

\_\_\_\_\_  
**Borrower Name**

\_\_\_\_\_  
**Lender Loan Number**

**LENDER CERTIFICATION**

**Enrolling a loan in CalCAP requires the Participating Financial Institution to certify to each of the following program rules and requirements.**

\* All capitalized terms are defined in 4 CCR §8070 and §8078.8 of the California Code of Regulations.

- 1) The loan is a Qualified Loan as defined in 4 CCR §8078.8 (i) of the California Code of Regulations.
- 2) The business receiving the Qualified Loan is a Qualified Business, as defined in 4 CCR §8070 (t) and §8078.8(l) of the California Code of Regulations.
- 3) The Qualified Loan is for a business activity that has its Primary Economic Effect in California as defined in 4 CCR §8070(o) of the CPCFA Regulations.
- 4) The proceeds of the loan will be used for the Eligible Costs of an Eligible Project as defined in 4 CCR §8078.8 (f) and §8078.8 (g) of the California Code of Regulations.
- 5) The Participating Financial Institution certifies as to the number of full-time equivalent employees of the Borrower based upon its due diligence and underwriting standards.
- 6) The Participating Financial Institution will provide information from the financial records of the Borrower upon request of the Executive Director of the CPCFA, and the Participating Financial Institution has obtained the consent of the Borrower to such disclosure.
- 7) The Participating Financial Institution has obtained a written representation from the Borrower that the Borrower has no legal, beneficial or equitable, interest in the Fees or the CalCAP/ ADA Contribution.
- 8) The Borrower's total principal amount of loans enrolled in the CalCAP/ADA Program with any Participating Financial Institution does not exceed \$50,000.
- 9) The Borrower has provided a CASp Report and a Cost Estimate as defined in 4 CCR §8078.8 (d) and §8078.8 (e) of the California Code of Regulations, and the physical alterations or retrofits to be financed are included in the CASp Report.
- 10) The Participating Financial Institution has notified the Borrower if the Participating Financial Institution's share of the Fees for the Qualified Loan has been paid by the Borrower.
- 11) The Participating Financial Institution has obtained a written representation from the Borrower that it has secured or made application for all applicable licenses or permits needed to conduct its business.
- 12) The Participating Financial Institution will collect and retain copies of all applicable licenses or permits needed for the construction related retrofit(s) or alteration(s) from the Borrower.
- 13) The Participating Financial Institution has not, and will not, enroll the same loan or portion thereof in any other government program substantially similar to the Program.
- 14) The Participating Financial Institution has not, and will not, enroll the Qualified Loan in any other Capital Access Loan Program for Small Business offered by the Authority as long as funds are available for this Program.
- 15) The Borrower has received the CalCAP/ ADA Privacy Notice.
- 16) The Participating Financial Institution acknowledges that its lending activities are subject to any applicable safety and soundness standards as set forth in applicable lending regulations.

**By signing below and enrolling this loan the Participating Financial Institution certifies, based in part on information provided by the Borrower, that each of the above assurances is true and accurate.**

\_\_\_\_\_  
**Authorized Lender Signature**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Printed Name of Authorized Signer**

CalCAP Loan Number	Analyst's Initials	Date	Reviewer's Initials	Date
_____ FUND _____ %	_____ FUND _____ %		_____ FUND _____ %	
Contribution Amount \$	Contribution Amount \$		Contribution Amount \$	
Authorized Signature				Date: