

#### Borrower Application for SBA 504 Loan

<b>Borrower Contact:</b>	Phone Number:			
Borrower Email:				
<b>Borrower Name (Operating Company)</b>	1			
Borrower Name (R/E Holding Compan	y, if any)			
List of Owner(s) add page if needed	% Owned	List of Own	ner(s)	% Owned
If any owner has 20% or more ownership in	n any other bu	sinesses, prov	ride a complete list of all co	mpanies including
percentages of ownership (financials will b	e required for	each compan	y)	
Project Address, City, State, Zip & Cou	nty:			
<u>Loan</u>			Amount	
Total Project Costs (entered from Total below in Use of Funds)		\$		
Borrower Equity ( Min. 10%*)		\$		
Total Loan Needed (SBA Loan)			\$	
Borrower's Source* of Equity (provide verification of funds):				
*Borrower equity - add 5% if new business/start	t-up and/or add	5% if property	is considered Special Purpose	

<sup>\*</sup>Borrower equity - add 5% if new business/start-up and/or add 5% if property is considered Special Purpose \*Source includes –Cash on hand, Gifted funds, Funds from Retirement Acct, Loan from HELOC or other, etc.

Use of Funds	Amount
Real Estate Purchase/Debt Refi	\$
Purchase Furniture, Fixtures & Equipment (FF&E)	\$
Renovations/Construction	\$
Contingency and/or Eligible Fees	\$
Other – Describe:	\$
Total Project Costs	\$

Provide a complete package for underwriting purposes, CDC must receive all of the following:

•		
	SBA Form 912 Personal History Statement – completed by each owner/guarantor (att	ached);
	Taxpayer Consent Form completed by each owner/guarantor (attached);	
	Current jointly prepared personal financial statement of each owner/guarantor (attack)	:hed);
	Most recent 3 years personal tax returns, including all recent years W-2's for each ow	ner/guarantor;
	Most recent 3 years business tax returns for each business owned – Business Plan & F	Projections required if
	company is a Startup or in business less than 2 years;	
	Most recent year to date balance sheet and P&L (dated the same) for each business;	
	Current Business Debt Schedule (attached);	
	2020 COVID-19 Questionnaire – Borrower to complete (attached);	
	Copy of Purchase Agreement, Debt to be Refinanced and Renovation Costs, if any;	
	Copy of invoices for Furniture, Fixtures &/or Equipment, if any;	
	Provide a brief description of your business and loan request on next page;	
	Additional items may be requested after initial review.	
	FORWARD ALL INFORMATION TO <u>JMELE@BDCOFSC.ORG</u> or with questions	Fan CDCHaa Oaka
	803-744-0314	For CDC Use Only: Date App Rec'd:

Date to U/W \_\_\_ Date Approved \_

Summary of Business/Purpose of Loan (include background information on owners/guarantors and any Key employees. Discuss any change to owner/guarantor W-2 income (Will anyone be leaving their current job to work at the new business, etc.):

# SBA Form 912 Personal History Statement and SBA Disclosures (One form for each owner)

#### **Important Notice**

In the course of applying for an SBA loan potential borrowers and guarantors are asked to provide personal information which is used to investigate background and determine character. Failure to provide the requested information will almost certainly result in a loan decline based on character. Derogatory information about your past is <u>rarely</u> disqualifying <u>unless</u> it is <u>not disclosed</u> and later discovered by SBA in connection with its due diligence. We find that most instances of non-disclosure are a result of memory lapse or a belief that records do not exist, the matter is too old or the event has been expunged. You should know that SBA uses an extensive data base to screen applicants and as a result has access to information that you may have forgotten or thought expunged.

#### ANSWER EVERY QUESTION FULLY AND COMPLETELY

#### DISCLOSE

#### ANY TIME / ANY PLACE/ ANY COURT /ANY AGE

#### Answers related to:

- Pending or resolved criminal matters;
- Pending litigation;
- Prior loans from or guaranteed by the government SBA, FHA, USDA etc.;
- > Pending or prior bankruptcy by the applicant a guarantor or a related business; and
- Disputes regarding indebtedness even though settled by payment of a settlement

#### Are all subject to verification by an extensive database and will be verified by SBA

#### These must be fully disclosed even if:

- You thought it was "expunged" or that the record had been "sealed"
- Your lawyer told you that you did not have to tell anyone
- It was a long time ago
- it's not on your credit report
- You are embarrassed
- You were a minor
- > You were just a guarantor
- It was just a misunderstanding

