



# COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

UNITED STATES DEPARTMENT OF THE TREASURY

CDFI Fund • 601 Thirteenth Street, NW • Suite 200, South • Washington, DC 20005 • (202) 622-8662

# Bank Enterprise Award Program

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## FY 2009 Application

OMB Approval No. 1559-0005

CDFI Form: CDFI-0002

#### Paperwork Reduction Act Notice

This submission requirements package is provided to Applicants for Awards under the Bank Enterprise Award Program. The Estimated average burden associated with this collection of information is 15 hours per respondent, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Department of the Treasury, Community Development Financial Institutions Fund, 601 Thirteenth Street, N.W., Suite 200-South, Washington, DC 20005.

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# Introduction and Instructions

*Capitalized terms (other than titles) are defined in the BEA Program Regulations, the Notice of Funds Availability (NOFA) for the FY 2009 funding round, the BEA Program Application, or the Supplemental Guidance for Applicants. All of these documents may be downloaded from the Fund's website at [www.cdfifund.gov](http://www.cdfifund.gov). Certain terms used throughout the Application have meanings unique to the BEA Program. The Fund encourages each Applicant to review the regulations, NOFA, and the Supplemental Guidance to be familiar with these meanings as well as other program requirements.*

The mission of the Community Development Financial Institutions Fund (the Fund) is to expand the capacity of financial institutions to serve populations and communities lacking adequate access to financial products and financial services. The Fund achieves its mission by directly investing in and supporting Community Development Financial Institutions (CDFIs), Community Development Entities (CDEs), and other financial institutions through the CDFI Program, the Native Initiatives, the New Markets Tax Credit (NMTCC) Program, and the Bank Enterprise Award (BEA) Program.

The BEA Program complements the community development activities of banks and thrifts (collectively referred to as banks for purposes of this Application) by providing financial incentives to expand investments in CDFIs and to increase lending, investment, and service activities within Distressed Communities. Providing monetary awards for increasing community development activities leverages the Fund's dollars and puts more capital to work in Distressed Communities throughout the nation.

Information on the Fund's programs can be found on the Fund's website at [www.cdfifund.gov](http://www.cdfifund.gov). From the home page, click on "What We Do", then "Information for Applicants." Click on the link for the various programs of interest.

Actual funding for this program is contingent upon available resources. Publication of this Application or the NOFA does not obligate the Fund or the Department of the Treasury to make any award or to obligate any available funds. Any costs incurred by the Applicants in developing an Application or in anticipation of an Award are done so at the Applicant's own risk.

## FY 2009 BEA Program

### Major Changes to the FY 2009 Application

Beginning in FY 2009, an Applicant that receives an Award over \$50,000 will be subject to new compliance and reporting requirements as part of the terms and conditions of the Award Agreement. Details on the new requirements for BEA Awardees can be found in the FY 2009 BEA NOFA and BEA Program Interim Rule.

The FY 2009 Application requires Applicants to report impacts for all Distressed Community Financing Activities and Service Activities (see page 29) for the purpose of collecting data on BEA Program Applicant activities. This is now a mandatory field on the Report of Transactions; in past years it was optional. The answers provided will not be considered in determining a BEA program award. The information will be aggregated with other Applicant data.

Applicants seeking an award for CDFI Support Activities no longer have to designate a Distressed Community. Only Applicants providing Distressed Community Financing Activities or Service Activities must designate one or more Distressed Communities via submission of a Map of their Distressed Community.

Changes have also been made to the CDFI Partner registration process. CDFI Partners that receive CDFI Support Activities are only required to register as a Partner via myCDFIFund and submit a Map of their Distressed Community. Statements of Integral Involvement are no longer required. Instead, Applicants must complete a new certification, Certification 3: Certification of Integrally Involved CDFI Partners, which certifies that their CDFI Partner(s) are Integrally Involved in a Distressed Community. CDFI Partners will not be contacted regarding missing materials or ineligibility.

The FY 2009 Application also requires Applicants to complete a new certification, Certification 4: Certification of Baseline Period Qualified Activities, which certifies that all Baseline Activities included in the total amounts reported on Worksheet 1 only include Qualified Activities as defined in the BEA Program Regulations, the NOFA for the FY 2009 funding round, this Application, or the Supplemental Guidance for Applicants.

## **Application Eligibility Factors**

### **FDIC-Insured Depositories**

The legislation authorizing the BEA Program specifies that eligible Applicants for the BEA Program must be Insured Depository Institutions, as defined in 12 U.S.C. §1813(c)(2). As set forth in the NOFA, an Applicant must be FDIC-insured by December 31, 2008 to be eligible for a FY 2009 BEA Program Award.

Applicants can apply as a certified CDFI or non-certified CDFI. If an Applicant is seeking certification as a CDFI, it must submit an application for certification to the Fund and receive certification by the end of the Assessment Period (December 31, 2008 for the FY 2009 funding round). Previously certified Applicants must have a current and valid certification by the end of the Assessment Period.

### **Prior Fund Awardees or Allocatees**

The BEA Program NOFA includes certain eligibility requirements which generally apply to Applicants that are prior Awardees or Allocatees under other Fund programs.

- **Failure to Meet Reporting Requirements.** The Fund will not consider an Application submitted by an Applicant if the Applicant, or an entity that Controls the Applicant, is Controlled by the Applicant or shares common management officials with the Applicant (as determined by the Fund) is a prior Fund Awardee or Allocatee under any Fund program and is not current on the reporting requirements set forth in the previously executed Assistance, Award or Allocation Agreement(s), as of the Application deadline(s) of this NOFA. The Fund only acknowledges the receipt of reports that are complete. As such, incomplete reports or reports that are deficient of required elements will not be recognized as having been received.
- **Pending Resolution of Noncompliance.** If an Applicant that is a prior Awardee or Allocatee under any Fund program and if: (i) it has submitted complete and timely reports to the Fund that demonstrate noncompliance with a previous Assistance, Award or Allocation Agreement, and (ii) the Fund has yet to make a final determination as to whether the entity

is in default of its previous Assistance, Award or Allocation Agreement, the Fund will consider the Applicant's Application under this NOFA pending full resolution, in the sole determination of the Fund, of the noncompliance. Further, if another entity that Controls the Applicant, is Controlled by the Applicant or shares common management officials with the Applicant (as determined by the Fund), is a prior Fund Awardee or Allocatee and if such entity: (i) has submitted complete and timely reports to the Fund that demonstrate noncompliance with a previous Assistance, Award or Allocation Agreement, and (ii) the Fund has yet to make a final determination as to whether the entity is in default of its previous Assistance, Award or Allocation Agreement, the Fund will consider the Applicant's Application under this NOFA pending full resolution, in the sole determination of the Fund, of the noncompliance.

- **Default Status.** The Fund will not consider an Application submitted by an Applicant that is a prior Fund Awardee or Allocatee under any Fund program if, as of the Application deadline of this NOFA, the Fund has made a final determination that such Applicant is in default of a previously executed Assistance, Award or Allocation Agreement(s) and the Fund has provided written notification of such determination to such Applicant. Further, an entity is not eligible to apply for an Award pursuant to this NOFA if, as of the Application deadline, the Fund has made a final determination that another entity that Controls the Applicant, is Controlled by the Applicant or shares common management officials with the Applicant (as determined by the Fund): (i) is a prior Fund Awardee or Allocatee under any Fund program, (ii) has been determined by the Fund to be in default of a previously executed Assistance, Award or Allocation agreement(s), and (iii) the Fund has provided written notification of such determination to the defaulting entity.
- **Termination in Default.** The Fund will not consider an Application submitted by an Applicant that is a prior Fund Awardee or Allocatee under any Fund program if, within the 12-month period prior to the Application deadline of this NOFA, the Fund has made a final determination that such Applicant's prior Award or Allocation terminated in default of the Assistance, Award or Allocation Agreement and the Fund has provided written notification of such determination to such Applicant. Further, an entity is not eligible to apply for an Award pursuant to this NOFA if, within the 12-month period prior to the Application deadline of this NOFA, the Fund has made a final determination that another entity that Controls the Applicant, is Controlled by the Applicant or shares common management officials with the Applicant (as determined by the Fund), is a prior Fund Awardee or Allocatee under any Fund program whose Award or Allocation terminated in default of the Assistance, Award or Allocation Agreement and the Fund has provided written notification of such determination to the defaulting entity.
- **Undisbursed Balances.** The Fund will not consider an Application submitted by an Applicant that is a prior Fund Awardee under any Fund program if the Applicant has a balance of Undisbursed Funds under said prior Award(s), as of the Application deadline. Undisbursed Funds is defined as: (i) in the case of prior BEA Program Award(s), any balance of Award funds equal to or greater than five (5) percent of the total prior BEA Program Award(s) that remains undisbursed more than three (3) years after the end of the calendar year in which the Fund signed an Award Agreement with the Awardee, and (ii) in the case of prior CDFI Program or other Fund program Award(s), any balance of Award funds equal to or greater than five (5) percent of the total prior Award(s) that remains undisbursed more than two (2) years after the end of the calendar year in which the Fund signed an Assistance Agreement with the Awardee. Further, an entity is not eligible to apply for an award if an Affiliate of the Applicant is a prior Fund Awardee under any Fund program, and has a balance of Undisbursed Funds under said prior Award(s), as of the

Application deadline. In the case where another entity Controls the Applicant, is Controlled by the Applicant or shares common management officials with the Applicant (as determined by the Fund), is a prior Fund Awardee under any Fund program, and has a balance of Undisbursed Funds under said prior Award(s), as of the Application deadline, the Fund will include the combined Awards of the Applicant and such Affiliated entities when calculating the amount of Undisbursed Funds.

