



SBA Loan Application

Applicant, please note : if you are married or a registered domestic partner and live in a community property state such as California, Texas, or Nevada, all questions related to your spouse or registered domestic partner must be answered, even if this is an application for credit in your name only.

I understand I may apply for this credit in my name alone, without my spouse or any other person, regardless of my marital status. I am applying:

Check one box : ☐ in the business legal entity only ☐ in my name alone ☐ jointly with my spouse, registered domestic partner or other entity

Business Name:	_____	
D.B.A. Name:	_____	
Current Address:	_____	
City, State and ZIP:	_____	Telephone: _____
E-mail Address:	_____	Fax: _____
Type of Business:	_____	Date Established: _____
Number of Employees BEFORE / AFTER Loan:	_____ / _____	Tax ID: _____
Proposed New Address:	_____	Gross Annual Sales: _____
Current Bank:	_____	Account Open Since: _____
Checking Account Number:	_____	Average Balance: \$ _____
Savings Account Number:	_____	Average Balance: \$ _____

Estimated Use of Proposed Loan Proceeds

☐ Land Acquisition	\$ _____
☐ New Building Construction	\$ _____
☐ Land and Building Acquisition	\$ _____
☐ Building Improvements or Repairs	\$ _____
☐ Leasehold Improvements	\$ _____
☐ Machinery & Equipment	\$ _____
☐ Furniture & Fixtures	\$ _____
☐ Inventory Purchase	\$ _____
☐ Acquisition of Existing Business	\$ _____
☐ Refinance Existing Bank Loan	\$ _____
☐ Other Debt Repayment	\$ _____
☐ Working Capital	\$ _____

TOTAL CAPITAL REQUIREMENTS	\$ _____
Cash Being Provided by Borrower	\$ (_____)
Funds Provided by Other Sources	\$ (_____)
LOAN AMOUNT REQUESTED	\$ _____



List any previous SBA or other Federal Government Debt

NAME OF AGENCY	ORIGINAL AMOUNT OF LOAN	DATE OF REQUEST	APPROVED OR DECLINED	BALANCE	CURRENT OR PAST DUE

ASSISTANCE - List the name and occupation of anyone who assisted in the preparation of this form. (For SBA Loans Only)

Name: _____ Fee Paid \$ _____

Occupation: _____

MANAGEMENT (proprietor, partners, officers, directors, and all holders of outstanding stock - 100% of ownership must be shown)

NAME	TITLE	%OWNERSHIP

AFFILIATES (List below any business concerns in which the application company or any of the individuals listed above have any ownership)

NAME	TITLE	%OWNERSHIP

- | | YES * | NO |
|---|----------------------------|--------------------------|
| ● Have you or any officer of your company ever been involved in bankruptcy or insolvency proceedings? | ☐ * | ☐ |
| ● Are you or your business involved in any pending lawsuits? | ☐ * | ☐ |
| ● Are there any outstanding tax liens or judgements filed against you or your company? | ☐ * | ☐ |
| ● Does any applicant or their spouse or any member of their household, or anyone who owns, manages or directs your business or their spouse or members of their household work for the Small Business Administration, Small Business Advisory Council, SCORE or ACE, and Federal Agency, or the participating lender? | ☐ * | ☐ |
| ● Does your business presently, or as a result of this loan, engage in export trade? | ☐ * | ☐ |
| ● Does the company or any owner own title to a patented, trademarked, or copyrighted product? | ☐ * | ☐ |
| ● Does the company maintain Life Insurance on any owner or officer? | ☐ * | ☐ |

Insured	_____	Beneficiary	_____	Amount	\$	_____
Insured	_____	Beneficiary	_____	Amount	\$	_____

* If Yes, please provide the details.



CERTIFICATION AND SIGNATURES

By signing below, I certify that I am authorized to submit this application on behalf of the business named above and that all information and documents made in connection with this application, including federal tax returns (if any) are true, correct, and complete. I authorize Open Bank ("We", "Us", "Bank") to obtain balance and payoff information on all accounts requiring payoff as a condition of approving this application and to obtain at any time consumer and business reports from credit reporting agencies. I agree to notify the Bank promptly of any material changes related to the principals, the business, or other information in connection to this application. I acknowledge that this application is subject to a final decision and that additional information may be required in order for the Bank to make a final decision.

Married applicants may apply for either separate or joint credit. Depending on the legal form of the business, the following persons are required to sign this application: Corporation - Unless otherwise designated in the Articles or Resolution, the Chairman, President or any Vice President and the Secretary, Assistant Secretary, Chief Financial Officer or Assistant Treasurer; Partnership - All General Partners; Sole Proprietor - Owner; LLC - Unless otherwise designated in the Operating Agreement or Resolution, Manager or Managing Member.

Principal #1

Signature

Print Name

Title

Date

Principal #2

Signature

Print Name

Title

Date

Principal #3

Signature

Print Name

Title

Date





Loan Applicants – Please retain this portion for your records

EQUAL CREDIT OPPORTUNITY ACT NOTICE

(RIGHT TO REQUEST SPECIFIC REASONS FOR CREDIT DENIAL)

If your application for business credit is denied, you have the right to a written statement of the specific reasons for the denial. To obtain the statement, please contact Credit Administration at Open Bank or call (213) 892-9999 within 60 days from the date you are notified of our decision. We will send you a written statement of reasons for the denial within 30 days of receiving your request for the statement.

