

PADD LOAN APPLICATION

Return completed application and all documents to the PADD Business Lending Department:

<u>bizloans@purchaseadd.org</u>

Questions: PADD Business Lending Department 270-251-6117

THE FOLLOWING DOCUMENTATION MUST BE RECEIVED AT THE TIME OF APPLICATION.

BUSINESS INFORMATION:

- PADD Business Application (can be found online at https://www.purchaseadd.org/businesses)
- Business Tax Returns for the last 3 years
- Business Year End Financial Statements for Last 3 Years
- Business Interim Financial Statements (Current within last 90 days)

-Profit and Loss Statement

-Balance Sheet

-Aging of Accounts Receivables

- -Aging of Accounts Payables
- Business Debt Schedule (include balance, interest rate, monthly payment, term)
- Business Projections with Assumptions for 1 Year showing the effect of financing (business expansion/acquisitions)

REQUIRED DOCUMENTATION FOR START UP BUSINESSES:

- Business Plan
- Financial Projections for 2 years with all assumptions with Pro Forma Balance Sheet
- Month by Month Cash Flow Projection

PERSONAL INFORMATION (for each individual with 20% or greater ownership)

- Personal Tax Returns for the last 3 years
- Personal Financial Statement (current within 90 days)
- Personal Information Sheet or Resume (personal information sheet found in application packet)

PROJECT COST INFORMATION

- Project Detail Worksheet (found in application packet)
- Purchase Agreement
- Construction Cost Proposals/Bids or Contracts
- Equipment Bids (if purchasing equipment)
- Full Equipment List (if using as collateral for non-purchase loan request)
- List of All Collateral to be Pledged with Estimated Value(s)

OTHER INFORMATION

- Affiliate Financial Statements and Federal Tax Returns for last 2 years (other businesses owned by borrowers with at least a 20% ownership)
- Franchise Information Franchise Agreement & FTC Disclosure Statement Provided by Franchiser
- IRS Form 4506-T

PADD FEES

The PADD requires an application fee to be collected at the time of application. This fee is nonrefundable. A check made payable to the PADD must be submitted with your application prior to the PADD processing your application. A breakdown of PADD origination and processing fees are listed on the following page.

SBA 504 loan fees and rates are set by the United States Small Business Administration. SBA fees cannot be waived by the PADD office.

Purchase Area Development District Loan Fee Disclosure:

PADD Loan Program Application Fees for Loan Requests of \$50,000 and Above:

-Application Fee \$250 (Non-Refundable) To Be Collected at Time of Application (*includes fees for credit reports and loan processing fees*)

-The borrower will also be responsible for the following fees if required for the processing of your loan:

- Recording Fees
- Attorney Fees Related to the Processing of Your Loan Request (Such As Loan/Closing Documentation, Mortgage Preparation, Title Opinions and/or Title Insurance, Chattel Searches, UCC Searches)
- Appraisal Fees
- Business Valuation Fees
- Environmental Fees
- Renewal Fees (UCC's, title statements, etc.)

Example:

Application Request:	\$100,000
Collateral Being Pledged:	Commercial Real Estate already owned by borrower
Program:	USDA, EDA
PADD Origination Fee:	\$250 (payable to PADD)
Appraisal Fee:	\$1,000 (payable directly to appraiser)
Title Search:	\$450 (payable to attorney)
Mortgage/Deed Prep:	\$500(payable to attorney)
Closing Documents Prep:	\$500 (payable to attorney)
Recording Fee:	\$80(payable to county clerk)

\$2,780

Total Fees Paid by Borrower:

Microloan (loans not to exceed \$50,000)

-Origination Fee of \$125 (Non-Refundable) of loan amount (includes fees for credit reports and loan processing fees)

-The borrower will also be responsible for the following fees if required for the processing of your loan:

- Recording Fees
- Attorney Fees Related to the Processing of Your Loan Request (Such As Loan/Closing Documentation, Mortgage Preparation, Title Opinions and/or Title Insurance, Chattel Searches, UCC Searches)
- Appraisal Fees
- Business Valuation Fees
- Environmental Fees
- Renewal Fees (UCC's, title statements, etc.)