## **Qualifying Activities**

The BEA Program Award is based on an Applicant's increases in Qualified Activities from the Baseline period to the Assessment Period. For the FY 2009 funding round, the Baseline Period is calendar year 2007 (January 1, 2007 through December 31, 2007), and the Assessment Period is calendar year 2008 (January 1, 2008 through December 31, 2008).

Qualified Activities are defined to include CDFI Related Activities, Distressed Community Financing Activities, and Service Activities. CDFI Related Activities include Equity Investments, Equity-Like Loans and CDFI Support Activities (loans, technical assistance, or qualifying deposits). Distressed Community Financing Activities include: Affordable Housing Loans; Affordable Housing Development Loans and related Project Investments; Education Loans; Commercial Real Estate Loans and related Project Investments; Home Improvement Loans; and Small Business Loans and related Project Investments. Service Activities include Deposit Liabilities, Financial Services, Community Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products. For more detail, please see the BEA NOFA for the FY 2009 funding round.

When calculating BEA Program award amounts, the Fund will count only the amount an Applicant reasonably expects to disburse for a Qualified Activity within 12 months from the end of the Assessment Period. The value of a Qualified Activity for purposes of determining a BEA Program award shall not exceed \$10 million in the case of Commercial Real Estate Loans or any CDFI Related Activities (i.e., the total principal amount of the transaction must be \$10 million or less to be considered a Qualified Activity), however, the Fund may consider transactions with a total principal value of over \$10 million on a case by case basis.

Instructions for reporting and documenting Qualifying Activities can be found beginning on page 31.

## **Priority Factors**

The Fund ranks Applicants in each category of Qualified Activities according to the following priorities:

1. CDFI Related Activities
2. Distressed Community Financing Activities
3. Service Activities

Applicants in the first priority category will be selected for Awards before Applicants in the second category. Applicants in the first and second categories will be selected for Awards before Applicants in the third priority category. Selection within each priority category will be based on the Applicant's relative rankings within each category, subject to the availability of funds. Priority in the second and third category is first given to CDFI Applicants over all other Applicants.

The Fund determines the actual Award amounts based upon the availability of funds, increases in Qualified Activities from the Baseline to the Assessment Period, and an Applicant's priority ranking. If an Applicant receives an Award for more than one priority, the Fund will combine the Award amounts into a single BEA Program Award. For more information, see the BEA Program Regulations, 12 CFR part 1806.203(c).

### **Eligible CDFI Partners**

A CDFI that receives an Equity Investment, Equity-like Loan or CDFI Support Activity (loan, technical assistance, or qualifying deposit) from an Applicant is a CDFI Partner. In order for the Applicant to receive an award for its CDFI Related Activities, the CDFI Partner must have current and valid certification as of the end of the Assessment Period (December 31, 2008 for the FY 2009 funding round).

However, an Applicant that is also a CDFI cannot receive credit for any Qualified Activities provided to a CDFI Partner that is also an FDIC-insured depository institution or depository institution holding company.

### **Distressed Communities**

An Applicant applying for a BEA Program Award for carrying out Distressed Community Financing or Service Activities must designate one or more Distressed Communities. Each CDFI Partner that is the recipient of CDFI Support Activities must designate a Distressed Community, which can be the same or different than that of the Applicant. Note: Applicants seeking an Award for providing CDFI Related Activities are not required to designate Distressed Communities.

- A Distressed Community, defined in the BEA Program Regulations, 12 CFR Part 1806.103(t), and as more fully described in 12 CFR 1806.200, consists of a geographic area with continuous boundaries that is located within the boundaries of one Unit of General Local Government that meets certain minimum population, poverty, and unemployment requirements. The Glossary (available on the BEA Page of the Fund's website) describes the specific characteristics of a Distressed Community.
- An Applicant may designate an area as a Distressed Community by selecting a Geographic Unit(s) that individually meets the minimum population, poverty, and unemployment requirements. An Applicant may also designate a Distressed Community by selecting two or more *contiguous* Geographic Units that, in the aggregate, meet the geographic, population, poverty, and unemployment requirements -- provided that no designated Geographic Unit within the Distressed Community has a poverty rate of less than 20 percent.
- The CDFI Partner's designated Distressed Community must meet the requirements of the BEA Program. A Distressed Community as defined by the BEA Program is not the same as an Investment Area as defined by the CDFI Program.

The Fund requires any Applicant seeking an Award in the Distressed Community Financing or Service Activities Categories to register its designated Distressed Community via its myCDFIFund account. CDFI Partners must register their Distressed Community as such via their MyCDFIFund account.

***Distressed Community and CDFI Partner registrations must be completed by March 17, 2009.***



## **Application Submission Requirements and Deadlines**

BEA Program Applications may be submitted only through Grants.gov, the official Federal government-wide website, as required by Public Law 106-107 and Section 5(a) of the Federal Financial Assistance Management Improvement Act.

### **Downloading Templates and Other Application Material**

Instructions for submitting the Application through Grants.gov can be found on the Grants.gov website ([www.grants.gov](http://www.grants.gov)). To download the complete Application package, including the Application and Application Templates for completing the various submission documents, go to [www.Grants.gov](http://www.Grants.gov), click on “Apply for Grants” and search for the package using the CFDA Number for the BEA Program (21.021) and the funding opportunity number for the BEA Program (CDFI-2009-BEA). The complete Application package is also available on the BEA Program page of the Fund’s website.

### **Grants.Gov Registration**

An Applicant must have both an individual account and an organization account registered with Grants.gov in order to submit an Application via Grants.gov. The one-time registration process involves several steps and will take several days to complete. The Fund encourages any organization considering applying to the FY 2009 funding round to start the registration process as early as possible. Detailed registration instructions can be found on the “Get Registered” screen from the Grants.gov home page. The Fund recommends reviewing Grants.gov’s 2-page version of the instructions located at [www.grants.gov/section910/Grants.govRegistrationBrochure.pdf](http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf).

### **MyCDFIFund Accounts**

The Fund is unable to process any Application submitted via Grants.gov unless the Applicant has created a myCDFIFund account under the same Employee Identification Number (EIN) as the Applicant’s Grants.gov account. MyCDFIFund is the primary vehicle through which the Fund communicates with its Awardees and Applicants. It allows users to update contact information, including mailing and email addresses, as changes occur. MyCDFIFund, unlike Grants.gov, is managed and controlled by the Fund. Data submitted through Grants.gov does not automatically create a myCDFIFund account for an Applicant. An Applicant must establish a personal and organization account by clicking on “Log onto myCDFIFund” from the Fund’s website at [www.cdfifund.gov](http://www.cdfifund.gov).

The Applicant must ensure that the EIN, Applicant Name, Authorized Representative / AOR (name and contact information), and the Contact Person (name and contact person) identified on the SF 424 submitted via Grants.gov matches that in the Applicant’s myCDFIFund account. If these items do not match, the Fund will be unable to process the Application. Therefore, it is essential for the Applicant to ensure that the information in the myCDFIFund account is accurate and updates prior to submitting the Application via Grants.gov.

The Fund communicates Award decisions via e-mail to the Authorized Representative listed in the Applicant’s myCDFIFund account. Because an Applicant will be notified via e-mail, it is essential that the email addresses identified in the Applicant’s myCDFIFund account are correct and current. If an Applicant’s email system has a spam blocker function, please ensure that the Fund’s main email addresses ([cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov), [cme@cdfi.treas.gov](mailto:cme@cdfi.treas.gov),

[grantsmanagement@cdfi.treas.gov](mailto:grantsmanagement@cdfi.treas.gov)) are listed as acceptable sources. Otherwise, the notification email may never be received.

### **Application Package**

The Application Package is organized in three parts – according to their method of submission:

Part	Application Component	Submission Procedures
<b>Part I.</b> Grants.gov	<b>Application for Federal Assistance (Standard Form 424)</b>  <b>Electronic Attachments</b> <b>Word Templates:</b> <b>Required for All Applicants:</b> <ul style="list-style-type: none"> <li>– Environmental Review Form.</li> <li>– Assurances and Certifications.</li> </ul> <b>As Required:</b> <ul style="list-style-type: none"> <li>– Certification 1. ETAs or New Branches.</li> <li>– Certification 2. Certification of Disbursement.</li> <li>– Certification 3. Certification of Integrally Involved CDFI Partners.</li> <li>– Certification 4. Certification of Baseline Period Qualified Activities.</li> </ul> <b>Excel Charts:</b> <b>Required for All Applicants:</b> <ul style="list-style-type: none"> <li>– Applicant Information.</li> <li>– Worksheet 1: Award Request Calculation.               <ul style="list-style-type: none"> <li>– <i>There are two versions of this worksheet: one for CDFI banks and one for non-CDFI banks – be sure to use the correct one.</i></li> </ul> </li> <li>– Report of Transactions.</li> </ul>	<ul style="list-style-type: none"> <li>– Submit in Grants.gov and mail a copy to BPD as cover page to paper attachments (see Part III below).</li> <li>– Complete MS Word Templates.</li> <li>– Upload under “Attachments” in Grants.gov.</li> <li>– Complete MS Excel Template.</li> <li>– Upload under “Attachments” in Grants.gov.</li> </ul>