NOTICE: The Federal Equal Credit Opportunity Act prohibits creditors from discrimination against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into binding contract) because all or part of the applicant's income derives from any public assistance program; or because applicant has in good faith exercised any right under the Consumer Protection Act. The Federal Agency that administers compliance with this law concerning this credit is the Division of Depositor and Consumer Protection, National Center for Consumer and Depositor Assistance, Federal Deposit Insurance Corporation, 1100 Walnut St., Box #11, Kansas City, MO 64106.

APPRAISAL NOTICE

You have the right to a copy of the appraisal report used in connection with your application for credit. If you wish a copy, please write to us at the branch at which you applied for your loan. We must hear from you no later than 90 days after we notify you about the action taken on your credit application or you withdraw your application. In your letter, give us the following information. Loan or Application Number, if known; Date of application; Name(s) of loan applicant(s); Property Address; and Your current mailing address. Upon your request, the appraisal report will be sent to the current mailing address you provided.

If you are applying for a business loan to be secured by a residential real property: we may order an appraisal to determine the property's value and charge you for this appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close. You can pay for an additional appraisal for your own use at your own cost.

CIP NOTICE

Important Information about procedures for opening a new account:

To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify, and record information that identifies each person (individuals and businesses) who open an account. This means that we will ask for your name, address, date of birth, and other information that will allow us to identify you. We may ask to see your driver's license or other identifying documents.

CCPA NOTICE

Open Bank's California Consumer Privacy Act (CCPA) Notice may be viewed in the link here:

<http://myopenbank.com/privacy-policy/>

FEE DISCLOSURE FOR SBA 7(a) AND 504 LOAN PROGRAMS

You are not required to employ an Agent or representative (including the Lender) to assist you with the SBA loan application. An "agent" is defined to mean any authorized person representing you by conducting business with SBA for the purpose of obtaining or expediting an application for a loan guaranteed by the U.S. Small Business Administration (SBA).

CREDIT ALERT VERIFICATION REPORTING SYSTEM (CAIVRS) DISCLOSURE

If the small business defaults on the SBA guaranteed loan and SBA suffers a loss, the names of the small business and the guarantors of the SBA guaranteed loan will be referred for listing in the CAIVRS database, which may affect their eligibility for further financial assistance.

NON-PUBLIC PERSONAL INFORMATION (NPI) DISCLOSURE

By submitting this loan application, you acknowledge and agree that non-public personal information (NPI) should not be transmitted via unsecured email. To safeguard your sensitive information, we recommend using encrypted methods of communication. Please be advised that the bank is not responsible for any loss, exposure, or misuse of NPI sent through unencrypted channels.



Certification of Eligibility Requirements for Beneficial Owners

I certify that none of the direct and indirect owners of the Applicant, OC, and EPC, and all SBA-required guarantors, including entities of the Applicant, OC, and EPC, are Ineligible Persons. An Ineligible Person includes but is not limited to: 1. Undocumented aliens who are in the U.S. illegally; 2. An individual granted asylum, refugees, visa holders, nonimmigrant aliens under 8 U.S.C. § 1101(a)(15), or those under Deferred Action for Childhood Arrivals (DACA); 3. An individual, including a visa holder, who is not a U.S. Citizen, or U.S. National (non-resident aliens); 4. An individual (including U.S. Citizens, and U.S. Nationals) who has their Principal Residence outside of the United States, its territories, or possessions; 5. A business concern or entity that was created, organized, or incorporated outside of the United States, its territories, or possessions; 6. An individual who is a citizen of the People's Republic of China, or the Special Administrative Region of Hong Kong; 7. A Lawful Permanent Resident (LPRs) (commonly referred to as "green card holders"), including individuals with permanent (Unconditional) LPR status, and Conditional LPR status; or 8. An individual, business concern, or entity on the Office of Foreign Assets Control (OFAC) sanctions list (see SOP 50 10).

I certify that all direct and indirect owners of the Applicant(s) and OC(s), and all SBA required guarantors, are U.S. Citizens or U.S. Nationals that have a principal residence (as given the meaning of principal residence in IRS publication 523) in the United States, its territories, or possessions; and all entity owners and guarantors were created, organized, or incorporated in the United States, its territories, or possessions.

Owner's Legal Name	Ownership %	SSN	Date of Birth

By signing this form, I certify 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.

[Name]

Date



Business Fact Sheet
For SBA Loan Application

A) Business Description

1. Name and description of business:

2. Legal structure (sole proprietorship, partnership, corporation, etc.). Principals/officers with 20% or more ownership along with title & their brief management qualification/experience:

3. Date business was originally established AND date when business was purchased by current owner:

4. Location (neighboring area) and plant description:

5. Business operating days and hours:

6. Number of current non-owner employees (full-time/part-time) AND number of employees to be retained:

7. Please explain any fluctuations in sales and expenses over the last three years and year-to-date.

B) Product/Service

1. Description of available products and services:

2. Customer base including top customers, their % of total sales volume and sales terms offered to them:

3. Names of top three suppliers, their % of total purchasing volume and purchasing terms offered by suppliers:

4. Names and locations of major competitors. Please indicate the business' advantage over competitors:

C) Marketing & Projection (Please feel free to attach your own business plan.)