OMB APPROVAL NO. 3245-0178 Expiration Date: 07/31/2022



# United States of America

Please Read Carefully and Fully Complete: SBA uses Form 912 as one part of its assessment of program eligibility. Please reference SBA Regulations and Standard Operating

1a. Name and Addres	SMALL BUSINES STATEMEN HI	SS ADMINISTRATION T OF PERSONAL STORY  e)(Street, City, State, ZIP Code	Procedures if you have any questiform and where to submit it. For further SBA's Answer Desk at 1-800-U-AS check SBA's website at <a href="www.sba.c">www.sba.c</a> COMPLETED FORMS TO OMB a of your application; send forms your lender or SBA representations.	orther information, please call SK-SBA (1-800-827-5722), or CODE NOT SEND IS this will delay the processing to the address provided by
,			Amount Applied for (when applicable) \$	File No. (if known)
or if initial only, indica		if no middle name, state (NMN), ames used, and dates each ary.	Give the percentage of ownership in small business %	the Social Security No.
<u>First</u>	Middle	( <u>Last</u> )	3. Date of Birth: (Month, day, and year	
			4. Place of Birth: (City & State or Fore	ign Country)
If applicable, Name a	nd Address of participating	lender or surety co.	5. U.S. Citizen? YES NO If no, are you a Lawful YES Permanent resident alien? Alien Registration r	INITIALS: NO number:
6. Present residence	address:		If no, country of citizenship:  Most recent prior address (omit if over	10 years and):
From:	, address,		From:	io youro ago).
To: Present			To:	
Address:	(Include Area Code)		Address:	
·	. (Include Area Code): No. (Include Area Code):	( )		
IF YOU ANSWER " SENTENCES, MISI CHARGED, AND A YOU; HOWEVER, A AS NOTED BELOW	YES" TO 7, 8, OR 9, YO DEMEANOR OR FELON NY OTHER PERTINEN AN UNTRUTHFUL ANS 1.	IY, DATES OF PAROLE/PRO T INFORMATION. AN ARRES WER WILL CAUSE YOUR APP	ON A SEPARATE SHEET. INCLUDE D BATION, UNPAID FINES OR PENALTII T OR CONVICTION RECORD WILL NO PLICATION TO BE DENIED AND SUBJE	ES, NAME(S) UNDER WHICH IT NECESSARILY DISQUALIFY ICT YOU TO OTHER PENALTIES
7. Are you presently s	No	INITIALS:	or other means by which formal criminal cha	arges are brought in any jurisdiction?
8. Have you been arr	ested in the past six mont	ns for any criminal offense?		
☐ Yes	□ No	INITIALS:_		
			er: 1) been convicted; 2) plead guilty; 3) pleacluding probation before judgment).	ded nolo contendere; 4) been placed
☐ Yes	No No	INITIALS:		
		on to request criminal record informal Business Act and the Small E	rmation about me from criminal justice agen Business Investment Act.	cies for the purpose of determining my
prosecution, significa and 3571 by imprisor	nt civil penalties, and a denment of not more than five \$5,000; and, if submitted	nial of your loan, surety bond, or e years and/or a fine of up to \$25	se statement on this form is a violation of Fe other program participation. A false stateme 0,000; under 15 USC 645 by imprisonment under 18 USC 1014 by imprisonment of not	ent is punishable under 18 USC 1001 of not more than two years and/or a
Signature		Title		Date
Agency Use Only 11.  Fingerprints \	Waived	Date Approving Authority	12. Cleared for Processing	Date Approving Authority
Fingerprints I	Required		13. Request a Character Evaluation	
Date Sent To OPS : _	·	Date Approving Authority	(Required whenever 7, 8 or 9 are answe processing.)	Date Approving Authority red "yes" even if cleared for

#### **Borrower Demographic Information Form (Optional)**



#### **Instructions**

- 1. <u>Purpose</u>. Veteran/gender/race/ethnicity data is collected for program reporting purposes only.
- 2. **Description**. This form requests information about each of the Borrower's Principals. Add additional sheets if necessary.
- 3. **<u>Definition of Principal</u>**. The term "Principal" means:
  - For a self-employed individual, independent contractor, or a sole proprietor, the self-employed individual, independent contractor, or sole proprietor.
  - For a partnership, all general partners and all limited partners owning 20% or more of the equity of the Borrower, or any partner that is involved in the management of the Borrower's business.
  - For a corporation, all owners of 20% or more of the Borrower, and each officer and director.
  - For a limited liability company, all members owning 20% or more of the Borrower, and each officer and director.
  - Any individual hired by the Borrower to manage the day-to-day operations of the Borrower ("key employee").
  - Any trustor (if the Borrower is owned by a trust).
- 4. **Principal Name**. Insert the full name of the Principal.
- 5. <u>Position</u>. Identify the Principal's position; for example, self-employed individual; independent contractor; sole proprietor; general partner; owner; officer; director; member; or key employee.