Part	Application Component	Submission Procedures
<b>Part II.</b> myCDFIFund	<b>Distressed Community Designation and CDFI Partner Registration:</b> <ul style="list-style-type: none"> <li data-bbox="407 365 927 489">– <b>Required for All Applicants reporting Distressed Community Financing and Service Activities:</b> Distressed Community <u>Map</u> for the Applicant.</li> <li data-bbox="407 569 927 657">– <b>Required for CDFI Partners that received CDFI Support:</b> Distressed Community <u>Map</u> for the CDFI Partner.</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="930 260 1419 348">– Designate the Distress Community in CIMS (the Fund's mapping system) accessed through myCDFIFund.</li> <li data-bbox="930 365 1419 573">– <b>Distressed Community Financing and Service Activities:</b> Applicant must complete a BEA Signature Page and register its Distressed Community <u>via myCDFIFund</u> according to the instructions on the Fund's website.</li> <li data-bbox="930 590 1419 831">– <b>CDFI Support Activities:</b> A CDFI Partner that is the recipient of CDFI Support (loans or deposits) must complete a BEA Signature page and register as a Partner (including its Distressed Community) <u>via myCDFIFund</u> according to the instructions on the Fund's website.</li> </ul>
<b>Part III.</b> Hard Copy (BPD)	<b>Qualified Activity Documentation /Other Attachments</b> <ul style="list-style-type: none"> <li data-bbox="407 919 927 1043">– <b>Documentation of Qualified Activities:</b> as described below under Part III. Reporting and Documenting Qualified Activities.</li> <li data-bbox="407 1060 927 1241">– <b>Documentation from the Internal Revenue Service (IRS)</b> evidencing that the Applicant itself (i.e., not its parent or Affiliate) has been assigned its own unique Employer/Taxpayer Identification Number (EIN/TIN).</li> </ul>	<ul style="list-style-type: none"> <li data-bbox="930 848 1419 909">– Submit to BPD at the address below as follows:</li> <li data-bbox="930 926 1419 1127">– One unbound copy of the completed SF-424 as the cover page along with required documentation and attachments. Copies of documentation are acceptable. No tabs, staples, or other forms of binding.</li> <li data-bbox="930 1144 1419 1266">– One copy of SF-424 and documentation / attachments in a 3-ring binder (tabs, staples, and other binding are acceptable).</li> </ul>

## Application Deadlines

The Application Package must be received by the following deadlines:

- **Part I (Grants.gov):** must be submitted through Grants.gov by 11:59 p.m. Eastern Time (ET) on **March 13, 2009**.
- **Part II (myCDFIFund):** must be registered by 11:59 p.m. ET on **March 17, 2009**.
- **Part III (Documentation / Paper Attachments):** must be received by the Bureau of Public Debt (BPD) (at the address specified below) by 5:00 p.m. ET on **March 17, 2009**:  
 CDFI Fund Grants Manager  
 BEA Program  
 Bureau of Public Debt  
 200 Third Street  
 Parkersburg, WV 26106  
 (304) 480-6088

Allow at least 3 business days (i.e., not Saturday or Sunday) for delivery to BPD's offices in West Virginia.

- Documentation / Paper Attachments will not be accepted at the Fund's offices in Washington, DC.
- Documentation/Paper Attachments sent by facsimile or e-mail will not be accepted and will be disregarded upon receipt.
- The Fund will not grant exceptions or waivers for late delivery of documents including, but not limited to, late delivery that is caused by third parties such as the US Postal Service, couriers, or overnight delivery services.

### **Ensuring that the Application Package Is Complete**

An Applicant must complete and submit all required Application materials in such a manner as to comply with all requirements of the BEA Program Regulations, NOFA, and this Application by the applicable deadline. A complete Application Package is one that includes all required material described above. Some items – if missing or incomplete – will result in the immediate rejection of the entire Application. The Fund will immediately reject an Application Package if:

- The SF-424 is not submitted via Grants.gov.
- The SF-424 is not received (in paper) by BPD as the cover paper to the Documentation/Paper Attachments.

The Fund will allow three business days for an Applicant to submit the following items if missing or incomplete:

- IRS Documentation of the Applicant's EIN.
- Environmental & Legal Certifications.
- Documentation of Qualified Activities.
- Distressed Community or CDFI Partner Registration via myCDFIFund.

Please be advised that Applicants must provide, as part of its application submission, a Dun and Bradstreet Data Universal Numbering System (DUNS) number and a valid and current Employer Identification Number (EIN), with a letter or other documentation from the Internal Revenue Service (IRS) confirming the EIN.

Do not wait until the last minute to obtain EIN documentation. The Fund encourages Applicants to allow sufficient time to obtain the necessary numbers and documentation. If the EIN documentation is missing from the initial paper submission of the Application materials, the three days allowed by the Fund to submit these items may not be sufficient time to obtain them. It is always better to ensure that the initial Application submission contains all required items and documentation.

## Awardee Notification and the Award Agreement

For the FY 2009 funding round, the Fund will notify Applicants selected to receive an Award by September 2009. The Fund notifies an Applicant of the Award decision (positive or negative) via mail (hard copy or electronically) to the designated Authorized Representative. For an Applicant selected to receive an Award, in addition to the Award notification letter, the Fund will mail two copies of an Award Agreement and two copies of the Notice of Award. The Awardee's Authorized Representative must sign all copies of both documents and return one copy of each (the Award Agreement and the Notice of Award) to the Fund within five business days from the date of the Award letter. Awardees should retain one copy of both the Notice of the Award and the Award Agreement for their files.

Actual funding for this program is contingent upon available resources. Publication of this application or the NOFA does not oblige the Fund or the Department of the Treasury to make any award or to obligate any available funds. Any costs incurred by the Applicants in developing an Application or in anticipation of an award are done so at the Applicant's own risk.

Beginning in 2009, an Applicant that receives an Award over \$50,000 will be subject to new compliance and reporting requirements as part of the terms and conditions of the Award Agreement. Details on the new requirements for BEA Awardees can be found in the FY 2009 NOFA and BEA Program Interim Rule.

## Contacting the Fund

The Fund will respond to questions between the hours of 9:00 a.m. and 5:00 p.m. ET, through March 11, 2009 (two business days before the Application deadline). The Fund will not respond to phone calls or e-mail inquiries that are received after 5:00 p.m. ET on March 11, 2009.

NOTE: These are not toll-free numbers. If the Applicant is experiencing difficulty submitting the Application in Grants.gov: contact the Grants.gov help line; do not contact the Fund for Grant.gov submission issues.

<b>Main Office</b>	202-622-8662 202-622-7754 fax	<a href="http://www.cdfifund.gov">www.cdfifund.gov</a>	General inquiries; phone numbers for individual Fund staff; access to myCDFIFund and program webpage.
<b>Program Support</b>	202-622-6355	<a href="mailto:cdfihelp@cdfi.treas.gov">cdfihelp@cdfi.treas.gov</a>	How to complete Application materials.
<b>Grants Management Support</b>	202-622-8226 202-622-9625 fax	<a href="mailto:grantsmanagement@cdfi.treas.gov">grantsmanagement@cdfi.treas.gov</a>	Application deadlines; Application submission requirements; completing the Environmental Review Form; Questions regarding EIN Documentation, DUNS, disbursements, and Notices of Awards.
<b>Compliance &amp; Monitoring Support</b>	202-622-6330 202-622-6453 fax	<a href="mailto:cme@cdfi.treas.gov">cme@cdfi.treas.gov</a>	Status of compliance with other Awards including outstanding reports.

<b>IT Support</b>	202-622-2455	<a href="mailto:ithelpdesk@cdfi.treas.gov">ithelpdesk@cdfi.treas.gov</a>	Registering and creating accounts on myCDFIFund.
<b>Legal Support</b>	If you have any questions or matters that you believe require response by the Fund's Office of Legal Counsel, please refer to the document titled "How to Request a Legal Review", found on the Fund's web site at <a href="http://www.cdfifund.gov">www.cdfifund.gov</a> .		

## ***Part I: Grants.Gov***

In compliance with federal regulations, the Fund requires Applicants to submit the FY 2009 BEA Application using the [www.Grants.gov](http://www.Grants.gov) portal, the official website for federal grant information and Applications. For those who are new to the process, the following provides basic information for registering on Grants.gov, accessing the "Application Package," and submitting the electronic components of the package via Grants.gov.

The registration process alone can take several days to complete. Please start your registration early, submit your Application early, and verify the submission is received. Call the Grants.gov support staff if you have any questions about the process or are confused along the way. The Grants.gov help desk can be reached at **1-800-518-4726** or via email at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Contact Center hours of operation are Monday-Friday, 7:00 a.m. to 9:00 p.m., EST. **If you experience any technical difficulties submitting the Application via Grants.gov: call the Grants.gov help desk – do not contact the Fund.**

Not all components of the BEA Program Application are submitted via Grants.gov. Applicants should read the Application for completeness and submission requirements.

### **Grants.gov Frequently Asked Questions**

The following are a few frequently asked questions (FAQs) the Fund has received. A more comprehensive list of Grants.gov FAQs can be found at: <http://www.grants.gov/help/faq.jsp>

#### **Why can't I find the SF-424 that I filled out?**

The SF 424 is stored within the Grant Application Package document that you save to your computer. It is important to note the location of the document when you initially "Save" the Grant Application Package. That document is an Adobe file which includes both the SF-424 and the identification of all the Application material (Attachments) to be transmitted when you hit the submit button. See Steps 4 through 7 in the [Instruction Document](#).

#### **Which NAICS code should I use for the SF-424 question?**

You can find the NAICS or SIC code for your business by using the search engine on the Census site at [www.census.gov](http://www.census.gov). Most financing activities fall within the 52XXXX category. In the search box enter "NAICS" then click on the link that reads "79 NAICS code for my business" to use the search feature.

#### **Do I need a myCDFIFund account in addition to a Grants.gov account?**

The Fund will only accept an Application from an Applicant that has successfully opened an organization account on myCDFIFund with the same EIN as registered in its Grants.gov account. Go to [www.CDFIFund.gov](http://www.CDFIFund.gov) and click on "Log onto myCDFIFund" to access the system. Follow instructions in the "Help" tab to establish a new user and organization account.