1. Marketing plan or strategy (advertising, cold calls, fliers, etc.):

2. Future expansion plans:

3. Expected change in sales (in term of % increase/decrease) and reasons:

4. Expected change in cost of goods sold and operating expense (in terms of % increase/decrease) and reasons:

D) Other Questions

1. Source of borrower's down payment (i.e. sale of a business, bank savings, etc.)C) Marketing & Projection (Please feel free to attach your own business plan.)

2. Have you had any previous SBA loans or any federal government loans, including student loans? If yes, please indicate original amount, approved date and current status.

3. Do you have ownership/management interest in any other businesses? If yes, please provide details.

4. Are you or your business involved in any pending lawsuits? If yes, please provide details.3. Expected change in sales (in terms of % increase/decrease) and reasons:

5. What is the seller's reason for business sale?

6. Are you (Borrower) related to the seller of the subject transaction? If yes, please provide details.

7. Do you, your spouse or any member of your household work for the SBA, SCORE, ACE, any Federal Agency, or the participating lender?

Borrower's Name & Signature

Date



INDEBTEDNESS: Furnish the following information on all installment debt, contracts, notes, (*) and mortgages payable. Indicate by asterisk (*) items to be paid by loan proceeds and reason for paying them (presnet balance should agree with latest balance sheet submitted). Do not include accounts payable or accrued liabilities.

CREDITOR Name and Address	Original Date	Original Amount	Present Balance	Interest Rate	Monthly Payment	Maturity Date	Collateral / Security
Total Present Balance:							



PERSONAL FINANCIAL STATEMENT

U.S. SMALL BUSINESS ADMINISTRATION

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

To complete this form

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

☐ **7(a) loan / 504 loan / Surety Bonds**

Complete this form for: (1) each proprietor; (2) general partner; (3) managing member of a limited liability company (LLC); (4) each owner of 20% or more of the equity of the Applicant (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

☐ **Disaster Business Loan Application**

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

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

☐ **Women Owned Small Business (WOSB) Federal Contracting Program**

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

SBA's regulations state that to be considered economically disadvantaged for purposes of the WOSB Program, a woman must have an adjusted gross income averaged over the three prior fiscal years of \$400,000 or less; less than \$6.5 million in the fair market value of all her assets (to include her primary residence and value of the business concern); and less than \$850,000 in personal net worth (excluding equity interest in her personal residence and ownership interest in the business, and funds invested in a retirement account that are unavailable until retirement age). 13 C.F.R. §127.203. The information contained in this form must be submitted and certified through beta.certify.sba.gov. For additional information go to: <http://wosb.certify.sba.gov>

8(a) Business Development Program

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

SBA's regulations state that to be considered economically disadvantaged for purposes of the 8(a) Business Development Program, an individual must have an adjusted gross income averaged over the three prior fiscal years of \$400,000 or less; less than \$6.5 million in the fair market value of all assets (to include primary residence and value of the business concern); and less than \$850,000 in personal net worth (excluding equity interest in the personal residence and ownership interest in the business, and funds invested in a retirement account that are unavailable until retirement age). 13 C.F.R. §124.104.

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

Name		Business Phone (xxx-xxx-xxxx)	
Home Address		Home Phone (xxx-xx-xxxx)	
City, State, & Zip Code			
Business Name of Applicant/Borrower			
Business Address (if different than home address)			
Business Type: Corporation S-Corp. LLC Partnership Sole Proprietor			
This information is current as of (mm/dd/yyyy) (must be within 90 days of submission for Disaster or within 120 days of submission for 7(a)/504/DBG/8(a) BD/WOSB)			
WOSB applicant only, Married Yes No			
ASSETS (Omit Cents)		LIABILITIES (Omit Cents)	
Cash on Hand & in banks..... Savings Accounts..... IRA or Other Retirement Account..... (Describe in Section 5) Accounts & Notes Receivable..... (Describe in Section 5) Life Insurance – Cash Surrender Value Only..... (Describe in Section 8) Stocks and Bonds..... (Describe in Section 3) Real Estate..... (Describe in Section 4) Automobiles..... (Describe in Section 5, and include Year/Make/Model) Other Personal Property..... (Describe in Section 5) Other Assets..... (Describe in Section 5) Total		Accounts Payable..... 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..... Total Must equal total in assets column.	
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 Income" unless it is desired to have such payments counted toward total income)			

Section 2. Notes Payable to Banks and Others. (Use attachments if necessary. Each attachment must be identified as part of this statement and signed.)

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 Bonds. (Use attachments if necessary. Each attachment must be identified as part of this statement and signed.)

Number of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned. (List each parcel separately. Use attachment if necessary. Each attachment must be identified as a part of this statement and signed.)

	Property A	Property B	Property 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 Number			
Mortgage Balance			
Amount of Payment per Month/Year			
Status of Mortgage			

Section 5. Other Personal Property and Other Assets. (Describe, and, if any is pledged as security, state name and address of lien holder, amount of lien, terms of payment and, if delinquent, describe delinquency.)

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

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

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

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

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

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

Signature

Date
(mm/dd/yyyy)

Print Name

Social Security No.
(xxx-xx-xxxx)

Signature

Date
(mm/dd/yyyy)

Print Name

Social Security No.
(xxx-xx-xxxx)

NOTICE TO 7(a) LOAN, 504 LOAN AND SURETY BOND APPLICANTS: CRIMINAL PENALTIES 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.