Microloans Less Than \$4,500

-Origination Fee of 3% (Non-Refundable) of loan amount

-\$20 Credit Report Fee

The borrower will also be responsible for the following fees if required for the processing of your loan:

- Recording Fees
- Attorney Fees Related to the Processing of Your Loan Request (Such As Loan/Closing Documentation, Mortgage Preparation, Title Opinions and/or Title Insurance, Chattel Searches, UCC Searches)
- Appraisal Fees
- Business Valuation Fees
- Environmental Fees
- Renewal Fees (UCC's, title statements, etc.)

Fees that a 504 Borrower May be Charged

CDC Fees

(1) Processing fee (Packaging fee):

Up to 1.5% of the Net Debenture. Paid by Borrower to CDC.

(2) Closing Fee:

Maximum of \$2,500 may be financed from the debenture proceeds. CDC may charge a reasonable closing fee --sufficient to reimburse it for the expenses of its in-house or outside legal counsel, and other miscellaneous closing costs. Paid by Borrower.

(3) Servicing fee (monthly):

Minimum of 0.625%/year. Maximum of 2%/year Note: Maximum 1.5% for rural areas and 1% for everywhere else without prior SBA approval. Based on the unpaid principal balance of the loan – paid by Borrower to CDC (added to monthly SBA payment)

(4) Late fees:

Loan payments received after the 15th of each month may be subject to a late payment fee of 5% of the late payment or \$100, whichever is greater. Collected by CSA (Central Servicing Agent) on behalf of the CDC.

(5) Assumption fee:

Not to exceed 1% of the outstanding principal balance of the loan being assumed. Upon SBA's written approval-paid by Borrower to CDC.

CSA Fees (Central Servicing Agent)

Initiation fee:In accordance with the contract between the CSA and SBA.On-going fee:In accordance with the contract between the CSA and SBA.						
Underwriter's Fees:	Underwriter's fee for 20 and 25-year Debenture. Underwriter's fee for 10-year Debenture. Paid by Borrower to Underwriter.	Upfront fee of 0.4% Up front fee of 0.375%				
SBA Fees						

(1) SBA Guaranty Fee - (up-front fee): Refer to www.sba.gov for fee updates by fiscal year. One-Time Fee

(2) Annual Fee -- (Ongoing fee): Refer to www.sba.gov for fee updates by fiscal year.

Fee is adjusted annually by cohort year (based on date the individual loan was approved) and is charged on the unpaid principal balance of the loan.

(3) Participation Fee -- Senior Lienholder: 0.50 % of the senior mortgage loan -- One -time fee

A one-time fee from the Third Party Lender if in a senior lien position to SBA in the project. The fee may be paid by the Third Party Lender, CDC, or Borrower.

(4) CDC Fee (Annual Fee): On-going fee to SBA of 0.125% of the outstanding principal balance of the debenture

The fee must be paid from the servicing fees collected by the CDC and cannot be paid from any additional fees imposed on the Borrowers (loans approved by SBA after 9/30/1996).

(5)Funding Fee:

0.25% of the net Debenture Proceeds Changed to cover the costs incurred by the trustee, fiscal agent, and transfer agent.



LOAN APPLICATION

Please email or mail completed form to: bizloans@purchaseadd.org Purchase Area Development District PO Box 588, Mayfield, KY 42066

Amount Requested:

<u>COMPANY INFORMATION</u> (information about your operating business)											
Name of	Business:										
Physical <i>i</i>	Address:										
Telephon	e:						Cell:				
EIN:						We	eb Address:				
DUNS #:							Date Started:				
	➔ (Visit)	http:/	/fedgov.dnb.c	om/web	form to get	your f	free 9-digit DUI	NS # in a ma	atter of I	minutes	←
Type of B	Business:				Corporatio	n	□ Sole	Proprietorsh	nip		Partnership
# of Empl	loyees:		Estimated # of New Employees in Next 2 Years:								
Primary C	Competitors	:									
Main Clie	nts:										
Ownership / Officers											
IMPORT/	ANT! Have	there	e been any ch	ianges ii	n the last si	x mon	ths?	🗌 Ye	s		🗌 No
Name:					Title:				% Ow	ned:	
Name:					Title:		% Ov			ned:	
Name:					Title:		% Ow			ned:	
Name:					Title:				% Ow	ned:	
Certificat											
			stion below is cific information			ovide	details below of	or in a separa	ate exhi	ibit. Ask	your!
⊡ Yes	🗌 No					vnersh	nip interest in, c	or control of,	any oth	ner busir	iess?
🗌 Yes	🗌 No	2.	Is the busine	ess invol	ved in any	other	lawsuits at this	time?			
🗌 Yes	🗌 No	3.	Has the bus	iness ev	er filed for l	bankru	uptcy protection	ו?			
🗌 Yes	🗌 No	4.	Does the business now have, or has it ever had, an SBA loan?								
🗌 Yes	🗌 No	5.	Does the bu	siness h	ave any lie	ns, IR	S payment pla	ns, past due	taxes,	or judgn	nents?