Principal Name		Position	
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	1=American Indian or Alaska Native; 2=Asian; 3=Black or African-American; 4=Native		
may be selected)	Hawaiian or Pacific Islander; 5=White; X=Not Disclosed		
Ethnicity	H=Hispanic or Latino; N=Not Hispanic or Latino; X=Not Disclosed		

Disclosure is voluntary and will have no bearing on the loan application decision

#### **NOTICES REQUIRED BY LAW**

#### Paperwork Reduction Act (44 U.S.C. Chapter 35)

PLEASE NOTE: The estimated time for completing this request for information, including time for reviewing instructions, gathering the information needed, and completing and reviewing your responses, is 15 minutes. You are not required to respond to this collection of information unless it displays a currently valid OMB Approval Number. The number for this collection of information is 3245-0178. If you wish to submit comments on the estimated completion time or any other aspect of this collection of information, direct these comments to: Small Business Administration, Director, Records Management Division, 409 3rd St., S.W., Washington D.C. 20416 and/or Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503.

#### Privacy Act Statement (5 U.S.C. 552a)

Purpose for Collecting Information: SBA is collecting the information on this form, including your social security number and other personal information to make a character and credit eligibility decision in connection with you or your company's application for a loan or other form of SBA assistance. Submission of the requested information is voluntary; however, because the information is required in order for SBA to have sufficient information to determine whether to provide you with the requested assistance, if you do not provide the information, we would be unable to make a final decision on your application.

Authorities: Under the Privacy Act, 5 U.S.C. § 552a, failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. However, disclosures of name and other personal identifiers are required for a benefit, as SBA requires an individual seeking assistance from the Agency to provide it with sufficient information 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. SBA is specifically authorized to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B) of the Small Business Act, (the SBAct), 15 USC § 636(a)(1)(B). Additionally, in making loans pursuant to section 7(a)(6) the SBAct, 15 USC § 636 (a)(6), SBA is required to have reasonable assurance that the loan is of sound value and will be repaid or that it is in the best interest of the Government to grant the assistance requested. 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 SBAct or Small Business Investment Act, 15 USC §§ 634(b)(11) and 687b(a). For these purposes, you are asked to voluntarily provide your social security number to assist SBA when making a character determination to distinguish you from other individuals with the same or similar name, date of birth or other personal identifier. This request is permitted under EO 9397.

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

#### U.S. SMALL BUSINESS ADMINISTRATION

#### PART C

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

Federal executive agencies, including the Small Business Administration (SBA), are 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, and they are contained in Parts 112, 113, 116, and 117, Title 13, Code of Federal Regulations Chapter 1, or Standard Operating Procedures.

#### 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.

#### Privacy Act (5 U.S.C. 552a)

A 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.

Under the provisions of the Privacy Act, you are not required to provide your social security number. But see Debt Collection notice below. Disclosures of name and other personal identifiers are, 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. In making loans pursuant to section 7(a)(6) of the Small Business Act (the Act), 15 USC Section 636(a)(6), SBA is required to have reasonable assurance that the loan is of sound value and will be repaid or that it is in the best interest of the Government to grant the assistance requested. 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). 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 687b(a). 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.

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 investigative files 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 that SBA may disclose the information maintained in SBA's investigative files to other Federal agencies conducting background check to the extent the information is relevant to the requesting agencies' function. An additional routine use of personal information is to assist in obtaining credit bureau reports, including business credit reports on the small business borrower and consumer credit reports and scores on the principals of the small business and guarantors on the loan for purposes of originating, servicing, and liquidating small business loans and for purposes of routine periodic loan portfolio management and lender monitoring. In addition, as a routine use, SBA may transfer to the Department of Housing and Urban Development, or other Federal agency, information related to a debt that a person is delinquent in paying to SBA in connection with its loan programs for publication on a computer database system to allow searches by participating Government agencies and approved private lenders, consistent with applicable law. SBA and its authorized lenders may also use this computer database system to perform a computer match to determine a loan applicant's credit status with participating agencies of the Federal Government. See Revision of Privacy Act System of Records, SBA 21- Loan System, 74 FR 14890 (April 1, 2009) for additional background and other routine uses, as amended by notices published at 77 FR 15

#### Right to Financial Privacy Act of 1978 (12 U.S.C. 3401)

This is notice to you as required by the Right of 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 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.

