# **SBA PKG**

Business Name		Tax ID#						
Type of Business								
Contact Name			x ()					
Contact Phone ()								
BUSINESS PHYSICAL ADDRESS								
	STREET ADDRESS			SUITE				
CIT	Y	STATE		ZIP				
SUBJECT PROPERTY ADDRESS, IF DIFFE	RENT FROM ABOVE:							
	STREET ADDRESS			SUITE				
CIT	Y	STATE		ZIP				
Proprietorship     Partnership	Corporation	Limited Liability Company						
OWNERS / PRINCIPALS								
Name	Title		Ownership %	(must total 100%)				
			. <u> </u>					
Number of Employees	Number of employees	s you will hire as a result of the propos	ed loan					
Does the business or any of the principa	als have a controlling i	nterest in any other business?	No 🛛 Yes					
If yes, provide details								
Number of employees of affiliated busin								
Has the business or any principal ever (								
Declared Bankruptcy?	• • •							
Applied for government financing (i								
	-							
Is the business currently involved in per	• • • •							
Current Bank		Length of Relationship	Years	Months				
	STREET ADDRESS			SUITE				
		STATE		ZIP				
Use of Proceeds: Use	Amount	Source of Borrower's Capital:						
Leasehold Improvements	Amount	Source	Amount					
Real Estate Purchase				]				
Furniture & Fixtures				1				
Business Acquisition				-				
Machinery & Equipment		<u> </u>		4				
Working Capital				4				
Closing Costs Other:				1				
Total Project Cost		Total		1				
Loan Amount				-				

COMMENTS: \_\_\_\_\_

# **Business History**

Providing as much detail as possible will help expedite your loan request. Attach sheet if necessary.

1. When and how was the business established?
2. When and how did current owners acquire the business?
3. Nature of business (including types of products and services offered)?
4. Key customers?
5 Target market?
5. Target market?
6. Major competitors?
· ·
7. Your advantage over competitors?
8. Major suppliers?
9. General geographic market served?
10. How will the proposed loan benefit your company?
11. How will the proposed loan facilitate new employment opportunities, if applicable?

# Schedule of Business Debt

Business Name \_\_\_\_\_ As of\* \_\_\_\_\_

Creditor	Original Amount	Original Date of Loan	Present Balance**	Interest Rate	Maturity Date	Monthly Payment	Secured by Collateral	Current or Past Due
	1	Total						

\* Must be same date as the current interim financial statement provided

\*\* Individual and total balances must match the current interim balance sheet

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

# Sales and Expense Projections

For period beginning			an	d ending									
Month	1	2	3	4	5	6	7	8	9	10	11	12	Total
Gross Sales													
Cost of Goods Sold													
Gross Profit													
Administrative													
Expenses													
Advertising													
Rent													
Telephone													
Utilities													
Insurance													
Taxes/Licenses													
Accounting/Legal													
Travel/Auto													
Repairs													
Maintenance													
Salaries/Officer													
Salaries/Other													
Supplies													
Interest													
Depreciation													
Other													
Other													
Total													
Net Profit													

Note: Projections are required on loans for start-up businesses, expansion of an existing business or when historical income does not support repayment of the current application.

### Income Statement

INCOME STATEMENT: Tw	vo Year Projectio	n		
CORPORATION NAME:				
YEAR MONTHS R	Proforma Year #1	%	Proforma Year #2	%
Revenue Business Line 1				1
Returns & Allowances/Adjustmnents				
Other Income				
Total Sales				
Cost Of Goods Sold				
Cost of Goods Sold - Line 1				
Cost of Goods Sold - Line 2				
Cost of Goods Sold - Line 3				
Total Cost of Goods Sold				
Gross Profit				
Expenses				
Owner's Compensation				
Employee Wages				
Repairs & Maintenance				
Rent				
Depreciation & Amortization				
Other:				
S&A				
Total Expenses				
Operating Profit				
Other Income				
Interest Income				
Other Income				
Total Other Income				
Other Expense				
Interest Expense - 7(a)				
Interest Expense				
Interest Expense - Other				
Other:				
Total Other Expense				
Net Income				

# Assumptions to Projections

Gross Sales
Cost of Goods Sold
Administrative Expenses

# **Personal Resume**

Provide one for each 20% business or property owner.