Have you attempted to obtain credit from a bank or credit union?

Yes

No

If yes, list the name of the bank:

Brief explanation of why credit was not available:

											2
Current Lease Information											
🗌 Yes	🗌 No	Do yo	u have a leas	a have a lease for the space that your business currently occupies?							
Monthly Re	ent?			Lease Maturity: Square Feet:						e Feet:	
Will the bu	Will the business be in moving or in expanding to the new project property?										
New Project Property Information											
Project Pro	Project Property Address:										
Total Squa	re Footage	e:			Squ	are foot	age you	r business wil	l occupy:		
Tenant: If	there will b	be any t	enants (other	than yo	our busine	ss) in th	e prope	rty, provide the	e followir	ng informatior	below:
Name of Tenant						S/F Le	eased	Lease Expira	ation	Rent	
Source of I	Down Payr	nent:	🗌 Bus	iness C	ash	Personal Cash Gift					Gift
🗌 lf down	payment is	s borro	wed, state sou	irce:							
Expected (Closing Da	te:									
Real Estat	e Owners	hip Inf	ormation								
Owner(s):											
Type of Ov	vnership:					ation		Individual(3)	Partr	ership
			Trust		Othe	r:					
If the owne	er of the pro	oject pr	operty will be	a legal	entity, list	the owr	ers of th	ne entity below	v:		
Name:				-	Title:				Q	% Owned:	
Name:				-	Title:				C	% Owned:	
Name:				- -	Title:				C	% Owned:	
Name:					Title:				C	% Owned:	



Authorization To Release and Collect Information

Purchase Area Development District (PADD) 1002 Medical Drive Mayfield, KY 42066

I/We do hereby authorize the Purchase Area Development District to access and review information regarding my/our credit history and the proposed project. I/We understand the information will be used for verification of the credit application for small business financial assistance. I/We have been properly notified that the PADD will verify all statements through recognized credit reporting and/or other sources contained in the application.

By signing this release, I/We also authorize the PADD to discuss my/our past credit history and the proposed project with those necessary for the purpose of evaluating the loan application. In addition, I/we authorize the PADD to pull a credit report for the consumer reporting agency. I/We also acknowledge that , in case of an approved loan application, if I/we default on the loan to PADD, this information will be given to credit reporting agencies.

My/Our signature(s) below authorize(s) such inquiries by the Purchase Area Development District.

Applicant

Social Security Number

Social Security Number

Applicant

Applicant

Social Security Number

You may print and sign this form or sign electronically. By signing your name electronically on this Authorization to Release and Collect Information, you are agreeing that your electronic signature is the legal equivalent of your manual signature on this Authorization Form.



Personal Information Sheet

• **IMPORTANT!** This form must be completed in full by each officer, director, key employee, 20% or greater owner of the operating company and / or the real estate holding entity. Please make copies as needed.

Full Name							SS#	
	FIRST	FULL MIDDLE	MAI	DEN	LAST			
Date of Birth					Place of Birth	า		
	MONTH	DAY	YEAR			CITY		STATE
Phone #s							omail	
	RESIDENC	E	BUSINESS		CELL PHONE		eman	
Decidence A	طعممم							
Residence A		STREET, CITY, S	TATE, ZIP					FROM - TO
Previous Add	aress	STREET, CITY, S	TATE, ZIP					FROM - TO
Shouse's Ful	I Name						<u>\$</u> \$#	
Spouse's Ful	,	FIRST FUL			LAST		_ 50#	
Work Experie	ence (you n	nay substitute	e a resu	me)				
Company Nam	e/Location							
From		т	0		Title			
Duties								
Duties								
Education					Fechnical Training			
Name and Loc					ded (From/To)	Major		Degree or Certificate
- -								
Optional Quest								
1. Sex:	Male				Female			
2. With which	race do vo	u most closely	identify	? Choose or	nly one.			
		dian / Alaska Ñ						Black / African-American
	lative Hawa	iiian / Pacific Is	slander		White / Cauca	sian		Not disclosed
3. Are you His	spanic or I a	atino?						
					Not Hispanic /	Latino		Not disclosed
Credit Report				ation				
								ontracted, to request and review all data abo necks to search for prior criminal
						0		release such information to any other party
deemed necess	ary for any p	urpose related to	o my cred	lit application/	transaction. I also a	uthorize third	d parties,	including credit reporting agencies, to
			-					my credit application/transaction. I hereby
		manon (logethe	a with ally		UI EXTINUES IS VAIIU	anu true, acc	uiaie all	d correct to the best of my knowledge.
Signature:						D	ate:	