#### 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 aggressively collect 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:

- Report the status of your loan(s) to credit bureaus
- Hire a collection agency to collect your loan
- 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 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 eligible for additional SBA financial assistance.

#### 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 future financial assistance from SBA under any program, including disaster assistance.

#### Executive Orders -- Floodplain Management and Wetland Protection (42 F.R. 26951 and 42 F.R. 26961)

The SBA discourages any 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 in future floods.

#### 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. In some instances, the business can be forced to cease operations or be prevented from starting operations in a new facility. Therefore, in some instances 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 borrower is a certification that the OSA requirements that apply to the borrower's business have been determined and the borrower to the best of its knowledge is in compliance.

#### **Civil Rights Legislation**

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 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 11738 -- Environmental Protection** (38 C.F.R. 25161)

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 environmental protection legislation. SBA must, therefore, impose conditions on some loans. By acknowledging receipt of this form and presenting the application, the principals of all small businesses borrowing \$100,000 or more in direct funds stipulate to the following:

- 1. That any facility used, or to be used, by the subject firm is not cited on the EPA list of Violating Facilities.
- 2. 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.
- 3. 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.

#### **Immigration and Nationality Act** (8 U.S.C. 1101, et seq., as amended)

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 Citizenship and Immigration Services pursuant to the Immigration Reform and Control Act of 1986 (Pub. L. 99-603). 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 or 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 as amended by E.O. 12689, 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 504 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.

An	nl	ica	nt	N	of	ifi	cai	tio	ns

Applicant Notifications
The Applicants, its proprietors, partners, officers or stockholders owning 20% or more of the Applicant  have have have not
been involved in bankruptcy or insolvency proceedings. This question covers not only the Applicant, but also the personal bankruptcy or insolvency
proceedings of proprietors, partners, officers or stockholders owning 20% or more of the Applicant. You must attach copies of the proceedings, if any.
The Applicant, its proprietors, partners, officers or stockholders owning 20% of more the Applicant are/ are not
involved in any pending lawsuits. This question covers not only the Applicant, but also proprietors, partners, officers or stockholders owning 20% or more of
the Applicant in their personal capacities.

#### Applicant's Acknowledgement

My signature acknowledges receipt of these Statements Required by Laws and Executive Orders, that I have read it and that I have a copy for my files. My signature represents my agreement to comply with the requirements SBA makes in connection with the approval of my loan request and to comply, whenever applicable, with the limitations contained in these Statements.

#### **Certification as to Application Accuracy - Criminal Penalties for False Statements**

The undersigned certifies that all information provided to the CDC, and that all information in, and submitted with this application, including all exhibits is true and complete to the best of his or her knowledge. Applicant acknowledges that the application and exhibits are submitted to the CDC and to SBA so that the CDC and SBA can decide whether to approve this application. Any future submissions of information to the CDC must be accompanied by a certification as to the accuracy of that information.

The undersigned acknowledges that whoever makes any false statement or report, or willfully overvalues any land property or security for the purpose of influencing in any way the action of the SBA under the Small Business Investment Act, as amended, may be punished by a fine of not more than \$1,000,000 or by imprisonment for up to 30 years, or both, pursuant to 18 U.S.C. 1014. The undersigned further acknowledges that, in connection with a 504 loan, submission of any false statement to the CDC or SBA or submission of any record to the CDC or SBA omitting material information can result in civil money penalties and additional monetary liability up to three times the amount of damages which the Government sustains because of the false statement under the False Claims Act, 31 U.S.C. 3729.

#### **Borrower Agreements and Certifications**

I agree that if SBA approves this application, I 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.

I certify: I have not paid anyone connected with the Federal government for help getting this financial assistance. I also agree to report to the SBA Office of Inspector General, 409 Third Street S.W., Washington, D.C. 20416, any Federal government employee who offers in return for any type of compensation to help get this application approved. I understand that I need not pay anybody to deal with SBA. I also understand 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. I agree to pay for or reimburse 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.