Name	MIDDLE	MAIDEN		LAST
Social Security Number				
Date of Birth		City and State or Cou	Intry of Birth	
U.S. Citizen? 🗆 Yes 🗆 No	If no, Alien ID # (pr	ovide copy front and b	ack)	
Home Address Lived there from	ı to	Present		
	STREET ADDRESS			SUITE
CITY	STREET ADDRESS		STATE	ZIP
Previous Address Lived there from _	to		SIAL	211
	STREET ADDRESS			SUITE
Home Phone ()		<b>Business Phone</b>	STATE	ZIP
E-mail			· /	
Spouse's Name				
Are you a U.S. government employee?			AIDEN	LAST
Military Service Background Branch	_ From	То		
Rank at Discharge	Honorable Dis	scharge? 🛛 🗋 No	🖵 Yes	
Education (college or technical training)				
Institution Name and Location	Dates Att	ended	Major	Degree or certificate
	From	То		
	From	То		
Business Experience (List chronologicall	v boginning with pros	ont omployment for a <b>m</b>	inimum of 10 years	Add pages if pocessary)
Company Name			-	To
Address				
Position/Responsibilities				
2. Company Name				То
Address				
Position/Responsibilities				
3. Company Name				
Address				
Position/Responsibilities				
4. Company Name				
Address				
Position/Responsibilities				
Signature		Title		Date



# PERSONAL FINANCIAL STATEMENT 7(a) / 504 LOANS AND SURETY BONDS

	7(a) 7 304 LOANS A	
U.S. SMALL BUSINESS ADMINISTRATION	As of	
SBA uses the information required by this Form 413 as one of SBA guaranteed 7(a) or 504 loan or a guaranteed surety.	a number of data sources in an	alyzing the repayment ability and creditworthiness of an application for an
Complete this form for: (1) each proprietor; (2) general partner the Applicant (including the assets of the owner's spouse and		ited liability company (LLC); (4) each owner of 20% or more of the equity of
Return completed form to: For 7(a) loans: the lender processing the application for SBA For 504 loans: the Certified Development Company (CDC) p For Surety Bonds: the Surety Company or Agent processing	rocessing the application for SB	
Name		Business Phone
Home Address		Home Phone
City, State, & Zip Code		
Business Name of Applicant		
ASSETS	(Omit Cents)	LIABILITIES (Omit Cents)
Cash on Hand & in banks	\$ \$ \$ \$ \$ \$ \$	Accounts Payable       \$
Section 1. Source of Income.		Contingent Liabilities
Salary Net Investment Income Real Estate Income Other Income (Describe below)*	\$ .\$	As Endorser or Co-Maker\$         Legal Claims & Judgments\$         Provision for Federal Income Tax\$         Other Special Debt\$
Description of Other Income in Section 1.		
*Alimony or child support payments should not be disclosed in "Other Inco	ome" unless it is desired to have su	ich payments counted toward total income.

SBA Form 413 (7a/504/SBG) (09-14) Previous Editions Obsolete

Names and Addresses of Noteholder(s)		of	Original Balance	Current Balance	Payment Amount	Frequ (monthl			ired or Endorsed of Collateral
Section 3. Stocks and	d Bonds	<b>s.</b> (Use a	ttachments if nec	cessary. Each at	tachment must be	identified as pa	art of this stat	ement and signe	d.)
Number of Shares	Na	ime of S	Securities	Cost		t Value /Exchange		ate of n/Exchange	Total Value
Section 4. Real Estate nd signed.)	Owned	I. (List ea	ach parcel separa	ately. Use attach	ment if necessary	. Each attachn	nent must be	identified as a pa	art of this statement
			Property	Α	F	Property B		Pr	roperty C
Type of Real Estate (e. Primary Residence, Oth Residence, Rental Prop Land, etc.)	her								
Address					T				
Date Purchased					T			「 <u> </u>	
Original Cost									
Present Market Value									
Name & Address of Mortgage Holder									
Mortgage Account Num	ıber								
Mortgage Balance									
Amount of Payment per Month/Year	r								
Status of Mortgage									
Section 5. Other Pers holder, amount of lien,							s security, s	state name an	d address of lien
Section 6. Unpaid Tallien attaches.)	axes. (	Describ	e in detail as	to type, to w	hom payable, v	vhen due, a	imount, and	d to what prop	perty, if any, a tax