Personal Information Sheet

Certifications

Yes	No	1.	Are you a United States citizen?
			If "No," please provide a copy of your Alien Registration Card (front and back). We will also provide you a form for verifying your status with U.S. Customs and Immigration Services (USCIS).
Yes	No	2.	Have you or any member of your household ever been employed by the U.S. Government or Military?
			If "Yes," name of person:Relationship:
			Agency/position/rank/grade:Dates of service:
Yes	No	3.	Do you now, or have you ever, had an SBA loan or a loan from any other federal agency (i.e., FHA, HUD, VA, student loan, etc.)?
Yes	No	4.	Do you have any ownership interest in, or control of, any other business?
Yes	No	5.	Are you or any company under your control involved in any lawsuits or outstanding judgements at this time?
Yes	No	6.	Have you <u>ever (regardless of age)</u> filed for business or personal bankruptcy protection? This includes bankruptcies that were ultimately dismissed.
			This answer is verified by PADD and/or the U.S. Small Business Administration via a background check, thus failure to disclose all prior bankruptcy filings could result in delayed processing and/or loan application decline.
Yes	No	7.	Has a federal or state tax lien ever (regardless of age) been filed against you or your businesses?
			This answer is verified by PADD and/or the U.S. Small Business Administration via a background check, thus failure to disclose all prior tax liens could result in delayed processing and/or loan application decline.
Yes	No	8.	Are you presently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction?
Yes	No	9.	Have you been arrested in the past six months for any criminal offense?
Yes	No	10.	For any <u>criminal</u> offense – other than a minor vehicle violation – have you ever: (1) been convicted; (2) plead guilty; (3) plead nolo contendere; (4) been placed on pretrial diversion; or (5) been placed on any form of parole or probation (including probation before judgment)?
			This includes <u>all</u> criminal (misdemeanor or higher) convictions, <u>regardless of age</u> , even if it was ultimately expunged from your record. This answer is verified by PADD and/or the U.S. Small Business Administration via a background check, thus failure to disclose all offenses could result in delayed processing and/or a loan application decline.

If you answered "<u>YES</u>" to any of <u>questions #3 through #10</u> above, please provide details on a separate sheet of paper. Contact us for appropriate forms.

Signature:

Printed Name:



Project Cost Worksheet

PROJECT	COSTS						
Land or Building Purchase							
Site Improve	ments						
New Constru	uction						
Working Cap	oital						
Renovation	Costs/Leasel	nold Improve	ments				
Machinery	Machinery Equipment Inventory Rolling Stock/Vehicle						
Professional	Fees:						
Engineering			\$				
Architect			\$				
Certain Legal	Costs	\$					
Certain Accor	unting Costs		\$				
Appraisal			\$				
Environmenta	al Report		\$				
Sub-Total Pr	ofessional F	ees					
Soft Costs:							
Interest on Br	ridge Loan		\$				
Bank Closing	Costs		\$				
Points on Brid	dge Loan	\$					
10% Constru	ction Continge	ency	\$				
Sub-Total Sc	oft Costs						
TOTAL PR	OJECT CO	STS					



BUSINESS DEBT SCHEDULE

List below all debt of the business, including term loans, lines of credit, shareholders' notes, and capital leases. The balances should <u>MATCH</u> the balances on the most current Balance Sheet being submitted as part of this application.