Regulations issued by SBA prohibit the making of loans to relocate any operations of a small business which will cause a net reduction of one-third or more in the workforce of the relocating small business or a substantial increase in unemployment in any area of the country.

In the event that proceeds from this loan are used to provide a facility for relocation of the beneficiary small business concern (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.

No overlapping relationship exists between the small business concern, 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 CFR 120.140 or violate 13 CFR 120.851. No such relationships existed within six months of this application or will be permitted to exist while assistance is outstanding.

I authorize disclosure of all information submitted in connection with this application to the financial institution agreeing to participate with SBA's guaranteed debenture. I waive 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, I hereby agree that I 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. I, my spouse, or any member of my household, or anyone who owns, manages, or directs the business or their spouses or members of their households do not work for the SBA, Small Business Advisory Council, SCORE or ACE, 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.

(Each Proprietor, each General Partner, each Limited Partner or Stockholder owning 20% or more, and each Guarantor must sign. Each person should only sign once.)

If Applicant is a proprietor or partnership, sign below:  Name of Business		If Applicant is an L.L.C. or	If Applicant is an L.L.C. or corporation, sign below:			
		<b>Corporate Name</b>				
By:_	Date:	By:	Date:			
		Attested by:	(seal if required)			
Additional Proprietors, Partners, Se	tockholders or Guarantors	as required.				
Individually						
By:		Date				
_						

# Taxpayer Consent Form

# Certified Development Corporation of South Carolina ("CDC")

#### **Taxpayer Consent**

In anticipation of our request to CDC for commercial and business financing, we acknowledge and agree that you CDC, and your Loan Participants, are authorized to obtain, use and share our tax return information in order to (1) submit and process our application for loan approval to your loan committee and to the U.S. Small Business Administration ("SBA"), (2) originate and issue your loan commitment, monitor, service, sell, insure, and/or securitize our loan, and (3) use said tax return information as otherwise permitted by applicable laws, including state and federal privacy and data security laws. This consent includes and extends to (1) CDC's affiliates, agents, service providers, mortgage insurers, and loan guarantors, (2) CDC's Loan Participants, actual or potential owners of a loan resulting from our loan application, or holders of any beneficial or other interest in such loan(s) and their service providers and (3) successors and assigns of each of the foregoing parties.

Executed this	day of	, 20
Company Name:		
Signed By:		
Printed Name:		
Its:		
and/or		
<b>Individual:</b>		
By:		
By: Printed Name:		
By:		
Printed Name:		

# Personal Financial Statement (to be completed jointly with spouse)



Name

OMB APPROVAL NO.: 3245-0188 EXPIRATION DATE: 03/31/2021

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

#### **U.S. SMALL BUSINESS ADMINISTRATION**

As of	,	

**Business Phone** 

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 application for an SBA guaranteed 7(a) or 504 loan or, with respect to a surety bond, to assist in recovery in the event that the contractor defaults on the contract. 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.

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 (including the assets of the owner's spouse and any minor children); and (5) any person providing a guaranty on the loan

#### 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

Home Address	Home Phone
City, State, & Zip Code	
Business Name of Applicant	
ASSETS (Omit Cents)	LIABILITIES (Omit Cents)
Cash on Hand & in banks	Notes Payable to Banks and Others\$ (Describe in Section 2) Installment Account (Auto)\$ Mo. Payments \$ Installment Account (Other)\$ Mo. Payments \$ Loan(s) Against Life Insurance\$ Mortgages on Real Estate\$ (Describe in Section 4) Unpaid Taxes\$ (Describe in Section 6) Other Liabilities\$ (Describe in Section 7) Total Liabilities\$ Net Worth\$
Section 1. Source of Income.	Contingent Liabilities
Salary\$  Net Investment Income\$  Real Estate Income\$  Other Income (Describe below)*\$	Legal Claims & Judgments\$

<sup>\*</sup>Alimony or child support payments should not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.

Names and Addresses of Noteholder(s)		Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)		How Secured or Endorsed Type of Collateral		
Section 3. Stocks and	d Bond	<b>s.</b> (Use at	tachments if nec	essary. Each at	tachment must be	identified as pa	art of this state	ement and signed	.)
Number of Shares Name of Securities		Securities	Cost		Market Value Quotation/Exchange		te of n/Exchange	Total Value	
ection 4. Real Estate	Owned	<b>d.</b> (List ea	ch parcel separa	ately. Use attach	nment if necessary	. Each attachn	nent must be i	dentified as a par	t of this statement
			Property	Α	ı	Property B		Pro	operty C
Type of Real Estate (e.g. Primary Residence, Other Residence, Rental Property, Land, etc.)									
Address									
Date Purchased									
Original Cost									
Present Market Value									
Name & Address of Mortgage Holder									
Mortgage Account Num	nber								
Mortgage Balance									
Amount of Payment pe Month/Year	r								
Status of Mortgage									
Section 5. Other Pers							s security, s	tate name and	l address of lien
Section 6. Unpaid Tallien attaches.)	axes.	(Describ	e in detail as	to type, to w	hom payable, v	when due, a	mount, and	I to what prop	erty, if any, a ta
ien attaones.)									

