

## **IX. SAMPLE LOAN ENROLLMENT APPLICATIONS, CERTIFICATIONS & FORMS**

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Samples of forms required by CalCAP are provided in this Chapter for quick reference. Lenders should refer to the CalCAP website to download the most current forms:

 <http://www.treasurer.ca.gov/cpcf/calcap/ARB/index.asp>

# 1. CalCAP/CARB Loan Enrollment Application

CALIFORNIA CAPITAL ACCESS PROGRAM  
 California Pollution Control Financing Authority  
[CalCAP@treasurer.ca.gov](mailto:CalCAP@treasurer.ca.gov)  
 (916) 654-5610

Mailing Address: P.O. Box 942809  
 Sacramento, CA 94209-0001  
 Fax (916) 589-2805

<b>CalCAP Use Only</b>	CalCAP Loan #
	Date
	Received

## CalCAP AIR RESOURCES BOARD (ARB) PROGRAMS LOAN ENROLLMENT APPLICATION

### Lender Information

Participating Lender \_\_\_\_\_ Lender ID# \_\_\_\_\_  
 Loan Officer Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Loan Officer Email \_\_\_\_\_

### Borrower Information

Name \_\_\_\_\_ DBA \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ County \_\_\_\_\_ Zip \_\_\_\_\_  
 Type of Business/Activities \_\_\_\_\_  
 Average Annual Revenue Last 3 Years \$ \_\_\_\_\_  
 Number of Employees \_\_\_\_\_ Jobs created \_\_\_\_\_ Jobs retained \_\_\_\_\_  
 Will loan monies be used at above address?  Yes  No If no, location where loan will be used:  
 Address \_\_\_\_\_ City \_\_\_\_\_ County \_\_\_\_\_ Zip \_\_\_\_\_  
 NAICS Code \_\_\_\_\_ Census Tract # \_\_\_\_\_  
<http://www.census.gov/eos/www/naics/> <http://www.flic.gov/Geocode/default.aspx>  
 Purpose of Loan \_\_\_\_\_  
 Is business minority owned?  Yes  No  Decline to Answer  
 Is business woman owned?  Yes  No  Decline to Answer  
 Is business veteran owned?  Yes  No  Decline to Answer

### Loan Information

Lender Loan Number \_\_\_\_\_ Type of Loan:  Line of Credit  Term Loan  TRAC Lease  
 Total Loan Amount \$ \_\_\_\_\_ Loan Amount Enrolled in CalCAP \$ \_\_\_\_\_  
 Date of First Disbursement (Date of Loan) \_\_\_\_\_ Maturity Date \_\_\_\_\_  
 Interest Rate \_\_\_\_\_ % APR  Fixed  Variable Is the loan secured?  Yes  No

## 2.CalCAP/CARB Lender Certification

CALIFORNIA CAPITAL ACCESS PROGRAM  
 California Pollution Control Financing Authority  
[CalCAP@treasurer.ca.gov](mailto:CalCAP@treasurer.ca.gov)  
 (916) 654-5610

Mailing Address: P.O. Box 942809  
 Sacramento, CA 94209-0001  
 Fax (916) 589-2805

Borrower Name

Lender Loan Number

### LENDER CERTIFICATION

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

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

- 1) The loan is a Qualified Loan as defined in 4 CCR §8078.22(g) of the California Code of Regulations.
- 2) The loan is for an Eligible Cost, as defined in 4 CCR §8078.22(b) of the California Code of Regulations.
- 3) The business receiving the Qualified Loan is a Qualified Business, as defined in 4 CCR §8078.22(f) of the California Code of Regulations.
- 4) The Qualified Loan is for a business activity that has its Primary Economic Effect in California as defined in 4 CCR §8078.22(f)(4) of the California Code of Regulations.
- 5) The Borrower has validated the number of employees currently employed by the Borrower, as defined in 4 CCR 8078.24(c)(10)(A).
- 6) The Participating Financial Institution will provide information from 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 Contribution.
- 8) The Borrower's total principal amount of loans enrolled in any CalCAP program with any Participating Financial Institution does not exceed \$2,500,000 over a three year period.
- 9) 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.
- 10) 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.
- 11) The Borrower has received CPCFA's CalCAP/ARB Privacy Notice.
- 12) The Participating Financial Institution acknowledges that its lending activities are subject to safety and soundness standards as set forth in any applicable federal banking 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

California Pollution Control Financing Authority Use Only			
CalCAP Loan Number	Analyst's Initials	Date	Reviewer's Initials
		FUND %	FUND %
	Contribution Amount \$		Contribution Amount \$
Authorized Signature			Date:

