



**SBA 504 Borrower Information Form**  
For use with all SBA 504 Loan Programs

OMBControlNo.:3245-0071  
Expiration Date: 12/XX/20XX

<b>Applicant Business Legal Name (OC <input type="checkbox"/> EPC<input type="checkbox"/>):</b>			
<b>Operating Business Legal Name (OC):</b>			
<b>DBA or Tradename (if applicable)</b>			
<b>Business TIN (EIN, SSN)</b>			
<b>Primary Industry / NAICS Code (6 digit):</b>		<b>Business Phone:</b>	
<b>Unique Entity ID used in SAM.gov, if any</b>		<b>Year began operations:</b>	
<b>Entity Type Check One:</b>	<input type="checkbox"/> Sole proprietor	<b>Special Ownership Type (Select all that apply):</b>	<input type="checkbox"/> Employee Stock Ownership Plan (ESOP)
	<input type="checkbox"/> Partnership		<input type="checkbox"/> 401(k) or ROBS 401(k) or Trust
	<input type="checkbox"/> C-Corp		<input type="checkbox"/> Cooperative
	<input type="checkbox"/> S-Corp		<input type="checkbox"/> Native-American Tribal-Owned Business
	<input type="checkbox"/> LLC		<input type="checkbox"/> Other _____
	<input type="checkbox"/> Other _____		
<b>Business Address (Street, City, State, Zip Code)</b> <i>Do not use P.O. Box address</i>		<b>Project Address, if different than Business Address</b> <i>(Street, City, State, Zip Code) Do not use P.O. Box address</i>	
<b>Primary Contact Name</b>			
<b>Primary Contact Email Address</b>			
<b># of existing employees (including owners, all part-time, full-time and all employees of domestic and foreign Affiliates – do not convert to FTE)</b>			
<b># of FTE jobs retained/saved in the next two years because of the loan (including owners)</b>			
<b># of new FTE jobs created in the next two years because of the loan (including owners)</b>			
<b>Purpose of the loan (i.e., Purchase Real Estate; Construction; Equipment; Eligible Debt Refinancing;)</b>			
<input type="checkbox"/> Land	\$ _____.	<input type="checkbox"/> Purchase existing building/Construction of Commercial Real Estate	\$ _____.
<input type="checkbox"/> Machinery and Equipment	\$ _____.	<input type="checkbox"/> FF&E	\$ _____.
<input type="checkbox"/> Debt refinancing with expansion	\$ _____.	<input type="checkbox"/> Debt refinancing without expansion	\$ _____.

**Applicant Ownership (Mandatory) and Demographic Information** – Identify all entities that own at least 20% of the Applicant, including the natural persons who own those entities, and at least 51% of the Beneficial Owners (as defined in SOP 50 10) of the Applicant. Attach a separate sheet if necessary.

Owner’s Legal Name (First, Middle, Last name)	Title	Ownership %	TIN (SSN/EIN)	Home Address (Street, City, State, Zip Code - No P.O. Box)

**Applicant Owner’s Demographic Information (Optional)** - Veteran/gender/race/ethnicity data is collected for program reporting purposes only. Disclosure is voluntary and will have no bearing on the loan application decision. A separate demographic information section should be completed for each individual who holds or controls 20 percent or more of the beneficial ownership in the Applicant small business.



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Owner's Legal Name (First, Middle, Last name)	
Owner's Position	
Veteran Status	<input type="checkbox"/> Non-Veteran; <input type="checkbox"/> Veteran; <input type="checkbox"/> Service-Disabled Veteran; <input type="checkbox"/> Spouse of Veteran; <input type="checkbox"/> Not Disclosed
Gender	<input type="checkbox"/> Male; <input type="checkbox"/> Female; <input type="checkbox"/> Not Disclosed
Race (more than 1 may be selected)	<input type="checkbox"/> American Indian or Alaska Native; <input type="checkbox"/> Asian; <input type="checkbox"/> Black or African American; <input type="checkbox"/> Native Hawaiian or Pacific Islander; <input type="checkbox"/> White; <input type="checkbox"/> Not Disclosed
Ethnicity	<input type="checkbox"/> Hispanic or Latino; <input type="checkbox"/> Not Hispanic or Latino; <input type="checkbox"/> Not Disclosed

*If any questions are answered "Yes" please provide details to the Lender/CDC in a separate attachment*

Question	Yes	No
1. Is the Applicant or if the Applicant is structured as an Eligible Passive Company (EPC) and Operating Company (OC), both the EPC and OC, or any Associate of the Applicant presently suspended, debarred, proposed for debarment, declared ineligible, voluntarily excluded from participation in a transaction by any Federal department or agency, or presently involved in any bankruptcy? <i>If yes, explain and provide relevant documents in Exhibit 25.</i>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the Applicant, any Associate of the Applicant, or any business owned by them or any Affiliates (per 13 CFR 121.301(f)), currently delinquent or have ever defaulted on a direct or guaranteed loan from SBA, or another Federal agency loan program (including, but not limited to USDA, B&I, FSA, FHA, EDA), or been a guarantor on such a loan? <i>If yes, provide relevant information in Exhibit 9.</i>	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the Applicant or any owner of the Applicant an owner of any other business? <i>If yes, list all such businesses (including their TINs), percentage of ownership, and describe the relationship on a separate sheet identified as addendum A.</i>	<input type="checkbox"/>	<input type="checkbox"/>
4. Is the Applicant or any Associate of the Applicant currently incarcerated serving a sentence of imprisonment imposed upon adjudication of guilty, or is under indictment for a felony or any crime involving or relating to financial misconduct or a false statement? <i>(if "Yes" the Applicant is not eligible for SBA financial assistance.)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>Initial here to confirm your response to question 4 (originally initialed, or an acceptable electronic signature, and not typed.)</i></b>		
5. Has the Applicant paid or committed to pay a fee to the Lender/CDC or a third party to assist in the preparation of the loan application or application materials, or has the Applicant paid or committed to pay a referral agent or broker a fee? <i>If "Yes" provide details to your Lender/CDC (the name of the third party and the amount of the fee). The Applicant is not required to obtain or pay for unwanted services.</i>	<input type="checkbox"/>	<input type="checkbox"/>
6. Are any of the Applicant's revenues derived from gambling, loan packaging, lending activities, lobbying activities, or from the sale of products or services, or the presentation of any depiction, displays or live performances, of a prurient sexual nature? <i>If "Yes," provide details under a separate attachment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is any sole proprietor, partner, officer, director, stockholder with a 10% or more interest in the Applicant an SBA employee or a Household Member of an SBA employee? ( <a href="#">13 CFR 105.204</a> ). "Household Member" means spouse and minor children of an employee, all blood relations of the employee and any spouse who resides in the same place of abode with the employee ( <a href="#">13 CFR §105.201(d)</a> ). <i>If "Yes," provide details under a separate attachment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
8. Is any employee, owner, partner, attorney, agent, owner of stock, officer, director, creditor or debtor of the Applicant a former SBA employee who has been separated from SBA for less than one year prior to the request for financial assistance? ( <a href="#">13 CFR 105.203</a> ). <i>If "Yes," provide details under a separate attachment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
9. Is any sole proprietor, general partner, officer, director, or stockholder with a 10% or more interest in the Applicant, or a household member of such individual, a member of Congress, or an appointed official or employee of the legislative or judicial branch of the Federal Government? ( <a href="#">13 CFR 105.301(c)</a> ). <i>If "Yes," provide details under a separate attachment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
10. Is any sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest in the Applicant, or a household member of such individual, a Federal Government employee or Member of the Military having a grade of at least GS-13 or higher (or Military equivalent)? ( <a href="#">13 CFR 105.301(a)</a> ). <i>If "Yes," provide details under a separate attachment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
11. Is any sole proprietor, general partner, officer, director, or stockholder with a 10% or more interest in the Applicant, or a household member of such individual, a member or employee of a Small Business Advisory Council or a SCORE volunteer? ( <a href="#">13 CFR 105.302(a)</a> ). <i>If "Yes," provide details under a separate attachment.</i>	<input type="checkbox"/>	<input type="checkbox"/>
12. Is the Applicant, any owner of the Applicant, or any business owned by them (Affiliates), presently involved in any legal action (including divorce)? <i>If yes, provide details in Exhibit 25.</i>	<input type="checkbox"/>	<input type="checkbox"/>



