

18 NCAC 06A .2055 RELEASE OF FUNDS IN ESCROW ACCOUNT

(a) An escrow agent shall only release funds in the escrow account:

- (1) to the issuer if the minimum offering amount has been reached by the target date and the funds have been deposited in the escrow account; or
- (2) to an investor if:
 - (A) the minimum offering amount has not been reached by the target date;
 - (B) the issuer notifies the escrow agent pursuant to Rule .2054 of this Section with respect to an investor's cancellation of the investment; or
 - (C) the issuer terminates the offering for any reason prior to the minimum offering amount being reached by the target date.

(b) An escrow agent shall return investor funds in full and shall not reduce the funds returned by the amount of any fees, commissions, or expenses.

History Note: *Authority* G.S. 78A-17.1(a)(5); 78A-17.1(f); 78A-49(a); 78A-49(d); 78A-64; S.L. 2016-103, s.4.(a);
Eff. April 1, 2017.