NOTICE TO DISASTER BUSINESS LOAN APPLICANTS: CRIMINAL PENALTIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

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

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

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

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

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

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

PLEASE READ, DETACH, AND RETAIN FOR YOUR RECORDS

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

Authorities and Purpose for Collecting Information: The Small Business Administration (SBA) requires this information collection for the administration of financial and contracting assistance programs. For financial assistance programs authorized by Sec. 7(a) of the Small Business Act, 15 U.S.C. § 636 et seq., and Title V of the Small Business Investment Act of 1958, 15 U.S.C. § 695, et seq., SBA regulations require any loan guarantor and individual owners of the small business applicant to submit a personal financial statement to disclose their assets and liabilities (See, 13 CFR § 120.150). With respect to SBA's contracting assistance programs, SBA regulations at 13 CFR §§ 124.104, 124.112, and 124.1002; and 13 CFR § 127.203 require, among other things, that applicants and participants submit financial information as part of the application for SBA's contracting assistance programs. SBA is collecting the information on this form, including social security numbers and other personal information, to make credit or other eligibility decisions in connection with you or your company's application for SBA assistance.

SBA may also use social security numbers for the purpose of collecting and reporting on any delinquent fees or other amounts owed SBA, where applicable. For purposes of SBA's financial assistance programs, 31 U.S.C. 7701 requires loan applicants and guarantors, or any indemnitor of a surety bond to provide their social security numbers or other taxpayer identification numbers. Failure to provide this information would affect your ability to obtain an SBA loan or bond. For other individuals signing this form, the submission of the social security number is voluntary and failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. However, your social security number or other taxpayer identification number helps SBA to distinguish you from other individuals with the same or similar name or other personal identifier. This use is permitted under Executive Order 9397.

Routine Uses: The Privacy Act authorizes SBA to make certain "routine uses" of information protected by that Act. One such routine use for SBA's loan system of records for personal use of information is to assist in obtaining credit bureau reports on Disaster Loan Applicants and guarantors for purposes of originating, servicing, and liquidating Disaster loans. The information in this system is used on a routine basis exclusively by authorized officials. Personal information collected is protected to the extent permitted by law, including the Freedom Information Act, 5 U.S.C. 552, and the Privacy Act 5 U.S.C. 552a. While the records are routinely used only for the purpose for which they are established, additional uses may be made in accordance to SBA's Privacy Act System of Records: SBA 20 - Disaster Loans Case Files, SBA 21- Loan Systems, SBA 30 - Government Contracting and Business Development, and SBA 26 - Power of Attorney Files. The notice of each system of records can be found here: <https://www.sba.gov/sites/default/files/2020-01/sba-sorns.pdf>.

Right to Financial Privacy Act of 1978 (12 U.S.C. 3401) -- This is notice to you as required by the Right to Financial Privacy Act of 1978, of SBA's access rights to financial records held by financial institutions that are or have been doing business with you or your business, including any financial institutions participating in a loan or loan 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, loan guaranty agreement, or bond guarantee. 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, or bond agreement. No further notice to you of SBA's access rights is required during the term of any such agreement.

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

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

This law provides, with some exceptions, that SBA must supply information contained in agency files and records to a person requesting it. Information about approved loans that will be automatically released includes, among other things, statistics on our loan programs (individual borrowers are not identified in the statistics), and other information such as the names of the borrowers (and their officers, directors, stockholders or partners), the collateral pledged to secure the loan, the amount of the loan, its purpose in general terms, and the maturity. With respect to SBA's bond guarantee program, SBA will release, among other things, statistics on the Surety Bond Guarantee (SBG) programs and other information such as the names of small businesses (and their officers, directors, stockholders or partners) and the amount of the bond guarantees. Proprietary data on a borrower would not routinely be made available to third parties. All requests under this Act are to be addressed to the nearest SBA office and be identified as a Freedom of Information request.



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For use with all SBA 7(a) Loan Programs

OMB Control No.: 3245-0348

Expiration Date: 6/30/2027

Applicant Business Legal Name (OC ☐ EPC☐):			
Operating Business Legal Name (OC):			
DBA or Tradename (if applicable)			
Business TIN (EIN, SSN)			
Primary Industry / NAICS Code (6 digit):		Business Phone:	
Unique Entity ID used in SAM.gov, if any		Year began operations:	
Entity Type Check One:	☐ Sole proprietor ☐ Partnership ☐ C-Corp ☐ S-Corp ☐ LLC ☐ Other	Special Ownership Type (Select all that apply):	☐ Employee Stock Ownership Plan (ESOP) ☐ 401(k) or ROBS 401(k) Trust ☐ Cooperative ☐ Native-American Tribal-Owned Business ☐ Other _____
Business Address (Street, City, State, Zip Code) <i>Do not use P.O. Box address</i>		Project Address, if different than Business Address (Street, City, State, Zip Code) Do not use P.O. Box address	
Primary Contact Name			
Primary Contact Email Address			
# of existing employees (including owners, all part-time, full-time and all employees of domestic and foreign Affiliates – do not convert to FTE)			
# of FTE jobs saved/retained because of the loan (including owners)			
# of new FTE jobs created because of the loan (including owners)			
Purpose of the loan (i.e., Purchase Real Estate; Construction; Equipment; Inventory; Eligible Debt Refinancing; Working Capital; etc.)			
☐ Acquisition/installation of equipment	\$_____.	☐ Purchase/Construction of Commercial Real Estate	\$_____.
☐ Working Capital	\$_____.	☐ Acquisition of inventory	\$_____.
☐ Business acquisition (Change of Ownership)	\$_____.	☐ Debt refinancing	\$_____.
☐ Other:	\$_____.	☐ Other:	\$_____.