Applicant Business:

As of month ending:

Creditor	Type of Loan (term loan, line of credit, etc.)	Original Date	Original Balance or Credit Limit	Present Balance	Monthly Payment	Interest Rate	Maturity Date	Collateral	Current (Yes or No)
TOTALS			\$	\$					

Date:

Signature

Print Name and Title:



Collateral

List below all debt of the business available collateral that can be pledged to secure this loan request. For equipment, include type of equipment and estimated value. For vehicles, provide year, make and model. For real estate, provide address, estimated value and prior liens

Applicant Business:

As of month ending:

Collateral (If real estate, list address)	Year	Make	Model	Estimated Value	Prior Liens (\$ amount)	Current Creditor	Description	
TOTALS			\$	\$				

Date:

Signature

Print Name and Title:



Project Narrative:

Please provide a detailed explanation of your project.

(If you are requesting funding for working capital, please detail what the working capital will be used for (ex. payroll, inventory, etc.).



PERSONAL FINANCIAL STATEMENT

U.S. SMALL BUSINESS ADMINISTRATION

The purpose of this form is to collect information about the Business Applicant and its owners' financial condition. SBA uses the information required by this Form 413 as one of a number of data sources in analyzing the repayment ability and creditworthiness of an applicant for an SBA loan or, with respect to a surety bond, to assist in recovery in the event that the contractor defaults on the contract. SBA also uses the information to assess whether an individual meets the economic disadvantage threshold for the Women-Owned Small Business (WOSB) Program and the 8(a) Business Development (BD) Program. Submission of this information is required as part of your application for assistance. Failure to provide the information would impact the agency's decision on your application.

To complete this form

- 1) Check all that apply.
- 2) Complete the form in its entirety (attached a separate sheet, if necessary)
- 3) Review the applicable certifications and sign (spousal signature, if required)

7(a) loan / 504 loan / Surety Bonds

Complete this form for: (1) each proprietor; (2) general partner; (3) managing member of a limited liability company (LLC); (4) each owner of 20% or more of the equity of the Applicant; and (5) any person providing a guaranty on the loan (including the assets and liabilities of the owner's spouse and any minor children).

Return completed form to:

For 7(a) loans: the Lender processing the application for SBA guaranty For 504 loans: the Certified Development Company (CDC) processing the application for SBA guaranty For Surety Bonds: the Surety Company or Agent processing the application for surety bond guarantee

Disaster Business Loan Application (Excluding Sole Proprietorships)

Complete this form for: (1) each applicant; (2) each general partner; (3) each managing member of a limited liability company (LLC); (4) each owner of 20% or more of the equity of the Applicant business; and (5) any person providing an unlimited guaranty on the loan.

Return completed form to: Disaster Processing and Disbursement Center at 14925 Kingsport Road, Fort Worth, TX 76155-2243 or FAX to 1-202-481-1505 or disasterloans@sba.gov

Women Owned Small Business (WOSB) Federal Contracting Program

This form must be completed by each individual claiming economic disadvantage in connection with the SBA's Women-Owned Small Business (WOSB) Federal Contracting Program. A separate form must be completed by the individual's spouse, unless the individual and the spouse are legally separated. Use attachments if necessary. Each attachment must be identified as a part of this statement and signed. In addition, each individual claiming economic disadvantage must update the form as changes arise, but at least annually, to ensure the information is current, accurate and complete.

SBA's regulations state that to be considered economically disadvantaged for purposes of the WOSB Program, a woman must have an adjusted gross income averaged over the three prior fiscal years of \$350,000 or less; less than \$6 million in the fair market value of all her assets (to include her primary residence and value of the business concern); and less than \$750,000 in personal net worth (excluding equity interest in her personal residence and ownership interest in the business, and funds invested in a retirement account that are unavailable until retirement age). 13 C.F.R. §127.203. The information contained in this form must be submitted and certified through beta.certify.sba.gov

8(a) Business Development Program

8(a) applicants must show that 51% of the firm is owned by one or more individuals determined by the SBA to be socially and economically disadvantaged. The information contained in this form must be submitted by each socially and economically disadvantaged individual using their one time 8(a) eligibility to qualify this firm for 8(a) certification. If married, the spouse must complete a separate SBA Form 413, except when the individual and the spouse are legally separated. If separated, provide copy of separation document.

SBA's regulations state that to be considered economically disadvantaged for purposes of the 8(a) Business Development Program, an individual must have an adjusted gross income averaged over the three prior fiscal years of \$350,000 or less; less than \$6 million in the fair market value of all assets (to include primary residence and value of the business concern); and less than \$750,000 in personal net worth (excluding equity interest in the personal residence and ownership interest in the business, and funds invested in a retirement account that are unavailable until retirement age). 13 C.F.R. §124.104.