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**By Signing Below, You Make the Following Representations, Authorizations, and Certifications:**

## APPLICANT CERTIFICATION

By signing this application, the Applicant certifies that it complies with all Loan Program Requirements as defined in 13 CFR § [120.10](#), including but not limited to requirements in 13 CFR §§ [120.100](#), [120.110](#), [121.301](#), and 31 CFR § [285.13](#). The Applicant further certifies that the Applicant business is at least 51 percent owned and controlled by persons who are citizens of the U.S. or are Lawful Permanent Residents (provide copies of the USCIS Form(s) I-551 to your Lender/CDC for each person holding Legal Permanent Resident status) and that all SBA loan proceeds will be used in accordance with Loan Program Requirements. SBA or the Lender/CDC may request additional information to determine that an Applicant fulfills any eligibility requirement. SBA or a Lender/CDC processing a loan under delegated authority may accept as true the Applicant is eligible as certified. **By signing the application, the Applicant has certified that it fulfills all eligibility requirements.**

The authorized representative of the Applicant and the Operating Company represents, certifies, or authorizes the following:

- I have read the statements included in this form, including the Statements Required by Law and Executive Order, and I understand them.
- I certify that the information provided in this application and the information provided in all supporting documents and forms is true and accurate in all material respects. I understand that knowingly making a false statement to obtain a guaranteed loan from SBA is punishable under the law, including under 18 U.S.C. 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 U.S.C. 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a federally insured institution, under 18 U.S.C. 1014 by imprisonment of not more than thirty years and/or a fine of not more than \$1,000,000.
- I will comply, whenever applicable, with the hazard insurance, lead-based paint, civil rights, or other limitations set forth in SBA Loan Program Requirements.
- No holder of 50 percent or more of the ownership of the Applicant or OC is delinquent more than 60 days under the terms of any administrative order; court order; or repayment agreement requiring payment of child support.
- Applicant and OC are now current on all future federal, state, and local taxes, including but not limited to income taxes, payroll taxes, real estate taxes and sales taxes of the business, and will pay all Federal, state, and local taxes when they come due.
- All SBA loan proceeds will be used only for the Applicant business and only for business related purposes as specified in the loan application and approved by the Lender/CDC and/or SBA.
- I understand, acknowledge, agree, and consent that the Lender/CDC can share any tax information that I have provided and/or that the Lender/CDC has obtained from the Internal Revenue Service with SBA's authorized representatives, including authorized representatives of the SBA Office of Inspector General, for the purpose of compliance with SBA Loan Program Requirements and all SBA reviews.
- I acknowledge that the Lender/CDC will confirm the eligible loan amount using required documents submitted.
- The Applicant, together with all affiliates, is small under the applicable small business size standard (13 CFR 121.201 and Section 3(a)(5) of the Small Business Act [15 U.S.C. 631 et seq]. SBA or the SBA Lender/CDC may request additional information concerning the Applicant's size based on information supplied in the application or any other source.
- The Applicant is not engaged and will not engage in any activity that is illegal under federal, state, or local law or that can reasonably be determined to support or facilitate any activity that is illegal under federal, state, or local law, and none of the Applicant's direct, indirect, or future revenues, or revenues of any affiliated business(es) are derived from activities that are illegal under federal, state or local law, including activities that support the end-use of marijuana products, including leasing of collateral property to a third party that derives revenue from illegal activities. I authorize the SBA to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for programs authorized by the Small Business Act, as amended, and Small Business Investment Act, as amended.
- If applicable, the Applicant(s), the ESOP (or equivalent trust), and/or the 401(k) plan are in compliance with all applicable IRS, Treasury, and Department of Labor requirements and will comply with all relevant operating and reporting requirements.
- For any real estate to be purchased by loan proceeds and pledged as collateral for the loan or where the Applicant or OC is conducting business operations, the Applicant or OC are currently and will remain in compliance with all local, state, and Federal environmental laws and regulations and will continue to comply with these laws and regulations. Furthermore, they are unaware of any other actual or potential environmental hazards related to the collateral or business premises. They agree to fully indemnify Lender/CDC and SBA against all liabilities or losses arising from the contamination of the property before or during the term of the loan.
- The Applicant and/or OC will reimburse Lender/CDC for out-of-pocket expenses incurred in the making and administration of the loan.
- The Applicant and/or OC will maintain proper books and records, allow Lender/CDC and SBA access to these records, and furnish financial statements or reports annually or whenever requested by Lender/CDC.
- The Applicant and/or OC will post SBA Form 722, Equal Opportunity Poster, where it is clearly visible to employees, applicants for employment and the general public.
- SBA encourages the purchase, to the extent feasible, of American-made equipment and supplies.
- For debt refinancing, the debt being refinanced with the loan proceeds was used exclusively for the Applicant's business, including any credit card, HELOC, and/or debt on the Applicant's balance sheet; and
- During the life of the loan, the real estate pledged as Collateral for the Loan or where the Borrower or OC conducts its business operations will not be leased to or occupied by any business that Borrower or OC knows is engaged in any activity that is illegal under federal, state or local law or any activity that can reasonably be determined to support, promote, or facilitate any activity that is illegal under federal, state, or local law.
- The Applicant and OC will not, without Lender/CDC's prior written consent:
  - Make any distribution of company assets that will adversely affect the financial condition of the Borrower and/or OC.
  - Change the ownership structure or interests in the business during the term of the loan; and
  - Sell, lease, pledge, encumber (except by purchase money liens on property acquired after the date of the Note), or otherwise dispose of any of the Borrower's property or assets, except in the ordinary course of business.
- If this application is being submitted for an ALP Express Loan, Applicant certifies that the loan was not previously submitted to SBA and subsequently withdrawn by the CDC or declined or otherwise not approved by SBA.