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

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.

**CERTIFICATION**: (to be completed by each person submitting the information requested on this form)

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 or a surety bond. 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 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.

PLEASE NOTE: The estimated average burden hours for the completion of this form is 1.5 hours per response. If you have questions or comments concerning this estimate or any other aspect of this information, please contact Chief, Administrative Branch, U.S. Small Business Administration, Washington, D.C. 20416, and Clearance officer, paper Reduction Project (3245-0188), Office of Management and Budget, Washington, D.C. 20503. PLEASE DO NOT SEND FORMS TO OMB.

# ASSET LIST

Please provide a list of all assets currently owned by the company. List each item individually with a corresponding estimated value. All items with an original cost greater than \$5,000 listed herein must show manufacturer year/make/model and serial/ID number.

Asset can include, but it no limited to:

- Electronic equipment (i.e. desktops, printers, external hard drives, tower, laptops, etc.)
- Office furniture (i.e. file cabinets, desks, chairs, etc.)
- Tools and/or appliances used for business purposes only (i.e. construction equipment, removable restaurant pieces, etc.)
- Vehicles and machinery (i.e. trucks, trailers, tractors, etc.)

# COMPANY NAME: ABC Corporation ASSET LOCATION #1: 123 Main Street, San Francisco, CA ASSET LOCATION #2: 456 Anywhere Blvd, Los Angeles, CA ASSET LOCATION #3: N/A

				A					1	
Quantity	Item Description	Year / Make / Model	Year Acquired	Original Cost	Market Value	Serial # / ID # / VIN	Name of lienholder (if any)	Current Lien Balance	Current Mileage, if veh <mark>icl</mark> e	Location #
1	Laptop	Apple MacBook	2010	<mark>\$3</mark> ,000	\$1,000	N/A	N/A	N/A	N/A	1
1	X-Ray Machine	Shimadzu Rapspeed Pro V4	2014	\$100,000	\$95,000	A123456789	Wells Fargo	\$60,000	N/A	1
1	Truck	2015 Ford F150	2016	\$40,000	\$33,000	AB123CD456EF7890	BMO Harris	\$37,000	35,178	2

Please use additional pages if necessary.

### ASSET LIST

# COMPANY NAME: ASSET LOCATION #1: ASSET LOCATION #2: ASSET LOCATION #3:

Name of Current Current Year / Make Original Market Item Year Location Serial # / ID # / VIN lienholder (if Mileage, Quantity Lien Description / Model Acquired Value # Cost any) Balance if vehicle

All information contained herein is TRUE and CORRECT to the best of the undersigned's knowledge. If you knowingly make a false statement or overvalue a security to obtain a guaranteed loan from the SBA, you can be fined up to \$10,000 and/or imprisoned for not more than five years under 18 USC 1001; if submitted to a Federally insured institution, under 18 USC 1014 by Imprisonment of not more than twenty years and/or a fine of not more than \$1,000,000. I authorize the SBA's Office of Inspector General 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.

Signature



# Purpose of this form:

The purpose of this form is to collect information about the Small Business Applicant ("Applicant") and its principals, the loan request, 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). This form is to be completed by the Applicant and all individuals identified below and *submitted to your SBA Participating Lender*. Submission of the requested information is required for SBA or the Lender to make a determination regarding eligibility for financial assistance. Failure to submit the information would affect that determination.