Note: Please complete this form with Personal Information not Business Information and divide all jointly owned assets and liabilities, as appropriate with spouse or others. The information contained in this form must be submitted and certified through certify.sba.gov. For additional information go to: http://www.sba.gov/8abd

Name	Bu	isiness Phone (xxx-xxx-xxxx)							
Home Address Home Phone (xxx-xxx-xxxx)									
City, State, & Zip Code									
Business Name of Applicant/Borrower									
Business Address (if different than home add	dress)								
Business Type: Corporation S-Co	orp LLC Partnership _	Sole Proprietor (does not app	ly to ODA applicant						
This information is current as of [month/d		i submission for 9(2) PD							
(within 90 days of submission for 7(a)/504/SBG		Submission for 8(a) BD)							
WOSB applicant only, Married Yes	NO								
ASSETS	(Omit Cents)	LIABILITIES	(Omit Cents)						
Savings Accounts IRA or Other Retirement Account	(De Install Install Install Install Install Install Mortg. (De Unpai (De Unpai (De Unpai (De Total I Net W	Payable to Banks and Others escribe in Section 2) ment Account (Auto) D. Payments	····						
Section 1. Source of Income.	Cont	ingent Liabilities							
Salary		ndorser or Co-Maker Claims & Judgments							

Names and Addresses of Noteholder(s)		Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)		How Secured or Endorse Type of Collateral	
Section 3. Stocks and	d Bonds. (Jse attachments if nea	cessary. Each at	ttachment must be	identified as pa	art of this state	ement and signed	i.)
Number of Shares	Name	of Securities	Cost	Market Quotation/			ite of n/Exchange	Total Value
ection 4. Real Estate	Owned. (List each parcel separ	ately. Use attacl	nment if necessary	. Each attachr	nent must be	identified as a pa	rt of this statement
		Property	Α	F	Property B		Pro	operty C
Type of Real Estate (e. Primary Residence, Otl Residence, Rental Prop Land, etc.)	her							
Address								
Date Purchased								
Driginal Cost								
Present Market Value								
Name & Address of Mortgage Holder								
Mortgage Account Nun	nber							
Nortgage Balance								
Amount of Payment pe Month/Year	r							
Status of Mortgage								
Section 5. Other Pers nolder, amount of lien,	sonal Prop	erty and Other As	ssets. (Descr	ibe, and, if any i	is pledged a	s security, s	tate name and	d address of lien

Section 6. Unpaid Taxes. (Describe in detail as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches.)

Section 7. Other Liabilities. (Describe in detail.)

Section 8. Life Insurance Held. (Give face amount and cash surrender value of policies – name of insurance company and Beneficiaries.)

I authorize the SBA/Lender/Surety Company to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness.

<u>CERTIFICATION</u>: (to be completed by each person submitting the information requested on this form and the spouse of any 20% or more owner when spousal assets are included)

By signing this form, I certify under penalty of criminal prosecution that all information on this form and any additional supporting information submitted with this form is true and complete to the best of my knowledge. I understand that SBA or its participating Lenders or Certified Development Companies or Surety Companies will rely on this information when making decisions regarding an application for a loan, surety bond, or participation in the WOSB or 8(a) BD program. I further certify that I have read the attached statements required by law and executive order.-

Signature	Date
Print Name	Social Security No
Signature	Date
Print Name	Social Security No

NOTICE TO 7(a) LOAN, 504 LOAN AND SURETY BOND APPLICANTS: CRIMINAL PENALITIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

Knowingly making a false statement on this form is a violation of Federal law and could result in criminal prosecution, significant civil penalties, and a denial of your loan or surety bond application. A false statement is punishable 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, a false statement is punishable 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. Additionally, false statements can lead to treble damages and civil penalties under the False Claims Act, 31 U.S.C. § 3729, and other administrative remedies including suspension and debarment.