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- The Applicant agrees that if the SBA approves this application, Applicant will not for at least two years hire an employee or consult anyone who was employed by the SBA during the one-year period prior to the disbursement of the debenture.
- The Applicant certifies that Applicant has not paid anyone connected with the Federal Government for help getting this financial assistance.
- The Applicant agrees to report to the SBA Office of Inspector General, 409 Third Street S.W., Washington, D.C. 20416, any Federal Government employee who offers assistance in return for any type of compensation to help get this application approved.
  - The Applicant understands that Applicant need not pay anybody to deal with SBA.
  - The Applicant also understands that a Certified Development Company may charge the Applicant a percentage of the loan proceeds as set forth in SBA regulations as a fee for preparing and processing the loan applications.
  - The Applicant agrees to pay for or reimburse the CDC or the SBA for the cost of any surveys, title or mortgage examinations, appraisals, etc., performed by non-SBA personnel provided that I have given my consent.
- The Applicant understands that regulations issued by the SBA prohibit the making of loans to relocate any operations of a small business that will cause a net reduction of one-third or more in the workforce of the Applicant company or a substantial increase in unemployment in any area of the country. In the event that proceeds from this loan are used to relocate an EPC/OC (including any affiliate, subsidiary or other business entity under direct, indirect or common control), the undersigned certifies that such relocation will not significantly increase unemployment in the area of the original location.
- If the Applicant's business exceeds the small business size standard by more than 25%, the Applicant agrees to use SBA's financial assistance within a labor surplus area.
- No overlapping relationship exists between the Applicant, including its Associates, and the CDC, including its Associates, or any other lender providing financing for the project, that could create an appearance of a conflict of interest as defined in 13 C.F.R. §120.140 or violate 13 C.F.R. § 120.851. No such relationships existed within six months of this application or will be permitted to exist while assistance is outstanding.
- The Applicant authorizes disclosure of all information submitted in connection with this application to the financial institution agreeing to participate with SBA's guaranteed debenture.
- The Applicant authorizes disclosure of all information in SBA's possession (whether information in SBA's current possession or information that SBA may later possess) related to Applicant to the CDC.
- The Applicant waives all claims against SBA and its consultants for any management and technical assistance that may be provided.
- In consideration for assistance from the Small Business Administration, the Applicant agrees that Applicant will comply with all Federal laws and regulations to the extent that they are applicable to such assistance, including conditions set forth in this application.
- Neither the Authorized Representative signing below, nor any of the Applicant's owners, managers, or anyone who directs the business, or any of their spouses or members of their households, work for the SBA, an SBA small business advisory council, or SCORE, any Federal agency, or the participating lender. If someone does, the name and address of such person and where employed is provided on an attached page.
- The U.S. Small Business Administration (SBA) is hereby authorized to release any and all information about my existing SBA Loans to the Lender/CDC processing this loan application. I understand that information released may include, but may not be limited to, information relating to my loan amount and payment transactions history, and/or the provision of copies of my loan documents, which may contain non-public information relating to all obligors and/or guarantors (if applicable).

Legal Name of Applicant Business: \_\_\_\_\_ EPC or OC: \_\_\_\_\_

DBA/Trade Name (if applicable): \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name of Authorized Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Attested By: \_\_\_\_\_ (seal, if required)

Legal Name of Business: \_\_\_\_\_ EPC or OC: \_\_\_\_\_

DBA/Trade Name (if applicable): \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name of Authorized Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Attested By: \_\_\_\_\_ (seal, if required)

Each Associate of the Applicant must sign below. Each individual should only sign once. Attach additional signature pages if needed.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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Print Name: \_\_\_\_\_



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## **Purpose of this form:**

The purpose of this form is to collect information about the Small Business Applicant (“Applicant”) and its owners, the loan request, existing indebtedness, information about current or previous government financing, and certain other topics. The information also facilitates background checks as authorized by section 7(a)(1)(B) of the Small Business Act, 15 U.S.C. 636(a)(1)(B). Submission of the requested information is required for SBA or the Lender/CDC to determine eligibility for financial assistance. Failure to submit the information would affect that determination.

## **Instructions for completing this form:**

A separate SBA Form 1244 for each co-Applicant(e.g., EPC and OC) must be completed and signed by the authorized representative of the Applicant and **submitted to your SBA Participating Certified Development Company**. The amounts of the “Purpose of the loan” sections across all SBA Forms 1244 should equal the total amount of the loan request. Submission of the requested information is required to make a determination regarding eligibility for financial assistance.

For purposes of reporting NAICS Code, Applicants must match the business activity code provided on their IRS income tax filings, if applicable.

All parties listed below are considered Owners of the Applicant:

- For a sole proprietorship, the sole proprietor;
- For a partnership, all general partners, and all limited partners owning 20% or more of the equity of the firm;
- For a corporation, all owners of 20% or more of the corporation;
- For limited liability companies, all members owning 20% or more of the company; and
- Any Trustor (if the Applicant is owned by a trust).

## **For purposes of reporting (optional) demographic information:**

**Purpose.** Veteran/gender/race/ethnicity data is collected for program reporting purposes only.

**Description.** This form requests information about each of the Applicant’s owners. Add additional sheets if necessary.

1. **Owner’s Legal Name.** Insert the full name of the owner.
2. **Owner’s Position.** Identify the owner’s position; for example, sole proprietor; general partner; owner; officer; director; or member.