# Instructions for completing this form:

This form is divided into two sections. Section I requests information about the Small Business Applicant and must be completed in its entirety, signed and dated by an authorized representative of the Small Business Applicant that is requesting a business loan. A separate Section I is required to be completed and signed for each co-applicant (e.g. "Eligible Passive Company (EPC)" or "Operating Company (OC)").

Section II of this form requests information about each of the Small Business Applicant's principals. This section must be completed in its entirety, signed and dated by the following:

- 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; or any partner that is involved in management of the applicant business;
- For a corporation, all owners of 20% or more of the corporation, and each officer and director;
- For limited liability companies, all members owning 20% or more of the company, each officer, director, and managing member;
- Any Person hired by the business to manage day-to-day operations ("key employee"); and
- Any Trustor (if the Small Business Applicant is owned by a trust).

All parties listed above are considered "Associates" of the Small Business Applicant as defined in 13 CFR § 120.10, as well as "principals." *A separate Section II is required to be completed and signed by each principal of the Small Business Applicant.* 

For clarification regarding any of the questions, please contact your Lender.

# **Definitions:**

- <u>Affiliation</u> Concerns and entities are affiliates of each other when one controls or has the power to control the other, or a third party (or parties) controls or has power to control both. For example, affiliation may arise through ownership, common management (including through a management agreement), or when there is an identity of interest between close relatives with identical, or substantially identical, business interests. The complete definition of "affiliation" is found at 13 CFR § 121.301(f).
- 2. <u>Close Relative</u> Close Relative is a spouse; a parent; or a child or sibling, or the spouse of any such person.
- Eligible Passive Company ("EPC") is a small entity or trust which does not engage in regular and continuous business activity which leases real or personal property to an Operating Company for use in the Operating Company's business, and which complies with the conditions set forth in 13 CFR § 120.111.
- 4. <u>Household Member</u> A "household member" of an SBA employee includes: a) the spouse of the SBA employee; b) the minor children of said individual; and c) the blood relatives of the employee, and the blood relatives of the employee's spouse who reside in the same place of abode as the employee. [13 CFR § 105.201(d)]
- 5. <u>Operating Company ("OC")</u> is an eligible small business actively involved in conducting business operations now or about to be located on real property owned by an Eligible Passive Company, or using or about to use in its business operations personal property owned by an Eligible Passive Company.



Applicant Business Legal Name ( OC / DEPC)		DBA or Tradename if applicable				
Applicant Business Primary Business Address		Applicant Business Tax ID	Applicant Business Phone			
		( ) -				
Project Address (if other than primary business address)		Primary Contact		Email Address		
Amount of Loan Request:	\$	# of existing employees employed by business? (including owners):				
Amount of Loan Request.	\$	# of jobs to be created as a result of the loan? (including owners):				
# of jobs that will be retained as a result of the loan that otherwise would have been lost? (including owners):						
Purpose of the loan:						

#### **Small Business Applicant Ownership**

List all proprietors, partners, officers, directors, and holders of outstanding stock. 100% of ownership must be reflected. Attach a separate sheet if necessary. Based on this form's instructions not all owners will need to complete the Principal Information section of this form.

Owner Name	Title	Ownership %	Address

Unless stated otherwise, if any of the questions below are answered "Yes," please provide details on a separate sheet.