#### **What if the submit button on the Grant Application Package does not become active?**

- The Save & Submit button will not become active until the Application has been completed and saved.
  - Click on the **Check Package for Errors** button to run the error check. Address each error that is noted.

- Check to make sure that there are no remaining yellow fields on any forms. If there are, you will need to complete those fields.
- Make sure that you have attached all of the required documents.
- Make sure all mandatory forms have been moved to the Mandatory Completed Documents for Submission box and have been completed. The Save button should be clicked AFTER all documents have been moved to the Mandatory Completed Documents for Submission box.

### **How do I know that Grants.gov has received my Application?**

- When you are ready to submit the Application Package, you must be connected to the Internet and the person registered with Grants.gov as your Authorized Organization Representative (AOR) must be logged into his or her Grants.gov account. (If the AOR is not logged into your Grants.gov account, but is connected to the Internet, after you press the Submit button, you will be asked to log into your Grants.gov account.)
- Upon successful submission, the AOR will receive an automated email confirming receipt of an Application package and stating that the package is being validated. It can take Grants.gov several hours to generate this automated email. As this is the only way to know whether your package was submitted successfully, the Fund strongly encourages you to submit early. If you do not receive the Grants.gov email within one hour of pressing the submit button, you may call the grants.gov Help Desk at 1-800-518-4726 to confirm that the package has been received. Once your package has been validated, you will receive a second message notifying you that your Application has been validated and sent to the Fund.

### **How can I check a submitted Application's status?**

- The AOR can monitor the processing status of the submission within Grants.gov by going to <https://atapply.grants.gov/ApplicantLoginGetID> and logging into the system using the AOR user ID and password. Click on the "Application Status" link at the left of your screen.

### **Who should we contact if we have questions?**

- Call Grants.gov with questions about the registration and submission process. The Grants.gov staff can be reached at 1-800-518-4726 or via email at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Contact Center is open Monday-Friday, 7 a.m. to 9 p.m., EST.

## **Grants.gov Electronic Attachments**

An Applicant will download the Word and Excel templates from Grants.gov and save them to its computer. After completing them – as applicable – the Applicant will submit them via Grants.gov as instructed. See the instructions on Grants.gov for details on how to access, upload, and submit these templates.

### **Word Template:**

Signing the certification on the SF-424 (done electronically at time of submission) attests to the information provided in the Environmental Review Form and certifies that the Applicant will comply with the Assurances and Certifications (contained in this Application) if an Award is made. This signature also attests to the information provided in: Certification 1. ETAs or New Branches; Certification 2. Certification of Disbursement; Certification 3. Certification of Integrally Involved CDFI Partners; and Certification 4. Certification of Baseline Period Qualified Activities.



If an Applicant is required to submit Certification 1, Certification 2, Certification 3 and / or Certification 4, it will complete the certification as instructed below and upload via Grants.gov.

**Required for All Applicants:**

- Environmental Review Form.
- Assurances and Certifications.

**As Required:**

- Certification 1. ETAs or New Branches:
  - Required for an Applicant seeking an Award for opening ETAs or a new retail branch.
  - Check the applicable certification.
- Certification 2. Certification of Disbursement:
  - Required for an Applicant providing internal documentation of disbursement of CDFI Related Activities and Distressed Community Financing Activities.
- Certification 3. Certification of Integrally Involved CDFI Partners:
  - Required for an Applicant seeking an Award for CDFI Support Activities.
  - Enter the names of all of CDFI Partners and applicable information.
- Certification 4. Certification of Baseline Period Qualified Activities:
  - Required for all Applicants.
  - Enter dollar values for the Baseline Period of all applicable Qualified Activities as reported on Worksheet 1: Award Request Calculation.

**Excel Charts:**

**Required for All Applicants:**

- Applicant Information.
- Worksheet 1: Final Award Request Calculation. (There are two versions of this worksheet, one for CDFI banks and one for non-CDFI banks, please complete the correct one for your organization's status).
- Report of Transactions.

# Environmental Review Form

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**Applicant Name:** \_\_\_\_\_

The Fund's environmental review requirements are set forth in 12 CFR Part 1815. The Applicant should review such regulations carefully before completing this section. In order to assure compliance with those regulations and other requirements related to the environment, the Applicant shall provide the following information:

	YES	NO
1. Are there any actions proposed in the Application that do not constitute a "categorical exclusion" as defined in 12 CFR 1815.110?		
If YES, would any of these actions normally require an environmental impact statement (see 12 CFR 1815.108)?		
2. Are there any activities proposed in the Application that involve:		
(a) Historical or archeological sites listed on the National Register of Historic Places or that may be eligible for such listing?		
(b) Wilderness areas designated or proposed under the Wilderness Act?		
(c) Wild or scenic rivers proposed or listed under the Wild and Scenic Rivers Act?		
(d) Critical habitats of endangered or threatened species?		
(e) Natural landmarks listed on the National Registry of Natural Landmarks?		
(f) Coastal barrier resource systems?		
(g) Coastal Zone Management Areas?		
(h) Sole Source Aquifer Recharge Areas designated by EPA?		
(i) Wetlands?		
(j) Flood plains?		
(k) Prime and unique farmland?		
(l) Properties listed or under consideration for listing on the Environmental Protection Agency's List of Violating Facilities?		

If YES to any of the above questions, attach a detailed description of each action, clearly identifying the category in which the action falls.

<b>NOTIFICATION</b>
<p>As stated in 12 CFR 1815.105, if the Fund determines that the Application proposes actions which require an environmental assessment or an environmental impact statement, any approval and funding of the Application will be contingent upon:</p> <ol style="list-style-type: none"> <li>1. The Applicant supplying to the Fund all information necessary for the Fund to perform or have performed any required environmental review;</li> <li>2. The Applicant not using any Fund Financial Assistance to perform any of the proposed actions in the Application requiring an environmental review until approval is received from the Fund; and</li> <li>3. The outcome of the required environmental review.</li> </ol> <p>In addition, as stated in 12 CFR 1815.106, if the Fund determines that an Application, or any part thereof, is not sufficiently definite to perform a meaningful environmental review prior to approval of the Application, final approval and funding of the Application shall require supplemental environmental review prior to the taking of any action directly using Fund Financial Assistance for any action that is not a categorical exclusion.</p>

## Assurances and Certifications

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Signing the certification on the SF 424 certifies that the Applicant will comply with the Assurances and Certifications listed below if an Award is made. Certain of these Assurances and Certifications may not be applicable to the Applicant. An Applicant may not modify any of the Assurances and Certifications.

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### A. Standard Form 424B: Assurances -- Non-Construction Programs

As the duly authorized representative of the Applicant, I certify that the Applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this Application.
2. Will give the Awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the Award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work (activities in Application) within the applicable time frame after receipt of approval of the Awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specifies in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L.88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C.1681-1683, 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C.794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C.6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L.91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C.3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which Application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statutes which may apply to the Application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C.1501-1508 & 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L.91-190) and Executive Order 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451et seq.); (f) conformity of Federal actions to State Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L.93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L.93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the Awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this Award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this Award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

## B. Additional Certifications

In addition to the assurances and certifications provided by the Applicant pursuant to OMB Standard Form 424B, the Applicant hereby assures and certifies that:

1. It is duly organized and validly existing under the laws of the jurisdiction in which it was incorporated or otherwise established, and is (or within 30 days will be) authorized to do business in any jurisdiction in which it proposes to undertake activities specified in this Application;
2. Its Board of Directors (or similar governing body) has by proper resolution or similar action authorized the filing of this Application, including all understandings and assurances contained herein, and directed and authorized the person identified as the authorized representative of the Applicant to act in connection with this Application and to provide such additional information as may be required;
3. It will comply with all applicable requirements of the Community Development Banking and Financial Institutions Act of 1994 (the Act) [12 U.S.C. 4701 et seq.], regulations implementing the Act and all other applicable Department of the Treasury regulations and implementing procedures (and any regulations or procedures which are later promulgated to supplement or replace them);
4. It will comply, as applicable and appropriate, with the requirements of OMB Circulars (e.g., A-110 and A-133) and any regulations and circulars which are later promulgated to supplement or replace them, including standards for fund control and accountability;
5. It has not knowingly and willfully made or used a document or writing containing any false, fictitious or fraudulent statement or entry as part of this Application or any related document, correspondence or communication. (The Applicant and its authorized representative should be aware that, under 18 U.S.C. 1001, whoever knowingly and willfully makes or uses such document or writing shall be fined or imprisoned for not more than five years, or both); and
6. The information in this Application, and in these assurances and certifications in support of the Application, is true and correct to the best of the Applicant's knowledge and belief and the filing of this Application has been duly authorized.

## C. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions: Instructions for Certification

1. By signing and submitting this Application, the prospective primary participant (the Applicant) is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in the denial of participation in this covered transaction. The prospective Applicant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the Fund's determination whether to enter into this transaction (approval and funding of the Application). However, failure of the Applicant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. This certification is a material representation of fact upon which reliance is placed when the Fund determines to enter into this transaction. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Fund may terminate this transaction for cause or default.

4. The Applicant shall provide immediate written notice to the Fund if at any time the Applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transactions," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal", and "voluntarily excluded," as used in this clause (certification), have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the Fund for assistance in obtaining a copy of those regulations (31 CFR part 19).
6. The Applicant agrees by submitting this Application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Fund.
7. The Applicant further agrees by submitting this Application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," to be provided by the Fund, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions (see 31 CFR part 19, Appendix B).
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Fund may terminate this transaction for cause or default.