When complete, please send to: [CalCAP@treasurer.ca.gov](mailto:CalCAP@treasurer.ca.gov) or by fax (916) 589-2805

Revised August 15, 2017

### 3. CalCAP/CARB Borrower Eligibility Criteria and Self-Certification Form

(1 of 3 pages)

Borrower Name \_\_\_\_\_  
Lender/Participating Financial Institution \_\_\_\_\_  
Lender Loan No. \_\_\_\_\_

#### HEAVY-DUTY VEHICLE AIR QUALITY LOAN PROGRAM (HDV AIR QUALITY LOAN PROGRAM) BORROWER ELIGIBILITY CRITERIA AND SELF-CERTIFICATION FORM

The undersigned Borrower hereby applies to the California Pollution Control Financing Authority (CPCFA) for funds to pay the Borrower's premium for participation in the CPCFA's California Capital Access Program (CalCAP). The lender will submit this form with the CalCAP CARB Programs Loan Enrollment Form to CPCFA at:

California Pollution Control Financing Authority (CPCFA)  
801 Capitol Mall, 2<sup>nd</sup> Floor  
Attention: California Capital Access Program (CalCAP)  
Sacramento, CA 95814  
Fax: (916) 589-2805

For assistance, lenders please call CPCFA staff at (916) 654-5610.

#### SECTION I HDV AIR QUALITY LOAN PROGRAM ELIGIBILITY

By initialing on each line, Borrower certifies to eligibility under the HDV Air Quality Loan Program.

(a) \_\_\_\_\_ Borrower will use the program only to purchase on-road heavy duty vehicles and equipment for compliance with the California Air Resources Board's (CARB) Statewide In-Use Truck and Bus Regulation (Regulation) (California Code of Regulations, title 13, Section 2025), refer to: <https://ww2.arb.ca.gov/our-work/programs/truck-bus-regulation/truck-and-bus-regulation-regulation-advisories>

Eligible purchases with loan proceeds include:

- Used and new trucks equipped with 2010 and later model year engines CARB-certified to 2010 and later model year emission standards;
- ▲ Equipment Warranty, when funded with the purchase of an eligible truck; and
- The engines can use diesel fuel, compressed natural gas (CNG), liquefied natural gas (LNG), or other fuels including zero-emission technology.

(b) \_\_\_\_\_ Borrower certifies that his/her fleet has 10 or fewer on-road vehicles subject to the Regulation referenced in the above statement, or is a non-profit entity that meets all other CalCAP requirements. Consistent with fleet reporting requirements in California Code of Regulations, title 13, section 2025, the Borrower shall include vehicles whether or not they are registered, and include vehicles registered as non-operating. In Section III, the Borrower shall provide the total number of on-road heavy-duty vehicles in his/her fleet subject to the Regulation. (Non-profit organizations may have more than 10 vehicles but must satisfy all other requirements of the CalCAP and HDV Air Quality Loan Programs).

(c) \_\_\_\_\_ Borrower certifies that he/she has 100 or fewer employees and \$10 million or less in annual revenues averaged over the prior three (3) years.

By initialing either (d) (e), or (f) below, Borrower certifies that either (d) (e), or (f) is true and correct. If Borrower has not received a CARB grant or is not approved for a voucher below, DO NOT INITIAL ANY OF THE STATEMENTS.

(d) \_\_\_\_\_ Borrower certifies that he/she has received a grant through CARB's Proposition 1B Goods Movement Emission Reduction Program for the vehicle(s) being financed.

(e) \_\_\_\_\_ Borrower certifies that he/she has received a grant through the CARB's Carl Moyer Program On-Road Heavy-Duty Vehicle Voucher Incentive Program (VIP) for the vehicle(s) being financed.

(f) \_\_\_\_\_ Borrower certifies that he/she is approved for a voucher for CARB's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) to purchase or lease a hybrid or zero-emission truck or bus.

Revised August 31, 2020

Borrower Name \_\_\_\_\_  
Lender/Participating Financial Institution \_\_\_\_\_  
Lender Loan No. \_\_\_\_\_

**SECTION II**  
**CalCAP ELIGIBILITY**

By initialing on each line, the Borrower certifies to eligibility under CalCAP.