## **Statements Required by Law and Executive Order**

This application and any assistance provided pursuant to this application is subject to the following laws, regulations, and Executive Orders:

**Paperwork Reduction Act** - You are not required to respond to this collection of information unless it displays a currently valid OMB Control Number. The estimated time for completing this application, including gathering data needed, is 31 minutes. Comments about this time or the information requested should be sent to: Small Business Administration, Director, Records Management Division, 409 3rd St., SW, Washington DC 20416, and/or SBA Desk Officer, Office of Management and Budget, New Executive Office Building, Washington DC 20503. **PLEASE DO NOT SEND FORMS TO THESE ADDRESSES.**

**Federal Funding Accountability and Transparency Act of 2006, as amended (31 U.S.C. 6101 Note)** - SBA routinely publishes information related to this loan application (e.g., name and address of borrower, amount of loan) on USAspending.gov, as required by the Federal Funding Accountability and Transparency Act of 2006, as amended.

**Privacy Act (5 U.S.C. 552a); Collection of Social Security Number (31 U.S.C. 7701 et seq.)** - *Authorities and Purpose for Collecting Information:* SBA is collecting the information on this form, including social security numbers and other personal information, to make a character and credit eligibility decision in connection with you or your company’s application for SBA assistance. SBA may also use social security numbers for the purpose of collecting and reporting on any delinquent fees or other amounts owed SBA.

Under the provisions of 31 U.S.C. § 7701, the applicant business and any guarantor of the loan are required to provide their social security numbers, or other taxpayer identification numbers, in order to do business with SBA. Failure to provide this information would affect your ability to obtain a 504 loan. For other individuals signing this application, the submission of the social security number is voluntary and failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. However, in evaluating whether the applicant satisfies the criteria for a 504 loan under section 501 et seq. of the Small Business Investment Act, 15 U.S.C. § 695 et seq., SBA considers whether the applicant and each of its Associates possess good character. In making this determination, SBA considers the person’s integrity, candor, and criminal history if any. SBA is authorized, through section 308(f) of the Small Business Investment Act, to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B) of the Small Business Act, 15 U.S.C. §636(a)(1)(B). In addition, for all forms of assistance, SBA is authorized to make all investigations necessary to ensure that a person has not engaged in acts that violate or will violate the Small Business Investment Act, see 15 U.S.C. §687b(a). In conducting the criminal background check, SBA also uses your social security number to distinguish you from other individuals with the same or similar name or other personal identifier. This use is permitted under Executive Order 9397.

*Routine Uses:* Some of the information collected may be checked against criminal history indices of the Federal Bureau of Investigation. When the information collected indicates a violation or potential violation of law, whether civil, criminal, or administrative in nature, SBA may refer it to the appropriate agency, whether Federal, State, local, or foreign, charged with responsibility for or otherwise involved in investigation, prosecution, enforcement



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or prevention of such violations. See SBA's Privacy Act System of Records, at 74 Fed. Reg. 14890 (2009) (as amended from time to time) for other published routine uses for the collected information.

**Right to Financial Privacy Act of 1978 (12 U.S.C. § 3401 et seq.)** - As required by the Right of Financial Privacy Act of 1978, SBA provides this notice of SBA's right to access financial records held by financial institutions that are or have been doing business with you or your business, including any financial institutions participating in a loan or loan guarantee. The law provides that SBA shall have a right of access to your financial records in connection with its consideration or administration of assistance to you in the form of a Government loan or loan guaranty agreement. SBA is required to provide a certificate of its compliance with the Act to a financial institution in connection with its first request for access to your financial records, after which no further certification is required for subsequent accesses. The law also provides that SBA's access rights continue for the term of any approved loan or loan guaranty agreement. No further notice to you of SBA's access rights is required during the term of any such agreement.

The law also authorizes SBA to transfer to another Government authority any financial records included in an application for a loan, or concerning an approved loan or loan guarantee, as necessary to process, service or foreclose on a loan or loan guarantee or to collect on a defaulted loan or loan guarantee. No other transfer of your financial records to another Government authority will be permitted by SBA except as required or permitted by law.

**Disclosure of Information** - Requests for information about another party may be denied unless SBA has the written permission of the individual to release the information to the requestor or unless the information is subject to disclosure under the Freedom of Information Act. The Privacy Act authorizes SBA to make certain "routine uses" of information protected by that Act. One such routine use is the disclosure of information maintained in SBA's system of records when this information indicates a violation or potential violation of law, whether civil, criminal, or administrative in nature. Specifically, SBA may refer the information to the appropriate agency, whether Federal, State, local or foreign, charged with responsibility for, or otherwise involved in investigation, prosecution, enforcement or prevention of such violations. Another routine use is disclosure to other Federal agencies conducting background checks but only to the extent the information is relevant to the requesting agencies' function. See, 74 F.R. 14890 (2009), and as amended from time to time for additional background and other routine uses.

**Debt Collection Act of 1982 and Debt Collection Improvement Act of 1996 (5 U.S.C. § 5514 note and 31 U.S.C. § 3701 et seq.)** - These laws require SBA to aggressively collect any loan or other payments which become delinquent. SBA must obtain your taxpayer identification number when you apply for a loan. If you receive a loan, and do not make payments as they come due, SBA may take one or more of the following actions:

- Report the status of your loan(s) or other debt owed to SBA to credit bureaus
- Hire a collection agency to collect your loan or other delinquent debt
- Offset your income tax refund or other amounts due to you from the Federal Government
- Suspend or debar you or your company from doing business with the Federal Government
- Refer your loan or other delinquent debt to the Department of Justice or other attorneys for litigation
- Foreclose on collateral or take other action permitted in the loan instruments
- If you default on an SBA loan and fail to fully reimburse SBA for any resulting loss, refer you to the computer database of delinquent Federal debtors maintained by the Department of Housing and Urban Development, or other Federal agency, which may disqualify you from receiving financial assistance from other Federal agencies. In addition, unless SBA is reimbursed in full for the loss, you will not be eligible for additional SBA financial assistance.

**Freedom of Information Act (5 U.S.C. 552)** - This law provides, with some exceptions, that SBA must supply information reflected in agency files and records to a person requesting it. Information about approved loans that will be automatically released includes, among other things, statistics on our loan programs (individual borrowers are not identified in the statistics) and other information such as the names of the borrowers (and their officers, directors, stockholders or partners), the collateral pledged to secure the loan, the amount of the loan, its purpose in general terms and the maturity. Proprietary data on a borrower would not routinely be made available to third parties. All requests under this Act are to be addressed to the nearest SBA office and be identified as a Freedom of Information request.