## D. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions

1. The prospective primary participant (the Applicant) certifies to the best of its knowledge and belief, that it and its principals:
  - (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) have not within a three-year period preceding this Application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery,

- bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this Application had one or more public transactions (Federal, State or local) terminated for cause or default.
2. Where the Applicant is unable to certify to any of the statements in this certification, such Applicant shall attach an explanation to this proposal.

**E. Certification Regarding Drug-Free Workplace Requirements**

1. The Applicant certifies that it will provide a drug-free workplace by:
- (a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employee for violations of such prohibition;
  - (b) establishing a drug-free awareness program to inform employees about:
    - (i) the dangers of drug abuse in the workplace;
    - (ii) the Applicant's policy of maintaining a drug-free workplace;
    - (iii) any available drug counseling, rehabilitation, and employee assistance program;
    - (iv) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace
  - (c) making it a requirement that each employee to be engaged in the performance of the Award be given a copy of the statement required by subparagraph (a);
  - (d) notifying the employee in the statement required by subparagraph (a) that, as a condition of employment in such grant, the employee will:
    - (i) abide by the terms of the statement; and
    - (ii) notify the employer of any criminal drug use statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction;
  - (e) notifying the granting agency in writing, within ten calendar days after receiving notice of a conviction under subparagraph (d) (ii) from an employee or otherwise receiving actual notice of such conviction;
  - (f) taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(ii), with respect to any employee who is so convicted:
    - (i) taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended;
    - or

- (ii) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
- (g) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (a), (b), (c), (d), (e), and (f).

2. The Applicant may insert in the space provided below the site(s) for the performance of work (activities carried out by the Applicant) to be done in connection with the Award (Place of Performance (Street Address, City, County, State and zip Code)): Not Applicable

**F. Certification Regarding Lobbying**

1. The Applicant certifies, to the best of its knowledge and belief, that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
  - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Application, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
  - (c) The Applicant shall require that the language of this certification be included in the Award documents for all sub-awards of all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
2. This certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure

# Certification 1: ETAs or New Branches

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**Applicant Name:** \_\_\_\_\_

Signing the certification on the SF 424 certifies that the Applicant has complied with the conditions listed below (as applicable for the checked activities).

## Electronic Transfer Accounts (ETAs)

- The Applicant does hereby certify that (i) the Applicant has entered into, and is in compliance with, the Financial Agency Agreement with the Treasury Department; and (ii) each ETA for which the Applicant is seeking a BEA Award possesses ALL of the characteristics listed below:
- Is an individually owned account at a Federally-insured financial institution;
- Permits a minimum of four cash withdrawals and four balance inquiries per month, which are included in the monthly fee, through any combination of proprietary ATM transactions and/or over-the-counter transactions;
- Allows access to the insured depository institution's on-line point-of-sale network (if any);
- Requires no minimum balance except as required by Federal or state law;
- Provides a monthly statement;
- Provides the same consumer protections that are available to other account holders at the financial institution;
- Is offered only to individuals receiving Federal benefit, wage, salary, or retirement payments;
- Allows set-off only for fees directly related to the account; and
- Is subject to a maximum monthly account-servicing fee of \$3.00.
- Is in compliance with its Financial Agency Agreement with the U.S. Department of Treasury.

## Certification for Opening Retail Branches

The Applicant does hereby certify that on \_\_\_\_\_ (date), it opened a new branch office located at:

\_\_\_\_\_.

The Applicant has not operated an office in the same census tract in which it is opening such new office within the three years prior to opening said branch on the aforementioned date; and such new office will remain in operation for at least the next five years.



## Certification 3: Certification of Integrally Involved CDFI Partners

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**Applicant Name:** \_\_\_\_\_

CDFI Partners that receive CDFI Support Activity (loan, technical assistance, or qualifying deposit) from an Applicant must be Integrally Involved in a Distressed Community as defined in the FY 2009 NOFA and BEA Program Interim Rule. Signing the certification on the SF 424 certifies that the Applicant has verified that the CDFI Partners listed below have been found to be Integrally Involved in a Distressed Community. This Certification is incorporated into the Award Agreement by and between the Applicant and the Fund, and made a material part thereof.

CDFI Partner	City, State	Name of Distressed Community



## Certification 4: Certification of Baseline Period Qualified Activities

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**Applicant Name:** \_\_\_\_\_

An Applicant that includes a dollar value for an Assessment Period Qualified Activity must report the corresponding Baseline Period Qualified Activity. Signing the certification on the SF 424 certifies that the Applicant has verified that the transactions included in the Baseline Period dollar values listed below are Qualified Activities as defined in the 2009 NOFA and BEA Program Interim Rule. This Certification is incorporated into the Award Agreement by and between the Applicant and the Fund, and made a material part thereof.

CDFI RELATED ACTIVITIES		
	Not Reporting	Baseline Period
Equity Investments / Equity-Like Loans	q	
CDFI Support Activities	q	
DISTRESSED COMMUNITY FINANCING ACTIVITIES		
	Not Reporting	Baseline Period
Affordable Home Mortgage Loans	q	
Affordable Housing Development Loans & Project Investments	q	
Small Business Loans and Project Investments	q	
Home Improvement Loans	q	
Education Loans	q	
Commercial Real Estate Loans & Project Investments	q	
SERVICE ACTIVITIES		
	Not Reporting	Baseline Period
Deposits	q	
Community Services	q	
Financial Services	q	
Targeted Financial Services	q	
Targeted Retail Savings/Investment Products	q	

# Applicant Information

Applicant Organization Name:																																																																																																																																																																																						
Taxpayer/Employer Identification Number (EIN):																																																																																																																																																																																						
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<p><b>Indicate whether any of the following apply to your institution:</b></p> <p><b>Minority Bank.</b> An institution in which minorities have at least 51% ownership, the majority of Board Directors or account holders are minority, or the community that the institution services is predominantly minority. Minorities include: African-Americans, Native Americans, Alaska Natives, Native Hawaiians, Hispanic Americans, Asian-Americans, or women.</p> <p><b>Community Bank.</b> Any institution that identifies itself as a "community bank" should check this item.</p> <p><b>Certified CDFI.</b> An institution certified as a CDFI by the Fund as of 12/31/2008.</p>																																																																																																																																																																																						
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<p><b>Indicate which of the following states are within your institution's service area:</b></p> <table border="1"> <tr> <td>Alaska</td> <td>No</td> <td></td> <td></td> <td>Mississippi</td> <td>No</td> </tr> <tr> <td>Alabama</td> <td>No</td> <td></td> <td></td> <td>Montana</td> <td>No</td> </tr> <tr> <td>Arkansas</td> <td>No</td> <td></td> <td></td> <td>North Carolina</td> <td>No</td> </tr> <tr> <td>American Samoa</td> <td>No</td> <td></td> <td></td> <td>North Dakota</td> <td>No</td> </tr> <tr> <td>Arizona</td> <td>No</td> <td></td> <td></td> <td>Nebraska</td> <td>No</td> </tr> <tr> <td>California</td> <td>No</td> <td></td> <td></td> <td>New Hampshire</td> <td>No</td> </tr> <tr> <td>Colorado</td> <td>No</td> <td></td> <td></td> <td>New Jersey</td> <td>No</td> </tr> <tr> <td>Connecticut</td> <td>No</td> <td></td> <td></td> <td>New Mexico</td> <td>No</td> </tr> <tr> <td>District of Columbia</td> <td>No</td> <td></td> <td></td> <td>Nevada</td> <td>No</td> </tr> <tr> <td>Delaware</td> <td>No</td> <td></td> <td></td> <td>New York</td> <td>No</td> </tr> <tr> <td>Florida</td> <td>No</td> <td></td> <td></td> <td>Ohio</td> <td>No</td> </tr> <tr> <td>Fed. St. of Micronesia</td> <td>No</td> <td></td> <td></td> <td>Oklahoma</td> <td>No</td> </tr> <tr> <td>Georgia</td> <td>No</td> <td></td> <td></td> <td>Oregon</td> <td>No</td> </tr> <tr> <td>Guam</td> <td>No</td> <td></td> <td></td> <td>Pennsylvania</td> <td>No</td> </tr> <tr> <td>Hawaii</td> <td>No</td> <td></td> <td></td> <td>Puerto Rico</td> <td>No</td> </tr> <tr> <td>Iowa</td> <td>No</td> <td></td> <td></td> <td>Palau</td> <td>No</td> </tr> <tr> <td>Idaho</td> <td>No</td> <td></td> <td></td> <td>Rhode Island</td> <td>No</td> </tr> <tr> <td>Illinois</td> <td>No</td> <td></td> <td></td> <td>South Carolina</td> <td>No</td> </tr> <tr> <td>Indiana</td> <td>No</td> <td></td> <td></td> <td>South Dakota</td> <td>No</td> </tr> <tr> <td>Kansas</td> <td>No</td> <td></td> <td></td> <td>Tennessee</td> <td>No</td> </tr> <tr> <td>Kentucky</td> <td>No</td> <td></td> <td></td> <td>Texas</td> <td>No</td> </tr> <tr> <td>Louisiana</td> <td>No</td> <td></td> <td></td> <td>Utah</td> <td>No</td> </tr> <tr> <td>Massachusetts</td> <td>No</td> <td></td> <td></td> <td>Virginia</td> <td>No</td> </tr> <tr> <td>Maryland</td> <td>No</td> <td></td> <td></td> <td>Virgin Islands</td> <td>No</td> </tr> <tr> <td>Maine</td> <td>No</td> <td></td> <td></td> <td>Vermont</td> <td>No</td> </tr> <tr> <td>Marshall Islands</td> <td>No</td> <td></td> <td></td> <td>Washington</td> <td>No</td> </tr> <tr> <td>Michigan</td> <td>No</td> <td></td> <td></td> <td>Wisconsin</td> <td>No</td> </tr> <tr> <td>Minnesota</td> <td>No</td> <td></td> <td></td> <td>West Virginia</td> <td>No</td> </tr> <tr> <td>Missouri</td> <td>No</td> <td></td> <td></td> <td>Wyoming</td> <td>No</td> </tr> <tr> <td>Northern Mariana Isl.</td> <td>No</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>			Alaska	No			Mississippi	No	Alabama	No			Montana	No	Arkansas	No			North Carolina	No	American Samoa	No			North Dakota	No	Arizona	No			Nebraska	No	California	No			New Hampshire	No	Colorado	No			New Jersey	No	Connecticut	No			New Mexico	No	District of Columbia	No			Nevada	No	Delaware	No			New York	No	Florida	No			Ohio	No	Fed. St. of Micronesia	No			Oklahoma	No	Georgia	No			Oregon	No	Guam	No			Pennsylvania	No	Hawaii	No			Puerto Rico	No	Iowa	No			Palau	No	Idaho	No			Rhode Island	No	Illinois	No			South Carolina	No	Indiana	No			South Dakota	No	Kansas	No			Tennessee	No	Kentucky	No			Texas	No	Louisiana	No			Utah	No	Massachusetts	No			Virginia	No	Maryland	No			Virgin Islands	No	Maine	No			Vermont	No	Marshall Islands	No			Washington	No	Michigan	No			Wisconsin	No	Minnesota	No			West Virginia	No	Missouri	No			Wyoming	No	Northern Mariana Isl.	No				
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## Instructions for Worksheet 1: Award Request Calculation