- (a) \_\_\_\_\_ Borrower is a qualified business as defined in the CalCAP regulations section 8078.22.
- (b) \_\_\_\_\_ Borrower obtained a loan that is for a vehicle registered in California with the Department of Motor Vehicles.
- (c) \_\_\_\_\_ Borrower agrees to allow the participating financial institution to provide information from financial records of the Borrower upon request of the Executive Director of CPCFA.
- (d) \_\_\_\_\_ Borrower has no legal, beneficial, or equitable interest in the fees or the contribution.
- (e) \_\_\_\_\_ Borrower does not have a total enrolled principal amount in excess of \$2,500,000 at any CalCAP participating financial institution over a three (3) year period.
- (f) \_\_\_\_\_ Borrower has secured or made application for all applicable licenses or permits needed to conduct its business.
- (g) \_\_\_\_\_ Borrower has received CPCFA's CalCAP/CARB Privacy Notice dated December 5, 2018.
- (h) \_\_\_\_\_ Borrower is not: an executive officer, director or principal shareholder of the lender/ participating financial institution; a member of the immediate family of those individuals; or a related interest of those individuals.

*Revised August 31, 2020*

# CalCAP/CARB Borrower Eligibility Criteria and Self-Certification Form

(3 of 3 pages)

Borrower Name \_\_\_\_\_  
 Lender/Participating Financial Institution \_\_\_\_\_  
 Lender Loan No. \_\_\_\_\_

### SECTION III

By initialing on each line, the Borrower certifies that each statement below is true and correct. Please also provide the applicable information in the table below, including the engine manufacturer and model year of a truck that is replaced with a truck purchased with loan proceeds.

- (a) \_\_\_\_\_ Borrower certifies that he/she meets state and federal requirements to operate in California.
- (b) \_\_\_\_\_ Borrower agrees to allow CARB staff or its designee to inspect the affected vehicle.

Additional Information for Completion by the Borrower				
<b>Fleet Size<sup>a</sup></b>	_____			
<b>For Truck Purchases</b>				
<b>For truck purchase, state the GVWR<sup>b</sup>:</b>		_____		
	Engine Manufacturer	Engine Model Year	Engine Horsepower	Fuel Type <sup>c</sup>
<b>New Purchase</b>	_____	_____	_____	_____
<b>Used Purchase</b>	_____	_____	_____	_____
<b>Replaced Truck</b> (if purchase is to replace an existing truck)	_____	_____	_____	_____
<b>DID BORROWER RECEIVE A NOTICE OF NON-COMPLIANCE FROM CARB? <input type="checkbox"/> YES <input type="checkbox"/> NO</b>				
<b>For Trailer Purchases<sup>d</sup></b>				
	Trailer Manufacturer	Trailer Model Year	SmartWay Certified? (Yes or No)	
<b>Trailer</b>	_____	_____	_____	

<sup>a</sup> The Borrower shall write in the total number (example: 8) of on-road vehicles subject to the Regulation referenced in the beginning of this form, in his or her fleet.

<sup>b</sup> Information about Gross Vehicle Weight Rating (GVWR) is available at <http://www.arb.ca.gov/msprog/truckstop/azregs/labels.htm>.

<sup>c</sup> Fuel Codes: D-Diesel, E-Electric, N-Natural Gas, Q-Hybrid, P-Propane.

<sup>d</sup> Trailers may be eligible for financing ONLY in conjunction with an eligible tractor.

\_\_\_\_\_  
 (Business Name)

\_\_\_\_\_  
 (Print Individual's Name)

\_\_\_\_\_  
 (Individual's Signature)

\_\_\_\_\_  
 (Business Address, City, State, Zip Code)

\_\_\_\_\_  
 (Individual's Title as it pertains to the business)

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Phone Number)

CPCFA USE ONLY	

\_\_\_\_\_  
 (CPCFA Review: Signature and Date)

Revised August 31, 2020

## 4. CalCAP CARB Privacy Notice



CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

Office Location: 801 Capitol Mall, 2<sup>nd</sup> floor  
Sacramento, CA 95814  
Mailing Address: P.O. Box 942809  
Sacramento, CA 94209-0001  
p (916) 654-5610  
f (916) 657-4821  
cpcfafa@treasurer.ca.gov



### CALIFORNIA CAPITAL ACCESS PROGRAM

#### PRIVACY NOTICE

The California Information Practices Act of 1977 (Civil Code §1798.17) requires that this notice be provided when a governmental agency collects the personal information of individuals. Name, address, telephone number, gender, and race of the borrower, guarantor and/or business owner, and business and financial information related to this loan is requested by the California Capital Access Program (CalCAP) of the California Pollution Control Financing Authority (CPCFA) for the purposes of statistical reporting on loan activities and assessing compliance with CalCAP program requirements. It is mandatory for the lender to provide this information to CalCAP. Failure to provide the information may result in rejection of the application.

The information may be disclosed under the following circumstances: (1) to consultants, auditors or contractors retained by the California Pollution Control Financing Authority where disclosure is required to fulfill CalCAP program requirements; (2) to another governmental entity where required by state or federal law; or (3) as otherwise required by law.