#	Question	Yes	No
1	Are there co-applicants? (If "Yes," please complete a separate Section I: Applicant Business Information for each.)		
2	Has an application for the requested loan ever been submitted to the SBA, a lender, or a Certified Development Company, in connection with any SBA program? (If "Yes," provide details.)		
3	Is the Small Business Applicant presently suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency?		
4	Does the Small Business Applicant operate under a Franchise/License/Distributor/Membership/Dealer/ Jobber or other type of Agreement? (If "Yes," provide copies of your agreement(s) and any other relevant documents.)		
5	Does the Small Business Applicant have any Affiliates? (If "Yes," please attach a listing of all Affiliates.)		
6	Has the Small Business Applicant and/or its Affiliates ever filed for bankruptcy protection?		
7	Is the Small Business Applicant and/or its Affiliates presently involved in any pending legal action?		
8	Has the Small Business Applicant and/or its Affiliates ever obtained a direct or guaranteed loan from SBA or any other Federal agency or been a guarantor on such a loan?		
	a) If you answered "Yes" to Question 8, is any of the financing currently delinquent?		
	b) If you answered "Yes" to Question 8, did any of this financing ever default and cause a loss to the Government?		
9	Are any of the Small Business Applicant's products and/or services exported or is there a plan to begin exporting as a result of this loan?		
	If "Yes," provide the estimated total export sales this loan will support:		
10	Is the Small Business Applicant using (or intending to use) a packager, 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?		
11	Are any of the Small Business Applicant's revenues derived from gambling, loan packaging, or from the sale of products or services, or the presentation of any depiction, displays or live performances, of a prurient sexual nature?		



#		True	False	
SBA may not provide financial assistance to an applicant where there is any appearance of a conflict of interest with an SBA or other governmental employee.				
12	No SBA employee, or the household member (see definition on page 1) of an SBA employee, is a sole proprietor, partner, officer, director, or stockholder with a 10 percent or more interest, of the Applicant. [13 CFR 105.204]			
13	No former SBA employee, who has been separated from 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. [13 CFR 105.203]			
14	No 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. [13 CFR 105.301(c)]			
15	No Government employee having a grade of at least GS-13 or higher is a sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest, or a household member of such individual, of the Applicant. [13 CFR 105.301(a)]			
16	No member or employee of a Small Business Advisory Council or a SCORE volunteer is a sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest, or a household member of such individual, of the Applicant. [13 CFR 105.302(a)]			

### By Signing Below, You Make the Following Representations and Certifications

#### **REPRESENTATIONS**

I represent that:

- I have read the Statements Required by Law and Executive Order included in this form, and I understand them.
- I will comply, whenever applicable, with the hazard insurance, lead-based paint, civil rights and other limitations in this form.
- All SBA loan proceeds will be used only for business related purposes as specified in the loan application.
- To the extent feasible, I will purchase only American-made equipment and products.

#### ACCURACY CERTIFICATION

I certify that the information provided in this application and the information that I have provided in all supporting documents and forms is true and accurate. I realize that the penalty for knowingly making a false statement to obtain a guaranteed loan from SBA is that I may be fined up to \$250,000 and/or be put in jail for up to 5 years under 18 USC § 1001 and if false statements are submitted to a Federally insured institution, I may be fined up to \$1,000,000 and/or be put in jail for up to 30 years under 18 USC § 1014.

Signature of Authorized Representative of Applicant Business

Date

Print Name

Title



# SBA 7(a) Borrower Information Form

(Section II: Principal Information)

Principal Name	Social Security Number or Tax ID if an Entity	Date of Birth	Place of Birth (City & State or Foreign Country)
		/ /	
Home Address		Home Phone	% of Ownership in the Small Business Applicant
		( ) -	

#### Veteran/Gender/Race/Ethnicity data is collected for program reporting purposes only. Disclosure is voluntary and has no bearing on the credit decision.

		<b>Enter Response Below</b>
Veteran	1=Non-Veteran; 2=Veteran; 3=Service-Disabled Veteran; 4=Spouse of Veteran; X=Not Disclosed	
Gender	M=Male; F=Female; X=Not Disclosed	
Race (more than 1 may be selected)	1=American Indian or Alaska Native; 2=Asian; 3=Black or African-American; 4=Native Hawaiian or Pacific Islander; 5=White; X=Not Disclosed	
Ethnicity	H=Hispanic or Latino; N=Not Hispanic or Latino; X=Not Disclosed	

Unless stated otherwise, if any of the questions below are answered "Yes," please provide details on a separate sheet.

