _____

State of Florida Sales Tax ID:

5. Name of Contact Person

Title of Contact Person:

Physical Street Address:

City: _____

State: _____ Zip Code: _____

Telephone Number:
(_____) _____ - _____

Org Code: 42100609000
EO: A2
Object Code: 001144 \$300.00

6. Ownership (please check one):

Corporation:

Legal Name of Corporation as Registered with the Department of State

Sole Proprietorship:

Last Name

First Name

M.I.

Partnership:

Last Name

First Name

M.I.

Last Name

First Name

M.I.

Other:

Please Describe

Owner's Street Address: (include APT or SUITE #):

City:

State:

Zip Code:

-

Owner's Mailing Address (if different from above):

City:

State:

Zip Code:

-

7. Information about Owners, Partners, or Officers

Enter the name and address of each individual owner, partner (if applicable), corporate officer and director (if applicable), and registered agent. Please indicate whether any of the individuals listed below have been convicted of a crime involving fraud, dishonest dealing, or any act of moral turpitude; or has not satisfied any fine or penalty arising out of any administrative or civil enforcement action brought by any governmental agency or private person based upon conduct involving fraud, dishonest dealing, or any violation of this section; or has had a judgment entered against her or him in any action brought under ss. 501.201-213, Florida Statutes, by the Department of Legal Affairs or brought under this section by the Department . Check **YES** or **NO**. If yes, provide on a separate sheet, the name of such person, the nature of the offense, the court having jurisdiction, the disposition of the offense, and the date of disposition.

<p>Name: _____</p> <p>Title: _____</p> <p>Address: _____</p> <p>City: _____</p> <p>State: _____ Zip Code: _____ - _____</p> <p>Telephone Number: (_____) _____ - _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Name: _____</p> <p>Title: _____</p> <p>Address: _____</p> <p>City: _____</p> <p>State: _____ Zip Code: _____ - _____</p> <p>Telephone Number: (_____) _____ - _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Name: <hr/> Title: <hr/> Address: <hr/> City: <hr/> State: Zip Code: <hr/> Telephone Number: () - <input type="checkbox"/> Yes <input type="checkbox"/> No	Name: <hr/> Title: <hr/> Address: <hr/> City: <hr/> State: Zip Code: <hr/> Telephone Number: () - <input type="checkbox"/> Yes <input type="checkbox"/> No
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Security Requirements

8. Type of Security *(please check one):*

If the ballroom studio has been in business under the same ownership for:

- **0 – 1 year:** Amount of security required is **\$5,000**
- **1 – 2 years:** Amount of security required is **\$10,000**
- **2 – 3 years:** Amount of security required is **\$15,000**

- Surety Bond (original enclosed or on file with the Department) *[s. 501.143(5)(a), F.S.]*
- Irrevocable Letter of Credit (original enclosed or on file with the Department) *[s. 501.143(5)(b), F.S.]*
- Certificate of Deposit (original enclosed or on file with the Department) *[s. 501.143(5)(b), F.S.]*

This Dance Studio is not subject to the security requirement of s. 501.143, Florida Statutes, because:

- This Dance Studio does not require or receive advance payments from any customer in excess of \$250.00, and does not enter into retail installment contracts for payment by any customer for dance services or lessons.
- This Dance Studio has operated for more than 3 years under the same ownership. This dance studio first registered with the Department on _____.
- date*

Certification

I certify that this applicant is aware of and complies with all of the requirements of ss. 501.143, F.S. and that I am authorized to execute this application on behalf of the above named entity or individual. I further affirm that the representations made in the attached application are true to the best of my knowledge.

<i>Prepared by (Print Name)</i>	<i>Title</i>
<i>Signature *</i>	_____ / _____ / _____ <i>Month Day Year</i>
<i>Phone Number (required)</i>	

*** Attests that person is authorized to complete application and the information provided is true and accurate.**