<b>CDFI RELATED ACTIVITIES:</b>	
Line 1:	List the dollar value of Equity Investments / Equity-Like Loans for the Baseline Period (Column B) and Assessment Period (Column C). Subtract the value in Column B from the value in Column C and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D by 15% and list the product in Column F to yield the Estimated Award Amount for Equity Investments / Equity-Like Loans.
Line 2:	List the dollar value of CDFI Support Activities for the Baseline Period (Column B) and Assessment Period (Column C). Subtract the value in Column B from the value in Column C and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D by the applicable Award percentage in Column E (18% if the Applicant is a CDFI or 6% if the Applicant is not a CDFI) and list the product in Column F to yield the Estimated Award Amount for CDFI Support Activities.
Line 3:	Add the values listed on lines 1 and 2 of Column F to yield the Estimated Award Amount for CDFI Related Activities.
<b>DISTRESSED COMMUNITY FINANCING ACTIVITIES:</b>	
Lines 4-9:	List the dollar value of each sub-category of Distressed Community Financing Activities for the Baseline Period in Column B and for the Assessment Period in Column C. Subtract the value in Column B from the value in Column C for each sub-category of activity and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D for each line by the corresponding Priority Factor in Column E to yield a weighted value. List the weighted value of each sub-category of activity in Column F.
Line 10:	Add the values listed on lines 4 to 9 of Column F to yield a Total Score. List the Total Score in Column F, Line 10.
Line 11:	Multiply the Total Score (Column F, line 10) by the applicable Award percentage (3% if the Applicant is not a CDFI or 9% if the Applicant is a CDFI) to yield an Estimated Award Amount for Distressed Community Financing Activities. List the Estimated Award Amount in Column F, Line 11
<b>SERVICE ACTIVITIES:</b>	
Lines 12-16:	List the dollar value of each sub-category of Service Activity for the Baseline Period in Column B and for the Assessment Period in Column C. Subtract the value in Column B from the value in Column C for each sub-category of activity and list the result in Column D to yield the change in Qualified Activities. Multiply the amount in Column D for each line by the corresponding Priority Factor in Column E to yield a weighted value. List the weighted value of each sub-category of activity in Column F.
Line 17:	Add the values listed on lines 12 to 16 of Column F to yield a Total Score. List the Total Score in Column F, Line 17.
Line 18:	Multiply the Total Score (Column F, Line 17) by the applicable Award percentage (3% if the Applicant is not a CDFI or 9% if the Applicant is a CDFI) to yield an Estimated Award Amount for Service Activities. List the Estimated Award Amount in Column F, Line 18.

If the Applicant has carried out no activity in a category or sub-category during the Baseline Period and/or Assessment Period, write "0" in the applicable columns and check the box in Column A.

# Worksheet 1: Award Request Calculation

CDFI RELATED ACTIVITIES		A	B	C	D	E	F
		Not Reporting	Baseline Period	Assmnt Period	Change in Activity	Award Percent	Estimated Award Amount
1.	Equity Investments / Equity-Like Loans	q				15%	
2.	CDFI Support Activities	q				6% / 18%	
3.	Estimated Award Amount for CDFI Related Activities:						
DISTRESSED COMMUNITY FINANCING ACTIVITIES		A	B	C	D	E	F
		Not Reporting	Baseline Period	Assmnt Period	Change in Activity	Priority Factor	Weighted Value
4.	Affordable Home Mortgage Loans	q				3.0	
5.	Affordable Housing Development Loans & Project Investments	q				2.0	
6.	Small Business Loans and Project Investments	q				3.0	
7.	Home Improvement Loans	q				3.0	
8.	Education Loans	q				3.0	
9.	Commercial Real Estate Loans & Project Investments	q				2.0	
10.	Total Score:						
11.	Estimated Award Amount for Distressed Community Financing Activities:						
SERVICE ACTIVITIES		A	B	C	D	E	F
		Not Reporting	Baseline Period	Assmnt Period	Change in Activity	Priority Factor	Weighted Value
12.	Deposits	q				1.0	
13.	Community Services	q				1.0	
14.	Financial Services	q				1.0	
15.	Targeted Financial Services	q				3.0	
16.	Targeted Retail Savings/Investment Products	q				3.0	
17.	Total Score:						
18.	Estimated Award Amount for Service Activities:						

# Report of Transactions

Applicants seeking an award in the Distressed Community Financing Activities category must provide detailed address information for all transactions, regardless of dollar amount.

Column	Entry
<b>A: Service Provided/ Borrower/ Investee</b>	Report each transaction by borrower, investee, grantee, CDFI, or other recipient. Service Activities: report each transaction carried out during the Assessment Period by the service provided.
<b>B: Total Dollar Value</b>	Report the total original dollar amount of each transaction. Service Activities: report the grand total of each category of activity.
<b>C: Amount Disbursed to Date</b>	List total dollar amount disbursed on each transaction by the end of the Assessment Period. For Service Activities, TA to CDFIs, and Financing Activities less than \$250,000: record same figure as Column B.
<b>D: Street Address</b>	For <u>each</u> Distressed Financing Activity transaction, enter the borrower's street address or the location of the property (real estate loans).
<b>E: City</b>	For <u>each</u> Distressed Financing Activity transaction, enter the city of the borrower or the property (real estate loans).
<b>F: State</b>	For <u>each</u> Distressed Financing Activity transaction, enter the state of the borrower or property (real estate loans).
<b>G: Zip Code</b>	For <u>each</u> Distressed Financing Activity transaction, enter the zip code of the borrower or the property (real estate loans).
<b>H: Census Tract</b>	For CDFI Related Activities: leave blank. For each other transaction, list the census tract (including state and county code) where the borrower, investee, grantee, or property is located.
<b>I: Execution Date</b>	List the date the activity occurred or the transaction was closed.
<b>J: Initial Disbursement Date</b>	List the date the Applicant made the initial disbursement. Leave blank if no initial disbursement has been made.
<b>K: Final Disbursement Date</b>	List the date the Applicant made the final disbursement. For Service Activities, TA to CDFIs, and Financing Activities less than \$250,000: record same figure as Column J. For CDFI Related Activities (except TA) and Distressed Community Financing transactions over \$250,000 leave blank if not fully disbursed.
<b>L: Type of Activity</b>	List the type of each transaction using the abbreviations provided below:
	CDFI Equity Investments / Equity-Like Loans      CEI
	CDFI Equity Like Loans      ELL
	CDFI Grants      CG
	CDFI Loans      LNS

	CDFI Deposits / Shares	DS
	TA provided to CDFIs	TAC
	Affordable Housing Mortgage Loans	AHM
	Affordable Housing Development Loans and Project Investments	AHD
	Commercial Real Estate Loans and Project Investments	CRE
	Education Loans	EDU
	Home Improvement Loans	HIL
	Small Business Loans and Project Investments	SBL
	Deposit Liabilities	D
	Financial Services	FS
	Targeted Financial Services	TFS
	Targeted Savings Products	TSP
	Community Services	CS
<b>M: Impact (Beginning FY 2009, this is a mandatory field.)</b>	<p>For Distressed Financing Activities, provide the number of the appropriate measure for each transaction:</p> <ul style="list-style-type: none"> <li>• Affordable Housing Development: Number of units developed or rehabilitated as part of the transaction.</li> <li>• Small Business: Number of full-time equivalent jobs created or maintained by borrower/investee.</li> <li>• Commercial Real Estate: Number of commercial real estate properties acquired, developed or rehabilitated as part of the transaction.</li> <li>• For Financial Services and Targeted Financial Services: Number of accounts opened, checks cashed, etc.</li> <li>• For Targeted Savings/Investment Products: Number of products sold.</li> <li>• For Community Services: Number of individuals who received the identified service.</li> </ul>	

## ***Part II: myCDFIFund***

### **Applicability**

An Applicant seeking an Award in the Distressed Community Financing Activity and/or Service Activity categories must first designate its BEA-qualified Distressed Communities via CIMS (the Fund's mapping system) and then register them via myCDFIFund.