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

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



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

Owner's Legal Name (First name Last name)	
Owner's Position	
Veteran Status	☐ Non-Veteran; ☐ Veteran; ☐ Service-Disabled Veteran; ☐ Spouse of Veteran; ☐ Not Disclosed
Sex	☐ Male; ☐ Female
Race (more than 1 may be selected)	☐ American Indian or Alaska Native; ☐ Asian; ☐ Black or African American; ☐ Native Hawaiian or Pacific Islander; ☐ White; ☐ Not Disclosed
Ethnicity	☐ Hispanic or Latino; ☐ Not Hispanic or Latino; ☐ Not Disclosed

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

Question	Yes	No
1. Is the Applicant or if the Applicant is structured as an Eligible Passive Company (EPC) and Operating Company (OC), both the EPC and OC, or any Associate of the Applicant presently suspended, debarred, proposed for debarment, declared ineligible, voluntarily excluded from participation in a transaction by any Federal department or agency, or presently involved in any bankruptcy?	☐	☐
2. Is the Applicant, any Associate of the Applicant, or any business owned by them or any Affiliates (per 13 CFR 121.301(f)), currently delinquent or have ever defaulted on a direct or guaranteed loan from SBA, or another Federal agency loan program (including, but not limited to USDA, B&I, FSA, FHA, EDA), or been a guarantor on such a loan?	☐	☐
3. Is the Applicant or any owner of the Applicant an owner of any other business? <i>If yes, list all such businesses (including their TINs), percentage of ownership, and describe the relationship on a separate sheet identified as addendum A.</i>	☐	☐
4. Is the Applicant or any Associate of the Applicant currently incarcerated, serving a sentence of imprisonment imposed upon adjudication of guilty, or is under indictment for a felony or any crime involving or relating to financial misconduct or a false statement? <i>(if "Yes" the Applicant is not eligible for SBA financial assistance.)</i>	☐	☐
Initial here to confirm your response to question 4 (originally initialed, or an acceptable electronic signature, and not typed.)		
5. Are any of the Applicant's products and/or services exported (directly or indirectly), or is there a plan to begin exporting (directly or indirectly) as a result of this loan, or is this an Export Working Capital Program (EWCP)* loan? <i>If "Yes," answer questions 5.a) and b) below, if "No" move to question 6</i>	☐	☐
5.a) Provide the estimated total export sales this loan will support.	\$	
* (For EWCP loans, in a separate attachment, provide details of the underlying transaction(s) for which the loan is needed, countries where the buyers are located and a description of products and/or services to be exported.)		
5.b) List of principal countries of Export (list at least 1):		
6. Has the Applicant paid or committed to pay a fee to the Lender or a third party to assist in the preparation of the loan application or application materials, or has the Applicant paid or committed to pay a referral agent or broker a fee? <i>If "Yes" provide details to your Lender (the name of the third party and the amount of the fee). The Applicant is not required to obtain or pay for unwanted services.</i>	☐	☐
7. Are any of the Applicant's revenues derived from gambling, loan packaging, lending activities, lobbying activities, or from the sale of products or services, or the presentation of any depiction, displays or live performances, of a prurient sexual nature? <i>If "Yes," provide details under a separate attachment.</i>	☐	☐
8. Is any sole proprietor, partner, officer, director, stockholder with a 10 percent or more interest in the Applicant an SBA employee or a Household Member of an SBA employee? (13 CFR 105.204). "Household Member" means spouse and minor children of an employee, all blood relations of the employee and any spouse who resides in the same place of abode with the employee (13 CFR §105.201(d))	☐	☐
9. Is any employee, owner, partner, attorney, agent, owner of stock, officer, director, creditor or debtor of the Applicant a former SBA employee who has been separated from SBA for less than one year prior to the request for financial assistance? (13 CFR 105.203)	☐	☐
10. Is any sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest in the Applicant, or a household member of such individual, a member of Congress, or an appointed official or employee of the legislative or judicial branch of the Federal Government? (13 CFR 105.301(c))	☐	☐
11. Is any sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest in the Applicant, or a household member of such individual, a Federal Government employee or Member of the Military having a grade of at least GS-13 or higher (or Military equivalent)? (13 CFR 105.301(a))	☐	☐



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12. Is any sole proprietor, general partner, officer, director, or stockholder with a 10 percent or more interest in the Applicant, or a household member of such individual, a member or employee of a Small Business Advisory Council or a SCORE volunteer? (13 CFR 105.302(a))	☐	☐
13. Is the Applicant, any owner of the Applicant, or any business owned by them (Affiliates), presently involved in any legal action (including divorce)? <i>If yes, provide details.</i>	☐	☐

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

APPLICANT CERTIFICATION

By signing this application, the Applicant certifies that it complies with all Loan Program Requirements as defined in 13 CFR § [120.10](#), including but not limited to requirements in 13 CFR §§ [120.100](#), [120.110](#), [121.301](#), and 31 CFR § [285.13](#). The Applicant further certifies that the Applicant business is at least 51 percent owned and controlled by persons who are citizens of the U.S. or are Lawful Permanent Residents and that all SBA loan proceeds will be used in accordance with Loan Program Requirements. SBA or the Lender may request additional information to determine that an Applicant fulfills any eligibility requirement. **By signing the application, the Applicant has certified that it fulfills all eligibility requirements.**