#	Question	Yes	No	
17	Are you presently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction? (If "Yes," the loan request is not eligible for SBA assistance.)			
	Initial here to confirm your response to question $17 \rightarrow$			
18	Have you been arrested in the last 6 months for any criminal offense?			
	Initial here to confirm your response to question $18 \rightarrow$			
19	For any criminal offense – other than a minor vehicle violation – have you ever: 1) been convicted; 2) pleaded guilty; 3) pleaded nolo contendere; 4) been placed on pretrial diversion; or 5) been placed on any form of parole or probation (including probation before judgment)?			
	Initial here to confirm your response to question $19 \rightarrow$			
If you answer "Yes" to questions 18 or 19, you must complete SBA Form 912, "Statement of Personal History." You will need to furnish det including dates, location, fines, sentences, level of charge (whether misdemeanor or felony), dates of parole/probation, unpaid fines or penalt name(s) under which charged, and any other pertinent information. If you answer "Yes" to question 19 and are currently on parole or probati the loan request is not eligible for SBA assistance.				
20	Are you presently suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency?			
21	If you are a 50% or more owner of the Small Business Applicant, are you more than 60 days delinquent on any obligation to pay child support arising under an administrative order, court order, repayment agreement between the holder and a custodial parent, or repayment agreement between the holder and a state agency providing child support enforcement services.			
22	□ I am a U.S. Citizen <u>OR</u> □ I have Lawful Permanent Resident status Registration Number:			
	I am not a U.S. Citizen or Lawful Permanent Resident Country of Citizenship:			
	Initial here to confirm your responses to question $22 \rightarrow$			
23	Do you have any ownership in other businesses which would be defined as an Affiliate in the definition found on page 1? (If "Yes," attach a listing of all businesses and your ownership percentage or position in the business.)			
24	Have you, or any business you controlled, ever filed for bankruptcy protection?			
25	Are you, or any business you control, presently involved in any legal action (including divorce)?			
26	Have you or any business owned or controlled by you ever obtained a direct or guaranteed loan from SBA or any other Federal agency or been a guarantor on such a loan? (This includes student loans.)			
	(a) If you answered "Yes" to Question 26, is any of the financing currently delinquent?			
	(b) If you answered "Yes" to Question 26, did any of this financing ever default and cause a loss to the Government? <i>(If Yes to (a) or (b) above, please provide Lender with a written explanation.)</i>			



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

# **REPRESENTATIONS AND AUTHORIZATIONS**

I represent that:

- I have read the Statements Required by Law and Executive Order and I understand them.
- I will comply, whenever applicable, with the hazard insurance, lead-based paint, civil rights or other limitations in this form.
- All SBA loan proceeds will be used only for business related purposes as specified in the loan application.
- To the extent feasible, I will purchase only American-made equipment and products.

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.

### ACCURACY CERTIFICATION

I certify that the information provided in this application and the information that I have provided in all supporting documents and forms is true and accurate. I realize that the penalty for knowingly making a false statement to obtain a guaranteed loan from SBA is that I may be fined up to \$250,000 and/or be put in jail for up to 5 years under 18 USC § 1001 and if false statements are submitted to a Federally insured institution, I may be fined up to \$1,000,000 and/or be put in jail for up to 30 years under 18 USC § 1014.

Signature

Date

Print Name/Title



OMB Control No.: 3245-0348 Expiration Date: 07/31/2020

# Statements Required by Law and Executive Order

#### Please read the following notices regarding use of federal financial assistance programs and then sign and date the certification.

SBA is required to withhold or limit financial assistance, to impose special conditions on approved loans, to provide special notices to applicants or borrowers and to require special reports and data from borrowers in order to comply with legislation passed by the Congress and Executive Orders issued by the President and by the provisions of various inter-agency agreements. SBA has issued regulations and procedures that implement these laws and executive orders. These are contained in Parts 112, 113, and 117 of Title 13 of the Code of Federal Regulations and in Standard Operating Procedures.