Section 7. Other Liabilities. (Describe in detail.)		
<b>Section 8. Life Insurance Held.</b> (Give face amount and ca Beneficiaries.)	sh surrender value of policies – nar	me of insurance company and
I authorize the SBA/Lender/Surety Company to make inquiries determine my creditworthiness.	s as necessary to verify the accurac	ey of the statements made and to
<b>CERTIFICATION</b> : (to be completed by each person submittin more owner when spousal assets are included)	g the information requested on this	form and the spouse of any 20% or
By signing this form, I certify under penalty of criminal prosecution information submitted with this form is true and complete to the Lenders or Certified Development Companies or Surety Compaphication for a loan or a surety bond. I further certify that I have	e best of my knowledge. I understa panies will rely on this information w	and that SBA or its participating when making decisions regarding an
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:

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 hours 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

STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER

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 interagency 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)

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.

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.

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 investigative files 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 that SBA may disclose the information maintained in SBA's investigative files to other Federal agencies conducting background checks to the extent the information is relevant to the requesting agencies' function. In addition, another routine use is that SBA may transfer information related to a debt that a person is delinquent in paying to SBA in connection with its loan programs for publication on a computer database system maintained by the Department of Housing and Urban Development, or other Federal agency, to allow searches by participating Government agencies and approved private lenders, consistent with applicable law. SBA and its authorized lenders may also use this computer database system to perform a computer match to determine a loan applicant's credit status with participating agencies of the Federal Government. See Revision of Privacy Act System of Records, 74 F.R. 14890 (April 1, 2009) and 77 F.R. 61467 (October 9, 2012) for additional background and other routine uses, which may be amended from time to time.

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** -- 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, (6) foreclose on collateral or take other action permitted in the loan instruments, or (7) 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.

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.

# Business Debt Schedule

#### **Business Debt Schedule**

•	Company:	Date:	_
	The following information includes installment debts, notes, lines of credit and mortgages.	Do not include accounts payable or accrued liabilities.	

Creditor	Original Date	Original Amount	Maturity Date	Present Balance	Interest Rate	Monthly Payment	Collateral	Current?
					7.000			
Pag	e Totals	0		0		0		

# 2020 COVID-19 Questionnaire



# COVID-19 QUESTIONNAIRE

1.	How was the subject business impacted by COVID-19?	
2.	Was the business shut down, and for how long?	
3.	What measures did you or the seller take to navigate these financial or operational impacts?	
4.	What potentially long-lasting effects do you foresee for the industry as a whole?	
5.	Have you/the seller changed the business model since re-opening, or will you be changing the model in the near future?	
6.	Were employees laid off or furloughed, and have/will they be re-hired back? Please explain pre-COVID employee count versus post-COVID employee count.	
7.	Were any key employees let go and not re-hired? Please explain their roles and plan to operate the business in their absence.	
8.	Who are the business' customers? Is there any kind of customer concentration, and if so, are they still in business and/or how have they been impacted?	
9.	Has the business had trouble collecting on receivables?	
10.	Has the production/supply chain been disrupted? Please explain pre-COVID and post-COVID.	
11.	With changes in the supply chain, do you expect profit margins to be affected?	

12.	What are your working capital levels, and how long do you expect this money to last? Do any of the owners have personal liquidity they are willing to inject in the business to support operations? If so, how much?	
13.	Will additional working capital be needed with loan proceeds? If this is an acquisition, please comment on working capital in the purchase price, if any.	
14.	Does the business currently operate with a line of credit?	
15.	Did the business receive a PPP or disaster relief loan or grant? Does the business expect the PPP loan to be forgiven? If this is an acquisition, will the PPP loan be paid off by the seller prior to you purchasing the business?	
16.	Please prepare detailed projections for the next 2 years. These should depict month by month for at least 12 months, as well as contain detailed assumptions.	