<u>NOTICE TO DISASTER BUSINESS LOAN APPLICANTS:</u> CRIMINAL PENALTIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

Whoever wrongfully misapplies the proceeds of an SBA disaster loan shall be civilly liable to the Administrator in an amount equal to one-and-one half times the original principal amount of the loan under 15 U.S.C. § 636(b). In addition, any false statement or misrepresentation to SBA may result in criminal, civil or administrative sanctions including, but not limited to: 1) fines and imprisonment, or both, under 15 U.S.C. § 645, 18 U.S.C. § 1001, 18 U.S.C. § 1014, 18 U.S.C. § 1040, 18 U.S.C. § 3571, and any other applicable laws; 2) treble damages and civil penalties under the False Claims Act, 31 U.S.C. § 3729; 3) double damages and civil penalties under the Program Fraud Civil Remedies Act, 31 U.S.C. § 3802; and 4) suspension and/or debarment from all Federal procurement and non-procurement transactions. Statutory fines may increase if amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

NOTICE TO APPLICANTS OR PARTICIPANTS IN THE WOSB FEDERAL CONTRACTING PROGRAM: CRIMINAL PENALITIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

Any person who misrepresents a business concern's status as a WOSB or EDWOSB, or makes any other false statement in order to influence the WOSB Program eligibility determination or other review process in any way (e.g., protest), shall be: (1) subject to fines and imprisonment of up to 5 years, or both, as stated in Title 18 U.S.C. § 1001; (2) subject to fines of up to \$500,000 or imprisonment of up to 10 years, or both, as stated in Title 15 U.S.C. § 645; (3) subject to civil and administrative remedies, including suspension and debarment; and (4) ineligible for participation in programs conducted under the authority of the Small Business Act.

NOTICE TO APPLICANTS OR PARTICIPANTS IN THE 8(a) BUSINESS DEVELOPMENT PROGRAM: CRIMINAL PENALTIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

Any person who misrepresents a business concern's status as an 8(a) BD Program participant or SDB concern, or makes any other false statement in order to influence the 8(a) certification or other review process in any way(e.g., annual review, eligibility review), shall be: (1) subject to fines and imprisonment of up to 5 years, or both, as stated in Title 18 U.S.C. § 1001; (2) subject to fines of up to \$500,000 or imprisonment of up to 10 years, or both, as stated in Title 15 U.S.C. § 645; (3) subject to treble damages and civil penalties under the False Claims Act, 31 U.S.C. § 3729; (4) subject to administrative remedies, including suspension and debarment; and (5) ineligible for participation in programs conducted under the authority of the Small Business Act.

PLEASE NOTE: According to the Paperwork Reduction Act, you are not required to respond to this request for information unless it displays a valid OMB Control Number. The estimated average burden hours for the completion of this form is 1.5 hour per response. If you have questions or comments concerning this estimate or any other aspect of this information collection, please contact: Director, Records Management Division, Small Business Administration, 409 Third Street SW, Washington, D.C. 20416, and SBA Desk Officer, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503. PLEASE DO NOT SEND COMPLETED FORMS TO OMB.

PLEASE READ, DETACH, AND RETAIN FOR YOUR RECORDS

Privacy Act (5 U.S.C. 552a) and Debt Collection Improvement Act (31 U.S.C. 7701)

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 or other 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, where applicable.

For purposes of SBA's financial assistance programs, 31 U.S.C. 7701 requires loan applicants and guarantors, or any indemnitor of a surety bond to provide their social security numbers, or other taxpayer identification numbers. Failure to provide this information would affect your ability to obtain an SBA loan or bond. For other individuals signing this form, 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, your social security number or other taxpayer identification number helps SBA to distinguish you from other individuals with the same or similar name or other personal identifier. This use is permitted under Executive Order 9397. Personal information collected is protected to the extent permitted by law, including the Freedom Information Act, 5 U.S.C. 552, and the Privacy Act 5 U.S.C. 552. Such information is maintained pursuant to SBA's Privacy Act System of Records at https://www.sba.gov/sites/default/files/2020-01/sba-sorns.pdf.

Right to Financial Privacy Act of 1978 (12 U.S.C. 3401) -- This is notice to you as required by the Right to Financial Privacy Act of 1978, of SBA's access rights to 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 guaranty. 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 guaranteed loan or guaranteed bond. 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 guaranty agreement or any approved bond 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 bond guarantee, or concerning an approved loan or loan guaranty, or to process or service the bond guarantee. No other transfer of your financial records to another Government authority will be permitted by SBA except as required or permitted by law.

Freedom of Information Act (5 U.S.C. 552)

This law provides, with some exceptions, that SBA must supply information contained 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. With respect to SBA's bond guarantee program, SBA will release, among other things, statistics on the Surety Bond Guarantee (SBG) programs and other information such as the names of small businesses (and their officers, directors, stockholders or partners) and the amount of the bond guarantees. 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.