**Flood Disaster Protection Act (42 U.S.C. 4011)** - Under this Act, and its implementing regulations, SBA is prohibited from providing financial assistance in a designated floodplain unless Federal flood insurance is purchased as a condition of the loan. Failure to maintain the required level of flood insurance makes the Applicant ineligible for any future financial assistance from SBA under any program, including disaster assistance.

**Executive Orders 11988 and 11990 -- Floodplain Management and Wetland Protection (42 F.R. 26951 and 42 F.R. 26961)** - SBA discourages settlement in or development of a floodplain or a wetland. This statement is to notify all applicants for SBA assistance that such actions are hazardous to both life and property and should be avoided. The additional cost of flood preventive construction must be considered in addition to the possible loss of all assets and investments due to a future flood.

**Executive Order 11738 -- Environmental Protection (38 F.R. 25161)** - The Executive Order charges the SBA with administering its loan programs in a manner that will result in effective enforcement of the Clean Air Act, the Federal Water Pollution Act and other environmental protection legislation. SBA must, therefore, impose conditions on some loans. By acknowledging receipt of this form and presenting the application, the Associates of all small businesses borrowing \$100,000 or more in direct funds stipulate to the following:

- That any facility used, or to be used, by the subject firm is not cited on the EPA list of Violating Facilities.
- That subject firm will comply with all the requirements of Section 114 of the Clean Air Act (42 U.S.C. 7414) and Section 308 of the Water Act (33 U.S.C. § 1318) relating to inspection, monitoring, entry, reports and information, as well as all other requirements specified in Section 114 and Section 308 of the respective Acts, and all regulations and guidelines issued thereunder.



## SBA 504 Borrower Information Form

For use with all SBA 504 Loan Programs

OMBControlNo.:3245-0071

Expiration Date: xx/xx/xxxx

- That subject firm will notify SBA of the receipt of any communication from the Director of the Environmental Protection Agency indicating that a facility utilized, or to be utilized, by subject firm is under consideration to be listed on the EPA List of Violating Facilities.

**Occupational Safety and Health Act (15 U.S.C. 651 et seq.)** - The Occupational Safety and Health Administration (OSHA) can require businesses to modify facilities and procedures to protect employees. Businesses that do not comply may be fined and required to abate the hazards in their workplaces. They may also be ordered to cease operations posing an imminent danger of death or serious injury until employees can be protected. Signing this form is certification that the applicant, to the best of its knowledge, is in compliance with the applicable OSHA requirements, and will remain in compliance during the life of the loan.

**Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 et seq.)** - Borrowers using SBA funds for the construction or rehabilitation of a residential structure are prohibited from using lead-based paint (as defined in Federal regulations) on all interior surfaces, whether accessible or not, and exterior surfaces, such as stairs, decks, porches, railings, windows and doors, which are readily accessible to children under 7 years of age. A "residential structure" is any home, apartment, hotel, motel, orphanage, boarding school, dormitory, day care center, extended care facility, college or other school housing, hospital, group practice or community facility and all other residential or institutional structures where persons reside.

**Civil Rights (13 C.F.R. 112, 113, 117)** - All businesses receiving SBA financial assistance must agree not to discriminate in any business practice, including employment practices and services to the public, on the basis of categories cited in 13 C.F.R., Parts 112, 113, and 117 of SBA Regulations. This includes making their goods and services available to handicapped clients or customers. All business borrowers will be required to display the "Equal Employment Opportunity Poster" prescribed by SBA.

**Equal Credit Opportunity Act (15 U.S.C. 1691 et sec.)** - The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit Applicants on the basis of race, color, religion, national origin, sex, marital status or age (provided that the Applicant has the capacity to enter into a binding contract); because all or part of the Applicant's income derives from any public assistance program, or because the Applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is the Federal Trade Commission, Equal Credit Opportunity, Washington, D.C. 20580.

**Executive Order 12549 as amended by E.O. 12689, Debarment and Suspension (2 C.F.R. 180, adopted by reference in 2 C.F.R. Part 2700 (SBA Debarment Regulations))** - By submission of this loan application, you certify and acknowledge that neither you nor any Associates: (a) are presently debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a transaction by any Federal department or agency; (b) are formally proposed for debarment, with a final determination still pending; (c) are presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in the SBA Debarment Regulations; (d) have been convicted, or had a civil judgment rendered against you within the preceding three years for any of the offenses listed in the SBA Debarment Regulations, including 2 C.F.R. §180.800(a); or (e) have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default; or (f) are delinquent on any amounts due and owing to the U.S. Government or its agencies or instrumentalities as of the date of execution of this certification.

You further certify that you have not and will not knowingly enter into any agreement in connection with the goods and/or services purchased with the proceeds of this loan with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Transaction. All capitalized terms have the meanings set forth in 2 C.F.R. Part 180.

If you are unable to certify and acknowledge (a) through (d), you must obtain and attach a written statement of exception from SBA permitting participation in this loan. You further certify that you have not and will not knowingly enter into any agreement in connection with the goods and/or services purchased with the proceeds of this loan with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Transaction. All capitalized terms have the meanings set forth in 2 C.F.R. Part 180.

**The Build America, Buy America Act (BABAA) (41 U.S.C. §8301)** - The Build America, Buy America Act (BABAA) requires that no federal financial assistance for "infrastructure" projects is provided "unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States." Section 70914 of Public Law No. 117-58, §§ 70901-52. By submission of this loan application, you certify and acknowledge that if any SBA loan proceeds are used directly or indirectly for an infrastructure project, the iron, steel, manufactured products, and construction materials used in the construction of the infrastructure project are in full compliance with the BABAA requirements including: 1. All iron and steel used in the project are produced in the United States; 2. All manufactured products purchased with SBA financial assistance must be produced in the United States; and 3. All construction materials used in the construction are manufactured in the United States. Additionally, the Borrower will obtain from all Contractors, or Subcontractors, certifications or affirmations of their compliance with BABAA requirements for the project.