A CDFI Partner that is the recipient of CDFI Support Activity must designate a BEA-qualified Distressed Community in which it is Integrally Involved and then register with the Fund via its MyCDFIFund account. An Applicant seeking an Award for providing CDFI Support to a CDFI Partner will identify the CDFI Partner by listing its full legal name, city and state, and related Distressed Community on Certification 3: Certification of Integrally Involved CDFI Partners. During the application review process, Fund staff will verify the CDFI Partner is registered via myCDFIFund. Applicants must ensure that all CDFI Partner registration materials have been submitted by the deadline as CDFI Partners will not be contacted regarding missing or incomplete materials.

***Deadline for Distressed Community and CDFI Partner Registration:  
March 17, 2009***

### **Instructions to Register Distressed Communities and CDFI Partners**

Distressed Community and CDFI Partner Registration Materials consist of: (1) BEA-Qualifying Distressed Community Maps; and (2) a BEA Signature Page.

Detailed instructions on registering a Distressed Community designation and registering as a CDFI Partner are available on the Fund's website, under the BEA Program. See the document called "Registration Instructions." The following is a brief overview of the instructions:

- Step 1. Access your organization's MyCDFIFund account. Instructions on how to create a myCDFIFund account can be found at <https://www.cdfifund.gov/myCDFI/index.asp>.
- Step 2: Designate a Distressed Community in CIMS.
  - For more information on how to use CIMS, please click on **View the Tutorial to help you get started and better understand the myCDFIFund Mapping System** under the Mapping homepage. The tutorial contains step-by-step instructions on how to create a Distressed Community map and a corresponding List of Eligible Census Tracts at your desk. Note: A Distressed Community as defined by the BEA Program is not the same as an Investment Area as defined by the CDFI Program and for certification as a CDFI.
- Step 3: Open the BEA Program Signature Page and attach the Distressed Community map created in Step 2.
- Step 4. Sign and submit the completed Signature Page.

# Part III: Documentation

## General Information

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The following details the requirements for reporting and documenting Qualified Activities. Applicants should use this guidance in conjunction with the instructions for each worksheet as well as the BEA Program Regulations, FY 2009 NOFA, and the Supplemental Guidance for Applicants (all available on the Fund's website). The BEA Program regulations contain definitions of all Qualified Activities.

**Activities of the Applicant:** To be eligible for BEA Program consideration, the Applicant or a Subsidiary of the Applicant must originate all Qualified Activities. Transactions carried out by Affiliates are not eligible. Loans brokered through another institution or loans purchased by the Applicant from another institution are not eligible for BEA Program consideration. If you are unsure of the eligibility of any Subsidiary or Affiliate, contact the Fund for clarification.

**Arms-length transactions:** To be considered an eligible Qualified Activity, each loan and investment must be an arms-length transaction with a third party that is not an Affiliate of the Applicant.

**What to Report:** All reported amounts should be rounded to the nearest dollar. For both the Baseline Period and the Assessment Period, report all Qualified Activities that were closed during the applicable period. To be considered Closed:

- The transaction must have been executed on a date within the applicable Assessment Period; and
- The Applicant and the borrower or investee must have entered into a legally binding agreement that specifies the final terms and conditions of the transaction; and
- An initial cash disbursement of loan or investment proceeds must have occurred in a manner that is consistent with customary business practices and is reasonable given the nature of the transaction (as determined by the Fund). If it is normal business practice to make no initial disbursement at closing (as is typical for lines of credit or construction loans), the Applicant must provide a brief narrative stating such and demonstrating that the borrower had access to the proceeds, subject to reasonable conditions (such as meeting certain project milestones), beginning at closing.

**Face value:** For term loans, each transaction must be reported at the total principal dollar amount of the closed loan or investment, subject to the dollar amount and time limitations imposed by the Fund, and as set forth in the applicable NOFA. For lines of credit (including construction lines of credit), each transaction should be reported at the maximum amount of credit available through the instrument, subject to dollar amount and time limitations imposed by the Fund. For transactions that are not fully disbursed as of the end of the Assessment Period, the amount reported should only reflect the amount expected to be disbursed within 12 months of the end of the applicable Assessment Period (December 31, 2008), subject to dollar amount limitations imposed by the Fund, and as set forth in the applicable NOFA.

**Cap on Qualified Activity Amount:** In calculating Award amounts, the Fund will count only the amount an Applicant reasonably expects to disburse on a transaction within 12 months from the end of the Assessment Period, but in no event shall the value of a Qualified Activity for purposes of



determining a BEA Program Award exceed \$10 million in the case of Commercial Real Estate Loans or any CDFI Related Activities (i.e., the total principal amount of the transaction must be \$10 million or less to be considered a Qualified Activity).

**Low-Income Housing Tax Credits; New Markets Tax Credits:** Investments for which the Applicant receives federal Low-Income Housing Tax Credits or New Markets Tax Credits as an investor are not considered Qualified Activities. If an Applicant is providing a loan or an investment for a project in which Low-Income Housing Tax Credits or New Markets Tax Credits are a part of the financing package, the activity will be considered a Qualified Activity -- provided that the Applicant and/or any of its Affiliates do not have a ownership stake in the subject project and have not received Low-Income Housing Tax Credits or New Markets Tax Credits in exchange for the investment.

**Application Checklist: Summary of Required Documentation by Category**

The checklist below provides a summary of required documentation for Qualified Activities. Detailed instructions on reporting and documenting Qualified Activities follow.

Category	Closing Documents	Disbursement Documents	Other Documentation
<b>CDFI Equity:</b> Equity, Equity-Like Loans	Investment agreement. Stock purchase certificate. Equity-Like Loan agreement. Grant letter. Other forms of documentation acceptable to the Fund.	Copies of checks, wire transfer receipts, and credit/debit slips from the general ledger. OR Internal documentation (requests for wire transfers or account print screens) AND Certification 2. Certification of Disbursement. Other documentation acceptable to the Fund.	Applicants: Certification 4. Certification of Baseline Period Qualified Activities.
<b>CDFI Support:</b> Loans, Certificates of Deposit/Share Certificates, TA to CDFI Partner	Loan Agreement. Promissory note. Certificate of Deposit. Share Certificate. Other documentation acceptable to the Fund.	Copies of checks, wire transfer receipts, or credit/debit slips from the general ledger. OR Internal documentation (requests for wire transfers or account print screens) AND Certification 2. Certification of Disbursement. Other documentation acceptable to the Fund.	Applicants: Certification 3. Certification of Integrally Involved CDFI Partners and Certification 4. Certification of Baseline Period Qualified Activities. CDFI Partners: CDFI Partner Registration on myCDFIFund (includes designated BEA-eligible Distressed Community).

Category	Closing Documents	Disbursement Documents	Other Documentation
<b>Distressed Community Financing Activities</b>	Loans of \$250,000 or more: <ul style="list-style-type: none"> <li>– Loan Agreement.</li> <li>– Promissory note.</li> <li>– Other documentation acceptable to the Fund.</li> </ul>	Loans of \$250,000 or more: <ul style="list-style-type: none"> <li>– Copies of checks, wire transfer receipts, and credit/debit slips from the general ledger. OR</li> <li>– Internal documentation (requests for wire transfers or account print screens) AND Certification 2. Certification of Disbursement.</li> <li>– Other documentation acceptable to the Fund.</li> </ul>	Applicants: Certification 4. Certification of Baseline Period Qualified Activities and <b>regardless of the size of the Qualified Activities:</b> Distressed Community Map(s) saved to Applicant's myCDFIFund account.
<b>Service Activities</b>	Deposit Liabilities: narrative on methodology used to determine that: (1) account holders are Residents; and (2) Deposit Liabilities were accepted at a location in the Distressed Community.  Community Services: narrative describing the methodology used to: (1) derive the value, and (2) determine that Community Services provided to LMI Residents, new small businesses, LMI homeowners, or homeowners in the Distressed Community. Targeted Financial Services; New Branch: Certification 1: ETA or New Branch. Certification 4: Certification of Baseline Period Qualified Activities		

# CDFI Related Activities

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## Eligible CDFI Related Activities

CDFI Related Activities consists of Equity Investments, Equity-Like Loans, and CDFI Support Activities. An Equity Investment is defined as assistance provided by an Applicant or its Subsidiary to a certified CDFI in the form of a grant, a stock purchase, a purchase of a partnership interest, a purchase of a limited liability company membership interest, or any other investment deemed to be an Equity Investment by the Fund. Equity-Like Loan is defined as a loan that has been made under certain terms and conditions that give it equity-like characteristics (see the Supplemental Guidance for terms and conditions). A CDFI Support Activity is defined as assistance provided by an Applicant or its Subsidiary to a certified CDFI that is Integrally Involved in a Distressed Community, in the form of the origination of a loan, technical assistance, or deposits if such deposits.

## Reporting CDFI Related Activities

**On Worksheet 1:** Applicant must report the total dollar value of all qualified CDFI Related Activities closed during the Baseline Period and the Assessment Period. Calculate the total dollar value of each category by summing the total principal amount of each grant, investment, deposit, or loan closed during the applicable period. Calculate the dollar amount of Technical Assistance provided to a CDFI Partner during the applicable period by summing the administrative costs of providing such services.

For the purpose of reporting an Applicant's Baseline Period activities on Worksheet 1, the Applicant must report all CDFI Related Activities that it engaged in with any certified CDFI that would have qualified as an eligible CDFI Partner according to the BEA Program regulations and applicable NOFA during the Baseline Period -- not just new activities engaged in with specific CDFIs during the Assessment Period.

**On the Report of Transactions:** Applicants report the dollar value of each *individual* transaction. For Technical Assistance to a CDFI Partner, list the dollar value of each unit of Technical Assistance of according to each CDFI Partner recipient. See instructions for Report of Transactions for additional required information.