**Privacy Act (5 U.S.C. 552a)** -- Under the provisions of the Privacy Act, you are not required to provide your social security number. Failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. Disclosures of name and other personal identifiers are, however, required for a benefit, as SBA requires an individual seeking assistance from SBA to provide it with sufficient information for it to make a character determination. In determining whether an individual is of good character, SBA considers the person's integrity, candor, and disposition toward criminal actions. Additionally, SBA is specifically authorized to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B), 15 USC Section 636(a)(1)(B) of the Small Business Act ( the Act). Further, 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 Act or the Small Business Investment Act, 15 USC Sections 634(b)(11) and 687(b)(a), respectively. For these purposes, you are asked to voluntarily provide your social security number to assist SBA in making a character determination and to distinguish you from other individuals with the same or similar name or other personal identifier.

Any person can request to see or get copies of any personal information that SBA has in his or her file when that file is retrieved by individual identifiers such as name or social security numbers. 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; 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.

**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. 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. 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 guaranty or collect on a defaulted loan guaranty.

**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)** -- Regulations have been issued by the Federal Insurance Administration (FIA) and by SBA implementing this Act and its amendments. These regulations prohibit SBA from making certain loans in an FIA 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 financial assistance from SBA, including disaster assistance.

**Executive Orders -- 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 SBA loan applicants 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.

**Occupational Safety and Health Act (15 U.S.C. 651 et seq.)** -- This legislation authorizes the Occupational Safety and Health Administration in the Department of Labor to require businesses to modify facilities and procedures to protect employees or pay penalty fees. Businesses can be forced to cease operations or be prevented from starting operations in a new facility. Therefore, SBA may require additional information from an applicant to determine whether the business will be in compliance with OSHA regulations and allowed to operate its facility after the loan is approved and disbursed. Signing this form as an applicant is certification that the OSHA requirements that apply to the applicant business have been determined and that the applicant, to the best of its knowledge, is in compliance. Furthermore, applicant certifies that it will remain in compliance during the life of the loan.



**Civil Rights Legislation (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)** -- 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 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.

**Executive Order 11738 -- Environmental Protection (38 F.R. 251621)** -- The Executive Order charges 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 environment protection legislation.

**Debt Collection Act of 1982, Deficit Reduction Act of 1984 (31 U.S.C. 3701 et seq. and other titles)** -- These laws require SBA to collect aggressively any loan 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: (1) report the status of your loan(s) to credit bureaus, (2) hire a collection agency to collect your loan, (3) offset your income tax refund or other amounts due to you from the Federal Government, (4) suspend or debar you or your company from doing business with the Federal Government, (5) refer your loan to the Department of Justice or other attorneys for litigation, or (6) foreclose on collateral or take other action permitted in the loan instruments.

**Immigration Reform and Control Act of 1986 (Pub. L. 99-603)** -- If you are an alien who was in this country illegally since before January 1, 1982, you may have been granted lawful temporary resident status by the United States Immigration and Naturalization Service pursuant to the Immigration Reform and Control Act of 1986. For five years from the date you are granted such status, you are not eligible for financial assistance from the SBA in the form of a loan guaranty under Section 7(a) of the Small Business Act unless you are disabled or a Cuban or Haitian entrant. When you sign this document, you are making the certification that the Immigration Reform and Control Act of 1986 does not apply to you, or if it does apply, more than five years have elapsed since you have been granted lawful temporary resident status pursuant to such 1986 legislation.

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 SBA 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.

**Executive Order 12549, Debarment and Suspension (2 CFR 180, adopted by reference in 2 CFR Part 2700 (SBA Debarment Regulations))** -- By submission of this loan application, you certify and acknowledge that neither you nor any Principals have within the past three years been: (a) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a transaction by any Federal department or agency; (b) formally proposed for debarment, with a final determination still pending; (c) indicted, convicted, or had a civil judgment rendered against you for any of the offenses listed in the Regulations; or (d) 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.

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.

**NOTE**: According to the 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 burden for completing this form, including time for reviewing instructions, gathering data needed, and completing and reviewing the form is 8 minutes per response. Comments or questions on the burden estimates should be sent to U.S. 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, Rm. 10202, Washington DC 20503. **PLEASE DO NOT SEND FORMS TO THESE ADDRESSES.**