## SBA 504 CDC Information Form

Completed by CDC

OMB no. 3245-0071

Expiration Date: xx/xx/xxxx

<b>Name of Certified Development Company</b>	<b>CDC Number, Location ID, and FIRS No.</b>	
<b>CDC Point of Contact (Full Name)</b>	<b>CDC Phone Number</b>	<b>CDC POC Email</b>
<b>CDC or Contractor Underwriter Name</b>	<b>Underwriter Employment Status</b>	
	CDC Employee <input type="checkbox"/> Contractor <input type="checkbox"/>	
<b>Submission Method (Check if applicable)</b>	<b>CDC's Lead SBA Office</b>	
ASM <input type="checkbox"/> PCLP <input type="checkbox"/> ALP Express <input type="checkbox"/>		

<b>Name of Third-Party Lender (TPL)</b>	<b>TPL ID# (Location ID)</b>	
<b>TPL Point of Contact Full Name</b>	<b>TPL POC Phone Number</b>	<b>TPL POC Email</b>
<b>TPL Address</b>		
<b>Name of Interim Lender (IL) (If not the TPL)</b>	<b>Interim Lender ID# (Location ID)</b>	
<b>Interim Lender Point of Contact Full Name</b>	<b>IL POC Phone Number</b>	<b>IL POC Email</b>
<b>Interim Lender Address</b>		

<b>Applicant Business Name</b>	<b>Applicant Business SSN/Tax ID</b>	<b>Applicant NAICS Code</b>
<b>Is the Applicant an Eligible Passive Company</b>	<b>If the Applicant is an EPC, is the OC a:</b>	
Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> Guarantor <input type="checkbox"/> Co-Borrower	

1. Does the Applicant project involve debt refinancing?  Yes  No

If yes, with or without expansion?  With expansion  Without expansion

(a) If debt refinancing with expansion:

- Is the debt being refinanced the debt of the CDC or the TPL, or of affiliates of either?  Yes  No
- Is the CDC requesting an exception to the requirement that the new installment payment be at least 10% less than the existing installment amount(s)?  Yes  No
- Is the CDC requesting a waiver of the requirement that the 504 eligible fixed assets collateralizing any debt to be refinanced (or relating the portion of debt being refinanced in the case of partial refinance) also collateralize the 504 Loan?  Yes  No

If the answer to any of the questions in 1(a) above is "yes", then the application must be processed through SLPC and not through the PCLP CDC's delegated authority.

(b) If debt refinancing without expansion:

- Is the debt being refinanced the debt of the CDC or the TPL, or of affiliates of either?  Yes  No



**SBA 504 CDC Information Form**  
Completed by CDC

OMB no. 3245-0071  
Expiration Date: xx/xx/xxxx

- If the debt being refinanced is subject to a guarantee by a Federal agency, is the CDC requesting an exception to the requirement that the new installment payment be at least 10% less than the existing installment amount(s)?  Yes  No

If “yes”, then the application must be processed through SLPC and not through the PCLP CDC’s delegated authority.

- What size standard is the CDC using to qualify the application?  Industry  Alternative
- Is the Applicant located in a rural or urban area?  Urban  Rural
- Is the Applicant a New Business as defined in SOP 50 10?  Yes  No  
If no, how long has the business been in operation? \_\_\_\_\_
- Is the Applicant using project funds to relocate?  Yes  No
- If the project property is considered “Special Purpose” (as defined in SOP 50 10), has the Applicant or its affiliates received approval for a “Special Purpose” project previously?  Yes  No
- Are there any professional licensing requirements that the Applicant must comply with to operate the business? (If yes, provide copies of the licenses or expected timeline to obtain in Exhibit 22)  Yes  No
- Project Funding Sources and Uses<sup>1</sup>:  
Describe Project: \_\_\_\_\_

	SBA	Third Party Lender <sup>2</sup>	Borrower Contribution <sup>3</sup>	Other Source <sup>4</sup>	Totals
Land/Building Purchase	\$	\$	\$	\$	\$
Land only Purchase	\$	\$	\$	\$	\$
New Construction/ Remodeling/Building Improvement	\$	\$	\$	\$	\$
Machinery/Equipment	\$	\$	\$	\$	\$
Debt to be Refinanced	\$	\$	\$	\$	\$
Other Secured Debt to be Refinanced	\$	\$	\$	\$	\$
Eligible business expenses under Debt Refinancing	\$	\$	\$	\$	\$
Professional Fees (e.g., appraiser, architect, legal)	\$	\$	\$	\$	\$
Other Costs (e.g., construction contingency, interest on interim financing)	\$	\$	\$	\$	\$
Totals	\$	\$	\$	\$	\$

If there is an amount in the Other Source column in the table above identify the source and describe the nature of the funds (e.g. grant, line of credit, etc.): \_\_\_\_\_

<sup>1</sup> The 504 loan proceeds may be used to reimburse the Applicant for any expenditure it incurred that is directly attributable toward the Project; if the expenditure was for the land to be used in the Project, generally the Applicant must have acquired the land with financing for a term of 3 years or less and prior to applying to SBA for the 504 loan.  
<sup>2</sup> Any debt on the Project Party may be consolidated into the Third-Party Loan, but the consolidation must not improve the lien position of the lender on the pre-existing debt, unless the debt is a previous Third-Party Loan.  
<sup>3</sup> The borrower contribution must be cash or property that is part of the Project Property and must not be derived from an SBA loan program. If the contribution is borrowed, the interest rate must be reasonable and any lien on the project assets must be subordinate to the liens securing the 504 loan, and the loan must not be repaid at a faster rate than the 504 loan.  
<sup>4</sup> If the other source of financing is from a federal source, note that no more than 50% of eligible project costs can be from federal sources, whether received directly or indirectly through an intermediary.



**SBA 504 CDC Information Form**  
Completed by CDC

OMB No. 3245-0071

Expiration Date: xx/xx/xxxx



**SBA 504 CDC Information Form**  
Completed by CDC

OMB No. 3245-0071  
Expiration Date: xx/xx/xxxx

9. Does this project involve interim financing?  Yes  No

If yes, provide the dollar amount of interim financing \$ \_\_\_\_\_

10. Does the project create or retain the required number of jobs per debenture amount?  Yes  No

If no, is the project eligible based on the CDC's overall portfolio job ratio?  Yes  No

If no, is the project eligible under the 504 debt refinance without expansion alternative job goal?  Yes  No

11. What is the CDC's overall portfolio job ratio as of the date of its last Annual Report? \_\_\_\_\_

12. What Economic Development Objectives are Met by the Applicant Project (check all that apply)

Business District Revitalization

Business restructuring from Federally Mandated Policies Affecting the Environment

Changes Necessitated by Federal Budget Cutbacks or Base Closures

Community or Area Development

Enhanced Economic Competition

Expansion of Exports

Located in a HUBZone

Manufacturing Firm

Located in an Opportunity Zone

Reduce Energy Use By 10%

Reduces Unemployment in Labor Surplus Area

Renewable Energy Production

Rural Development

Sustainable Building Designs

Veteran-Owned Business

Women-Owned Business

Minority-Owned Business

13. If any of the boxes below are checked, the application must be submitted to SLPC and may not be processed under PLCP delegated authority. In addition, if one of the first four boxes below are checked, SBA Standards of Conduct Committee approval will be required prior to issuance of an E-Tran terms and conditions. If the last box below is checked, the Applicant must submit a statement of no objection from the pertinent department or military service in accordance with the procedures in SOP 50 10. Provide copies of the documents in Exhibit 26.