The authorized representative of the Applicant and the Operating Company certifies to the following:

- I have read the statements included in this form, including the Statements Required by Law and Executive Order, and I understand them.
- I certify that the information provided in this application and the information provided in all supporting documents and forms is true and accurate in all material respects. The Applicant understands that knowingly making a false statement to obtain a guaranteed loan from SBA is punishable under the law, including under 18 U.S.C. 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 U.S.C. 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a federally insured institution, under 18 U.S.C. 1014 by imprisonment of not more than thirty years and/or a fine of not more than \$1,000,000.
- I will comply, whenever applicable, with the hazard insurance, lead-based paint, civil rights or other limitations set forth in SBA Loan Program Requirements.
- No holder of 50 percent or more of the ownership of the Applicant or OC is delinquent more than 60 days under the terms of any administrative order; court order; or repayment agreement requiring payment of child support.
- Applicant and OC are current on all Federal, state, and local taxes, including but not limited to income taxes, payroll taxes, real estate taxes and sales taxes of the business, and will pay all Federal, state, and local taxes when they come due.
- All 7(a) loan proceeds will be used only for the Applicant business as approved by the Lender and/or SBA.
- I understand, acknowledge, agree, and consent that the Lender can share any tax information that I have provided and/or that the Lender has obtained from the Internal Revenue Service with SBA's authorized representatives, including authorized representatives of the SBA Office of Inspector General, for the purpose of compliance with SBA Loan Program Requirements and all SBA reviews.
- I acknowledge that the Lender will confirm the eligible loan amount using required documents submitted.
- The Applicant, together with all affiliates, is small under the applicable small business size standard (13 CFR 121.201 and Section 3(a)(5) of the Small Business Act [15 U.S.C. 631 et seq]). SBA or the Lender may request additional information concerning the Applicant's size based on information supplied in the application or any other source.
- The Build America, Buy America Act (BABAA) requires that no federal financial assistance for "infrastructure" projects is provided "unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States." Section 70914 of Public Law No. 117-58, §§ 70901-52. The undersigned certifies that if any SBA loan proceeds are used directly or indirectly for an infrastructure project, the iron, steel, manufactured products, and construction materials used in the construction of the infrastructure project are in full compliance with the BABAA requirements including: 1. All iron and steel used in the project are produced in the United States; 2. All manufactured products purchased with SBA financial assistance must be produced in the United States; and 3. All construction materials used in the construction are manufactured in the United States. And the Borrower will obtain from the Contractors, or Subcontractors, certifications, or affirmations as to their compliance with BABAA requirements in the project. SBA encourages the purchase, to the extent feasible, of American-made equipment and supplies.
- The Applicant is not engaged and will not engage in any activity that is illegal under federal, state, or local law or that can reasonably be determined to support or facilitate any activity that is illegal under federal, state, or local law.
- During the life of the loan, the real estate pledged as collateral for the loan or where the Borrower or OC conducts its business operations will not be leased to or occupied by any business that Borrower or OC knows is engaged in any activity that is illegal under Federal, state or local law or any activity that can reasonably be determined to support, promote, or facilitate any activity that is illegal under Federal, state or local law.
- If applicable, the Applicant(s), the ESOP (or equivalent trust), and/or the 401(k) plan are in compliance with all applicable IRS, Treasury, and Department of Labor requirements and will comply with all relevant operating and reporting requirements.
- If the 7(a) loan request is for a Standard 7(a) loan (loan greater than \$500,000), and if the loan will finance a change of ownership between existing owners (complete partner buyout), and if the 7(a) loan proceeds will finance more than 90% of the purchase price of the partner buyout, the remaining owner(s) must certify that they have been actively participating in the business operation and held the same or an increasing ownership interest in the business for at least the past 24 months. For any real estate to be purchased by loan proceeds and pledged as collateral for the loan or where the Applicant or OC is conducting business operations, the Applicant or OC are currently and will remain in compliance with all local, state, and Federal environmental laws and regulations and will continue to comply with these laws and regulations. Furthermore, they are unaware of any other actual or potential environmental hazards related to the collateral or business premises. They agree to fully indemnify Lender and SBA against all liabilities or losses arising from the contamination of the property before or during the term of the loan.
- The Applicant and/or OC will reimburse Lender for out-of-pocket expenses incurred in the making and administration of the loan.



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- The Applicant and/or OC will maintain proper books and records, allow Lender and SBA access to these records, and furnish financial statements or reports annually or whenever requested by Lender.
- The Applicant and/or OC will post SBA Form 722, Equal Opportunity Poster, where it is clearly visible to employees, applicants for employment and the general public.
- For debt refinance, the debt being refinanced with the loan proceeds was used exclusively for the Applicant's business, including any credit card, HELOC, and/or debt on the Applicant's balance sheet.
- The U.S. Small Business Administration (SBA) is hereby authorized to release any and all information about my existing SBA Loans to the Lender processing this loan application. I understand that information released may include, but may not be limited to, information relating to my loan amount and payment transactions history, and/or the provision of copies of my loan documents, which may contain non-public information relating to all obligors and/or guarantors (if applicable).
- The Applicant and OC will not, without Lender's prior written consent:
 - Make any distribution of company assets that will adversely affect the financial condition of the Borrower and/or OC.
 - Change the ownership structure or interests in the business during the term of the loan; and
 - Sell, lease, pledge, encumber (except by purchase money liens on property acquired after the date of the Note), or otherwise dispose of any of the Borrower's property or assets, except in the ordinary course of business.