## Documenting CDFI Related Activities

**Closing Documents:** For all CDFI Related Activities (except Technical Assistance provided to CDFIs), provide documentation demonstrating that the transaction closed during the Assessment Period. Such documentation must include a legally binding agreement between the Applicant and the CDFI Partner (e.g., grant letter, loan agreement, promissory note, investment agreement, or stock purchase agreement). Document Technical Assistance provided to CDFIs by providing an itemized list of the administrative costs of providing such services.

**Disbursement Documents:** For all CDFI Related Activities (except Technical Assistance provided to CDFIs), provide documentation demonstrating that an initial disbursement occurred during the Assessment Period in a manner consistent with customary business practices and that was reasonable given the nature of the transaction. Acceptable documentation includes copies of checks, wire transfer receipts, and credit/debit slips from the general ledger. Internal requests for wire transfers or account print screens are acceptable documentation if accompanied by a signed Certification 2: Certification of Disbursement. If the Applicant has not made a disbursement on a transaction closed within the Assessment Period, provide a narrative describing: (1) why making no initial disbursement was customary business practice and reasonable given the nature of the

transaction, and (2) that funds were available at the CDFI Partner's discretion at closing, subject to reasonable conditions (such as meeting project milestones).

**Equity-Like Loans:** For purposes of this NOFA, Equity-Like Loans must meet the following characteristics:

1. At the end of the initial term, the loan must have a definite rolling maturity date that is automatically extended if the CDFI continues to be financially sound and carry out a community development mission – unless the borrower and the bank mutually agree to terminate the agreement.
2. Periodic payments of interest and/or principal may only be made out of the CDFI borrower's available cash flow after satisfying all other obligations.
3. Failure to pay principal or interest (except at maturity) will not automatically result in default.
4. The loan must be subordinated to all other debt except for other Equity-Like Loans.

Notwithstanding the foregoing, the Fund reserves the right to determine, in its sole discretion and on a case-by-case basis, if an instrument meets the above-stated characteristics of an Equity-Like Loan. Applicants are encouraged to submit to the Fund for review, not later than 45 days prior to the Application deadline, all documents evidencing loans that they wish to be considered as Equity-Like Loans. Applicants that do not obtain prior approval of their Equity-Like Loans should submit full CDFI Partner documentation as described below in case the transaction is found to not qualify (in which case the Fund would consider the transaction a CDFI Support Activity).

## **Distressed Community Financing Activities**

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### **Eligible Distressed Community Financing Activities**

Affordable Housing Development Loans and related Project Investments; Affordable Housing Loans; Education Loans; Home Improvement Loans; Commercial Real Estate Loans and related Project Investments; and Small Business Loans and related Project Investments.

**Affordable Housing Development Loans and related Project Investments:** In order to be considered Qualified Activities, Affordable Housing Development Loans and Related Project Investments must be loans or investments to finance the acquisition, construction, and/or development of single- or multi-family residential real property, located in a BEA Distressed Community and where at least 60 percent of the units in such property are affordable to Low- and Moderate-Income individuals. For purposes of this Application, affordable is defined as a unit that is or will be sold or rented to a Low- and Moderate-Income Individual.

**Affordable Housing Mortgage Loans:** In order to be considered a Qualified Activity, an Affordable Housing Mortgage Loan must be located in a BEA Distressed Community and made to a Low- and Moderate-Income Resident. An Applicant may determine the total dollar value of such loans closed during the Baseline Period and the Assessment Period using one of the following methods (an Applicant may use different methods for the Baseline and Assessment Periods):

- **Exact Count Method:** Collect income data on each mortgage borrower. Use this data to determine which mortgage borrowers are Low- and Moderate-Income Residents. Count only those mortgage loans where the borrower is a Low- and Moderate-Income Resident.
- **Certification Method:** Count the number of mortgage borrowers that the Applicant reasonably believes are Low- and Moderate-Income Residents. Provide a brief analytical narrative with information describing how this determination was made (e.g., all borrowers for a certain mortgage loan must pre-qualify as Low-Income).

**Education Loans:** In order to be considered a Qualified Activity, an Education Loan must be a loan provided to a student, who is a resident in a BEA Distressed Community for the purpose of financing either college or vocational education.

**Home Improvement Loans:** In order to be considered a Qualified Activity, a Home Improvement Loan must be a loan provided to a borrower located in a BEA Distressed Community for the purpose of improving the borrower's primary residence.

**Commercial Real Estate Loans and related Project Investments:** In order to be considered a Qualified Activity, a Commercial Real Estate Loan must be a loan secured by real estate and used to finance the acquisition or rehabilitation of a building, or the acquisition, construction and or development of property located in a BEA Distressed Community and used for commercial purposes.

**Small Business Loans and related Project Investments:** In order to be considered a Qualified Activity, a Small Business Loan must be a loan used for commercial or industrial purposes (other than an Affordable Housing Loan, Affordable Housing Development Loan, Commercial Real Estate Loan, Home Improvement Loan) to a business or farm that meets the size eligibility standards of the Small Business Administration's Development Company of Small Business Investment Company programs (13 CFR 121.301) or has gross annual revenues of \$1 million or less AND is located in a BEA Distressed Community.

## Reporting Distressed Community Financing Activities

**On Worksheet 1:** An Applicant must report the total dollar value of all qualified Distressed Community Financing Activities closed during the Baseline Period and the Assessment Period. Calculate the total dollar value of each category by summing the total principal amount of each transaction closed during the applicable period. Report the total dollar value of each category on the applicable line of Worksheet 1. If the Applicant does not engage in a particular type of activity, check the appropriate box in Column A.

**On the Report of Transactions:** an Applicant must report the total dollar value of *each* individual loan or investment. See instructions for Report of Transactions for additional required information.

## Documenting Distressed Community Financing Activities

**Closing Documents:** For transactions with a principal value of greater than or equal to \$250,000, the Applicant shall provide documentation showing that the transaction closed during the Assessment Period. Such documentation must consist of a legally binding agreement between the Applicant and the borrower/investee/recipient (e.g., loan agreement, promissory note, investment agreement, or stock purchase agreement).

**Disbursement Documents:** For transactions with a principal value of greater than or equal to \$250,000, the Applicant shall provide documentation showing that an initial disbursement occurred during the Assessment Period in a manner that was consistent with customary business practices and reasonable given the nature of the transaction. Acceptable documentation includes copies of checks, wire transfer receipts, and credit/debit slips from the general ledger. Internal requests for wire transfers or account print screens are acceptable if accompanied by a signed Certification of Disbursement.

## Service Activities

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**Service Activities** include: Deposit Liabilities; Financial Services; Community Services; Targeted Financial Services; and Targeted Retail Savings/Investment Products. The BEA Program regulations, applicable NOFA, and Supplemental Guidance for Applicants contain definitions of these Qualified Activities. An Applicant may only include Financial Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products provided to Low- and Moderate-Income Residents.

### Reporting and Documenting Deposit Liabilities

- Calculate the net change in the amount of eligible Deposit Liabilities within the Baseline Period and within the Assessment Period.
- Report the dollar value of the net change in Deposit Liabilities for each period in the appropriate column on Worksheet 1, Line 12 and on the Report of Transactions. Do not report the total dollar value of Deposit Liabilities as of the last day of each applicable period – instead calculate the net change over the course of the applicable period. Do not report each individual depositor on the Report of Transactions – only report the net change for each period from the Deposit Liabilities Calculation Worksheet.
- Attach a narrative explaining the methodology used to determine that: (1) account holders are Residents; and (2) Deposit Liabilities were accepted at a location in the Distressed Community.

### Reporting and Documenting Community Services

- Calculate the total dollar value of providing the Community Service by determining the administrative cost of providing the activity. For staff time, use the number of hours contributed times the staff person's hourly salary. For other administrative costs, the Applicant should report the actual cost.
- Report the total dollar value of all Community Service Activities for each period on Worksheet 1, Line 13. Report the dollar value of each individual Community Service Activity on the Report of Transactions.
- Submit a narrative describing the methodology used to: (1) derive the value, and (2) determine that the Applicant provided the Community Service to Low- and Moderate-Income Residents, newly-formed small businesses, Low- and Moderate-Income homeowners, or homeowners in the Distressed Community.

### Reporting and Documenting All Other Service Activities

- Determine the total dollar value of Financial Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products provided to Low- and Moderate-Income Residents during the Baseline Period and Assessment Period using one of the following methods:
  - \* **Exact Count Method:** Collect income data on each recipient of the specified activity. Use this data to determine which recipients are Low- and Moderate-Income Residents. Multiply this number by (i) the per unit value specified in the NOFA, or (ii) if the activity is not specified in the NOFA, by the Applicant's estimate of the per unit value.
  - \* **Certification Method:** Take the number of recipients that the Applicant reasonably believes are Low- and Moderate-Income Residents and multiply it by (i) the per unit value specified in the NOFA, or (ii) if the activity is not specified in the NOFA, by the

Applicant's estimate of the per unit value. The Applicant must provide a brief analytical narrative with information describing how this determination was made.

- Report the combined total dollar value of Financial Services, Targeted Financial Services, and Targeted Retail Savings/Investment Products on the applicable line of Worksheet 1 and on the Report of Transactions. Do not report the value of each individual service activity separately on the Report of Transactions (i.e., do not list each check cashed or new account opened separately on its own line on the Report of Transaction). In the first column, indicate the transaction according to the type (e.g., "checks cashed" or "new accounts opened").
- For Financial Services, if using a per unit value not prescribed in the NOFA, describe the methodology used to derive the value. The Fund will determine if this value is acceptable.
- An Applicant seeking an Award for providing Targeted Financial Services or for opening a new retail branch must complete and submit Certification 1: ETA or New Branches.