SBA employee, or the household member of an SBA employee, is a sole proprietor, partner, officer, director, or stockholder with a 10 percent or more interest of the Applicant. A "household member" of an SBA employee includes an SBA employee's spouse, minor children, blood relatives, and the blood relatives of the employee's spouse, who live in the same home as the employee.

Former SBA employee, who has been separated from the SBA for less than one year prior to the request for financial assistance, is an employee, owner, partner, attorney, agent, owner of stock, officer, director, creditor or debtor of the Applicant.

Member of Congress, or an appointed official or employee of the legislative or judicial branch of the Federal Government, is a sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest, or household member of such individual, of the Applicant.

A member or employee of an SBA small business advisory council or a SCORE volunteer is a sole proprietor, general partner, officer, or director of, or stockholder with a 10 percent or more interest in (or a household member of such individuals), of the Applicant.

Government employee of another department or agency of the Federal Government having a grade of at least GS-13 or higher is a sole proprietor, general partner, officer, or director of, or stockholder with a 10 percent or more interest in, (or household member of such individuals), the Applicant.



## SBA 504 CDC Information Form

Completed by CDC

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Expiration Date: xx/xx/xxxx

### Required Exhibits

Select and upload the applicable Exhibits into E-Tran

ASM CDCs must complete and upload Exhibits 1-2, 11-16, 19-28 into E-Tran (as indicated by an asterisk after the exhibit number) and retain all other exhibits in the loan file. Non-ASM CDCs must complete and upload all Exhibits applicable to the project. (Note: ALP CDCs must follow the requirements for exhibits depending on their current ASM status for both their ALP Express Loans and non-ALP Express Loans.)

PCLP CDCs must complete and upload Exhibits 1-2 and 11 into E-Tran and complete and retain Exhibits 3-10 and 12-28 in the loan file.

- Exhibit 1\*: A credit memorandum, which addresses all the issues that the current version of the SOP 50 10 requires to be addressed in the credit memorandum, including, but not limited to the CDC's credit analysis, a history and description of the business, and analysis of management ability (including a description of the qualifications and background of the Associates involved in day-to-day management of the business), and discussion demonstrating how the Applicant does not have credit available elsewhere. CDC must disclose in the Credit Memorandum whether the 504 application was previously submitted or declined by SBA.
- Exhibit 2\*: E-Tran terms and conditions. The CDC must upload into E-Tran the draft E-Tran terms and conditions reflecting the proposed terms of the Project.
- Exhibit 3: SBA Form 413, Personal Financial Statement (or equivalent) signed and current within 120 days for each proprietor, partner or stockholder with 20% or more ownership of the Applicant, and, if different, each owner with 20% or more ownership of the EPC, as well as copies of federal income tax returns for the last one year.
- Exhibit 4: Applicant Size Standard Determination.

Document how the Applicant qualifies under one of the following:

- A) Alternative Size Standard – Include balance sheets, income statements, and tax returns for the previous 2 years or the number of years the Applicant has generated revenue, whichever is less; OR
  - B) Industry Size Standard - Include balance sheets, income statements, and tax returns for the previous 3 years, or the number of years the Applicant has generated revenue, whichever is less.
- Exhibit 5: A balance sheet and income statement dated within 120 days prior to submission to SBA and an aging of the accounts receivable and accounts payable. If the Applicant is a new business, provide a proforma balance sheet with assumptions.
  - Exhibit 6: Projected, annualized income statement for the first two years after the loan is received along with assumptions used.
  - Exhibit 7: For a new business, a monthly cashflow analysis for the first 12 months of operation or for three months beyond the breakeven point (whichever is longer) together with assumptions used.
  - Exhibit 8:
    - Collateral securing the loan for each short-term and long-term loan that the business currently has outstanding or has planned for the next 12 months (other than the 504 loan). Please indicate whether each loan is current or delinquent.
    - A schedule of current debts. Include the original dates and amounts, monthly payments, interest rates, present balances owed, maturities, and to whom payable.
  - Exhibit 9: A schedule of any previous government financing received by the Applicant or any affiliated company of the Applicant as well as any Associate of the Applicant. Include the name of the agency (Federal, State or local), original date and amount, outstanding balance, status of the loan (current, delinquent, technical default, paid in full, or charged off), and collateral securing the loan.
  - Exhibit 10: The names of affiliated or subsidiary businesses (as determined under 13 C.F.R. § 121.301(f)) and their fiscal year-end financial statements and/or federal income tax returns for the last two years (or three years, if the industry size standard is being used to qualify under size standards).
  - Exhibit 11\*: A copy of key cost documents such as contractor costs, estimates, vendor quotes for machinery and equipment, etc. as well as an itemized listing of estimated professional fees (e.g., appraiser, architect, legal, etc.). Full or partially executed purchase/sale agreements must be provided.
  - Exhibit 12\*: An independent appraisal for project real estate (as required by SOP 50 10).
  - Exhibit 13\*: Environmental analysis (if applicable).
  - Exhibit 14\*: A letter of intent/term sheet from the Third-Party Lender stating the terms and conditions of its participation and the reason why it will not finance the entire project. For Loans made for debt refinancing, the TPL's letter must provide the certifications required by the current version of SOP 50 10 (or any successor provision thereto) related to debt refinancing.
  - Exhibit 15\*: USCIS verification of the USCIS status of any Lawful Permanent Resident who is an owner of 20% or more of the small business Applicant or any Associate (as defined by SBA regulations and policies) of the small business Applicant.