Signature of Authorized Representative of Applicant

Date

Print Name

Title



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Purpose of this form:

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

Instructions for completing this form:

A separate SBA Form 1919 for each co-Applicant (e.g., EPC and OC) must be completed and signed by the authorized representative of the Applicant and **submitted to your SBA Participating Lender**. The amounts of the “Purpose of the loan” sections across all SBA Forms 1919 should equal the total amount of the loan request. Submission of the requested information is required to make a determination regarding eligibility for financial assistance.

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

All parties listed below are considered Owners of the Applicant:

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

For purposes of reporting (optional) demographic information:

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

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

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

Statements Required by Law and Executive Order

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

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

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

Privacy Act (5 U.S.C. 552a); Collection of Social Security Number (31 U.S.C. 7701)

Authorities and Purpose for Collecting Information: SBA is collecting the information on this form, including social security numbers (SSNs) and other personal information, to make a character and credit eligibility decision in connection with you or your company’s application for SBA assistance. SBA may also use SSNs and other taxpayer identification numbers (TINs) for the purpose of collecting and reporting on any delinquent fees or other amounts owed SBA. Under the provisions of 31 U.S.C. 7701, the Administrator shall require a person applying for a loan under the program to provide that person’s TIN; therefore, the Applicant business and any guarantor of the loan must provide their SSNs or other TINs in order to do business with SBA and not providing your SSN or TIN will impact the loan decision.

SBA also determines eligibility of the Applicant business in accordance with regulations under 13 CFR 120.110(n). SBA is specifically authorized to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B), of the Small Business Act, 15 USC Section 636(a)(1)(B). In addition, for all forms of assistance, SBA is authorized to make all investigations necessary to ensure that a person has not engaged in acts that violate or will violate the Small Business Act, 15 U.S.C. 634(b)(11). SBA also uses the SSN to distinguish the Applicant and its owners of the Applicant from other individuals with the same or similar name or other personal identifiers. This use is permitted under Executive Order 9397.

Routine Uses: Some of the information collected may be checked against criminal history indices of the Federal Bureau of Investigation. When the information collected indicates a violation or potential violation of law, whether civil, criminal, or administrative in nature, SBA may refer it to the appropriate agency, whether Federal, State, local, or foreign, charged with responsibility for or otherwise involved in investigation, prosecution, enforcement or prevention of such violations. See SBA’s Privacy Act System of Records, at 74 Fed. Reg. 14890 (2009) and 82 Fed. Reg. 23026 (2021) (as amended from time to time) for other published routine uses for the collected information.



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

No further notice to you of SBA's access rights is required during the term of any such agreement. The law also authorizes SBA to transfer to another Government authority any financial records included in an application for a loan, or concerning an approved loan or loan guarantee, as necessary to process, service or foreclose on a loan or loan guarantee or to collect on a defaulted loan or loan guarantee. No other transfer of your financial records to another Government authority will be permitted by SBA except as required or permitted by law.

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

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

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

Freedom of Information Act (5 U.S.C. 552) -- This law provides, with some exceptions, that SBA must supply information reflected in agency files and records to a person requesting it. Information about approved loans that is generally 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, the amount of the loan, and the type of loan. 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 SBA's Freedom of Information/Privacy Acts 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.

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

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



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

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

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

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

Executive Order 12549 as amended by E.O. 12689, Debarment and Suspension (2 C.F.R. 180, adopted by reference in 2 C.F.R. Part 2700 (SBA Debarment Regulations)) – By submission of this loan application, you certify and acknowledge that neither you nor any Associates: (a) are presently debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a transaction by any Federal department or agency; (b) are formally proposed for debarment, with a final determination still pending; (c) are presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in the SBA Debarment Regulations; (d) have been convicted, or had a civil judgment rendered against you within the preceding three years for any of the offenses listed in the SBA Debarment Regulations, including 2 C.F.R. § 180.800(a); or (e) have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default; or (f) are delinquent on any amounts due and owing to the U.S. Government or its agencies or instrumentalities as of the date of execution of this certification. You further certify that you have not and will not knowingly enter into any agreement in connection with the goods and/or services purchased with the proceeds of this loan with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Transaction. All capitalized terms have the meanings set forth in 2 C.F.R. Part 180.

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

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



MANAGEMENT RESUME

Please fill in all spaces. If an item is not applicable, please indicate as such. You may include additional relevant information on a separate exhibit. SIGN/DATE where indicated.

PERSONAL INFORMATION		
Name:		Social Security Number:
Date of Birth:		Place of Birth:
Residence Telephone:		Business Telephone:
Current Residence Address:		From:
		To: Present Date
Previous Residence Address:		From:
		To:
Spouse's Name:		Social Security Number:

EDUCATION			
High School / College / Technical - Name / Location	Dates Attended	Major	Degree / Certificate

ELIGIBILITY QUESTIONS:					
1. Are you a U.S. Citizen?	☐ YES ☐ NO	If NO, give alien registration number:			
2. Have you ever filed a petition of bankruptcy?	☐ YES ☐ NO	If YES, when?			
3. Have you ever served in U.S. Armed Forces?	☐ YES ☐ NO	If YES, when?			
4. Are you employed by the U.S. Government?	☐ YES ☐ NO	If YES, give Agency / Position:			
5. Have you ever requested government financing? or are delinquent on the repayment of any federal debt including SBA Loan?		☐ YES ☐ NO			
If YES, please fill out below information:					
Name of Agency	Original Loan Amount	Date Requested	Funding Status	Balance	Payment Status
			☐ Approved ☐ Declined		☐ Current ☐ Past Due
			☐ Approved ☐ Declined		☐ Current ☐ Past Due
6. Have you ever been charged with and/or convicted of any criminal offense other than a minor vehicle violation?					☐ YES ☐ NO
If YES, please explain:					

WORK EXPERIENCE		
Company Name / Location:		
Title:	From:	To:
Duties		
Company Name / Location:		
Title:	From:	To:
Duties		
Company Name / Location:		
Title:	From:	To:
Duties		

Signature

Date

NOTICE TO APPLICANT OF RIGHT TO RECEIVE COPY OF APPRAISAL REPORT

DATE:

LOAN NO:

PROPERTY ADDRESS:

The Equal Credit Opportunity Act (Regulation B) requires creditors to provide applicants with a copy of the appraisal report used in conjunction with their loan application.

Open Bank may order an appraisal to determine the property's value and charge you for this appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close.

You can pay for an additional appraisal for your own use at your own cost.

Please select from the following options:

I/We want the appraisal report to be sent:

- ☐ By mail to my residence
- ☐ By e-mail: _____
- ☐ Other: _____

Applicant's Signature

Date

Co-Applicant's Signature

Date



1000 Wilshire Blvd, Suite 500
Los Angeles, CA 90017

Consent to Receive Communications Electronically (“Consent”)

The following disclosures are required by the federal Electronic Signatures in Global and National Commerce Act (“E-Sign Act”). In order for you to receive Communications electronically in connection with your loan application, you must give your consent to Open Bank (“us”, “we”). Your consent to receive electronic Communications includes but is not limited to: loan documents, disclosures, and the appraisal report/evaluations. By providing your email address and your signature below, you affirmatively consent to receiving Communications by email. Each borrower must sign and return this Consent to us, via his or her designated email, even if all borrowers share the same email address.

How to Withdraw Consent: You may withdraw your consent to receiving Communications electronically, at no charge to you, by calling 213-892-9999 or emailing your loan officer at _____.

How to Update Your Records: It is your responsibility to provide us with true, accurate, and complete e-mail address, contact, and other information related to this disclosure and your loan application, and to maintain and update promptly any changes in this information. You can update information by calling 213-892-9999 or emailing your loan officer at _____.

Hardware and Software Requirements: In order to access, view, and retain electronic Communications that we make available to you, you must have:

- A computer with Internet connectivity, sufficient storage space, and a supported Internet browser capable of 128-bit encryption;
- A supported PDF viewer, such as the current version of Adobe® Reader® (www.adobe.com/reader) and a browser that can print PDF documents; and
- A valid e-mail address including an account with an e-mail service provider compatible with your e-mail software.

If we change the computer hardware or software requirements, we will provide you with advance notice of the new requirements.

Requesting Paper Copies: We will not send you a paper copy of any Communication from us, unless you request it or we otherwise deem it appropriate to do so. During the loan application process, you can obtain a paper copy of the electronic Communications by printing them yourself or by requesting that we mail you a paper copy. To request a paper copy, at no charge to you, call us at 213-892-9999 or email your loan officer at _____.

Printed Name: _____

E-mail address: _____

By signing below, I consent to receiving Communications electronically from Open Bank and confirm I have the equipment and software described above to review electronic Communication, and that I have an active email account.

Borrower’s Signature

Date



Taxpayer Consent to the Use of Tax Return Information

I/We have provided various financial information, including but not limited to tax returns and permission to obtain tax transcripts from the IRS to Open Bank for the purpose of a U.S. Small Business Administration Loan. I/We give express consent that Open Bank is authorized to use the financial information and tax transcripts as needed for the purpose of a U.S. Small Business Administration Loan, and that Open Bank is authorized to share the financial information with other third parties, including but not limited to escrow company, title company, IRS verification vendor, appraisal company, and business evaluation company for the express purpose of a U.S. Small Business Administration Loan. Furthermore, I/We give consent for Open Bank to share the tax transcript(s) with SBA and its agents for the purpose of compliance with SBA Loan Program Requirements, including discrepancy resolution, lender oversight activities, purchase reviews, complete file reviews, and other SBA reviews.

Taxpayer/Entity Name: _____

Taxpayer/Entity Name: _____

Taxpayer/Entity Name: _____

Taxpayer/Entity Name: _____

Taxpayer/Entity Name: _____

Taxpayer/Entity Name: _____

Name **Signature** **Date**

Name **Signature** **Date**

Equipment List For: _____
Name of Business

Description	Make	Model #	Serial #	Market Value	Current Lien Balance	Name of Lienholder

I(we) certify that all equipment listed above were inspected and verified of its existence.

_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date

I(we) certify that the business does not have any equipment valued over \$5,000.

_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date