## SBA 504 CDC Information Form Completed by CDC

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- Exhibit 16: Credit reports for the Applicant and its owners) and affiliates who are guarantors.
- Exhibit 17: A completed SBA Form 159, Fee Disclosure Form and Compensation Agreement. (CDCs must upload the form into corporate governance repository in accordance with SOP 50 10 and must retain all SBA Forms 159 in their loan files.) In accordance with SOP 50 10, identify if the Small Business Applicant used any Agent (packager, loan broker, accountant, lawyer, etc.) to assist in (a) preparing the loan application or any related materials and/or (b) referring the loan to the lender.
- Exhibit 18\*: For "Debt Refinancing with Expansion:" Copies of the most current debt and lien instruments and transcript of account or equivalent for any debts being refinanced and certifications required for refinancing.
- Exhibit 19\*: For "Debt Refinancing Without Expansion:" CDC must obtain a copy of the transcript of account, or equivalent, for the Qualified Debt being refinanced and submit and/or retain it as required for refinancing.
- Exhibit 20\*: SBA Form 2481, "Historic Property Borrower Certification," if applicable, in accordance with SOP 50 10. SBA Form 2481 is required at time of application and must be included as part of this exhibit.
- Exhibit 22\*: If applicable, attach any professional licenses that are required to operate the business or describe the expected timeline and methods through which necessary licenses will be acquired (if applicable).
- Exhibit 23\*: Reserved
- Exhibit 24\*: Documents related to the Standards of Conduct Committee review or clearance of the Statement of No Objection.
- Exhibit 25\*: Identify all Applicant pending lawsuits or other legal actions (including divorce) and attach copies of the proceedings. CDC should provide comments on insurance coverage and a letter from the Applicant's attorney on the impact of the pending litigation.

### CDC Agreements and Certifications

- The CDC agrees that if SBA approves this application, it will not for at least two years after the disbursement of the debenture hire an employee or consult anyone who was employed by the SBA during the one-year period prior to the disbursement of the debenture.
- The CDC certifies that it does not own any stock or equity in the Small Business Applicant and that no Associate of the CDC, or close relative of an Associate of the CDC, is an officer, director or holder of any direct or indirect financial interest in the Small Business Applicant or has had an equity interest in the Small Business Applicant within 6 months prior to the date of the application.
- The CDC authorizes disclosure of all information submitted in connection with this application to the financial institution agreeing to participate with the SBA's guaranteed debenture or loan.
- The CDC certifies that it will comply with 13 C.F.R. Sections 112, 113, and 117 which prohibit discrimination on the grounds of race, color, sex, religion, marital status, handicap, age or national origin by recipients of Federal financing assistance; and will require appropriate reports and access to books and records.
- As consideration for any Management and Technical Assistance that may be provided, the CDC waives all claims against SBA and its consultants.
- The CDC certifies that it has not paid anyone connected with the Federal Government for help in getting this financial assistance. The CDC also agrees to report to the SBA Office of Inspector General, 409 3rd Str., SW, Washington, D.C. 20416 any Federal Government employee who offers in return for any type of compensation to help get this application approved.
- The CDC states, to the best of its knowledge and belief, that if any funds have been paid or will be paid to any person for influencing or attempting to influence any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, it shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with 13 C.F.R. Part 146. CDC acknowledges that submission of this disclosure is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352 and that any person who fails to file or amend a declaration required to be filed or amended shall be subject to a civil penalty in the amounts set forth in 13 C.F.R. §146.400.
- The CDC in consideration for assistance from SBA hereby agrees that it will comply with all Federal laws and regulations enforced to the extent that they are applicable to such assistance, including conditions set forth in this application.
- The CDC acknowledges that submission of false information to SBA, or the withholding of material information from SBA, can result in criminal prosecution under 18 U.S.C. § 1001 and other provisions, liability for treble damages under the False Claims Act, 31 U.S.C. §§ 3729-3733, debarment and suspension, lender enforcement remedies under 13 C.F.R. Part 120, and other consequences.
- The CDC certifies that the credit analysis related to this application has been reviewed and approved by the CDC Board of Directors.
- The undersigned certifies that all information in this application and the exhibits is true and complete to the best of his/her knowledge and is submitted to SBA so that the CDC and SBA can decide whether to approve this application.
- No CDC or Associate of CDC has a real or apparent conflict of interest with Applicant, any of Applicant's Associates, or any of the close relatives of Applicant's Associates.



## SBA 504 CDC Information Form Completed by CDC

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- No Associate of a CDC is incarcerated serving a sentence of imprisonment imposed upon adjudication of guilty, or is under indictment for a felony or any crime involving or relating to financial misconduct or a false statement, or has an adverse final civil judgment (in a case involving fraud, breach of trust, or other conduct) that would cause the public to question the CDC's business integrity.
- No CDC or any Associate of CDC has accepted funding from a source that restricts, prioritizes, or conditions the types of small businesses that CDC may assist under an SBA program or that imposes any conditions or requirements upon recipients of SBA assistance inconsistent with SBA's loan programs or regulations.
- None of the Loan proceeds will directly or indirectly finance purchase of real estate, personal property or services from CDC or an Associate of CDC.
- Neither the Applicant, an Associate of Applicant, close relative, nor household member of an Associate of Applicant is required to invest in CDC.
- None of the proceeds of the loan will be used to acquire space in project for which CDC has issued a real estate forward commitment.
- No employee of a community organization such as a certified development company or microlender (or a close relative or household member of such an individual) is a sole proprietor, general partner, officer, director, employee, attorney, agent, creditor or debtor, of, or has a financial interest in, the Applicant.
- No community organization or its officers or its directors have a significant financial interest in the Applicant unless the organization has been inactive in packaging SBA loans for at least two years prior to the application date.

For PCLP Loans, the PCLP CDC makes the following additional certification: The CDC hereby certifies that the information in this application is true and correct, to the best of its knowledge, and that it has exercised due diligence to obtain the true and correct information. The CDC is aware and acknowledges that the SBA review of this form is a quick look at eligibility intended to provide limited protection to SBA and the CDC from making an ineligible loan, and that if an SBA loan number is assigned and SBA later learns that the loan is not eligible, SBA may pursue any available remedy against the CDC including a suit to recover the amount of any money wrongfully paid by SBA and administrative actions under 13 C.F.R. Part 120, Subpart I.

CDC Official Signature: \_\_\_\_\_ Date of Signature: \_\_\_\_\_

CDC Official Name: \_\_\_\_\_ Official Title: \_\_\_\_\_

Attested By: \_\_\_\_\_

**Please Note:** The estimated burden for completing this form and exhibits is 2.25 hours for PCLP Loan and ALP Express Loan submissions, 2.5 hours for ASM submissions and 3.5 hours for non-ASM submissions. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments or questions on the burden estimate should be sent to U.S. Small Business Administration, Director, Records Management Division, 409 3<sup>rd</sup> Street, S.W. Washington, D.C. 20416 and/or SBA Desk Officer, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, DC 20503.