The agency official responsible for the maintenance of the personal information is the CalCAP Program Manager, at 801 Capitol Mall, 2nd Floor, Sacramento, CA 95814, Tel: (916) 654-5610. California Code of Regulations §8072 authorizes the solicitation and maintenance of the personal information requested. Borrowers have the right to access their information upon request by contacting the CalCAP Program Manager.

*Copy to Borrower/Do Not Submit to CalCAP*

*Revised December 5, 2018*

## 5. CalCAP Notification Change of Loan Terms Form

CALIFORNIA CAPITAL ACCESS PROGRAM  
 California Pollution Control Financing Authority  
 Office Location: 801 Capitol Mall, 2<sup>nd</sup> Floor  
 Sacramento, CA 95814  
 Telephone (916) 654-5610

Mailing Address: P.O. Box 942809  
 Sacramento, CA 94209-0001  
 CalCAP@treasurer.ca.gov  
 Fax (916) 657-4821

### CalCAP NOTIFICATION OF CHANGE IN LOAN TERMS

Participating lenders must provide written notification of any change in material terms of a loan, including changes to the maturity date or interest rate, within 15 days of the effective date of the change.

**NOTE:** For a loan amount increase, submit CalCAP Loan Enrollment Application, new lender and borrower certifications along with proof of fees deposited.

Check which CalCAP Program:  Small Business  ARB  EVCS  ADA  Seismic Safety

Lender: \_\_\_\_\_ Lender's CalCAP ID #: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

#### Loan Information

Borrower: \_\_\_\_\_ Change Effective Date: \_\_\_\_\_

CalCAP Loan Number: \_\_\_\_\_ Lender's Loan Number: \_\_\_\_\_

#### Type of Change:

Interest Rate Change

Effective Date: \_\_\_\_\_ New Interest Rate \_\_\_\_\_

Maturity Date Change

Please submit an amended loan enrollment application, new lender and borrower certifications and complete the following two fields.

Old Maturity Date \_\_\_\_\_

New Maturity Date \_\_\_\_\_

Other (please provide supporting documentation)

Please submit an amended loan enrollment application, new lender and borrower certifications and complete the following field.

Describe the change(s) to the loan \_\_\_\_\_

By signing below, the Participating Financial Institution certifies that the above loan information is true and accurate.

Authorized Lender Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

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

California Pollution Control Financing Authority Use Only			
CalCAP Review:	Analyst:	Date	Manager: Date
Database Update:		<input type="checkbox"/> Approved <input type="checkbox"/> Rejected	
<input type="checkbox"/> If rejected, attach proof of transmittal to the lender			

When complete, please send to: [CalCAP@treasurer.ca.gov](mailto:CalCAP@treasurer.ca.gov) or by fax (916) 589-2805

Revised April 11, 2018



## 6. CalCAP Financial Institution Claim Application

CALIFORNIA CAPITAL ACCESS PROGRAM  
 California Pollution Control Financing Authority  
 Office Location: 801 Capitol Mall, 2<sup>nd</sup> Floor  
 Sacramento, CA 95814  
 Telephone (916) 654-5610

Mailing Address: P.O. Box 942809  
 Sacramento, CA 94209-0001  
[CalCAP@treasurer.ca.gov](mailto:CalCAP@treasurer.ca.gov)  
 Fax (916) 589-2805

### CalCAP FINANCIAL INSTITUTION CLAIM APPLICATION

NOTE: A lender is required to notify the Authority within 120 days of when the lender has charged off all or part of a qualified loan as a result of default by a borrower. If the form is filled out properly and the lender has faithfully complied with CalCAP requirements, CPCFA will authorize the Program trustee to reimburse the lender from the lender's loss reserve account within 30 business days.

#### Lender and Borrower Information

Participating Lender: \_\_\_\_\_ Lender's CalCAP ID #: \_\_\_\_\_  
 Lender Contact: Name: \_\_\_\_\_ CalCAP Loan Number: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Borrower's Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Borrower DBA: \_\_\_\_\_

#### Loan Information

Original Principal Amount of Loan: \_\_\_\_\_ Date of Loan: \_\_\_\_\_  
 Default Amount: \_\_\_\_\_ Date of Default: \_\_\_\_\_  
 Is this loan secured?  Yes  No Date of Charge-off: \_\_\_\_\_

If yes, what form of security \_\_\_\_\_

Was the loan in the first \$1 million of CalCAP loans made by lender?  Yes  No

Have enforcement proceedings begun?  Yes  No

Lender's priority of claim (If two or more claims filed by lender): \_\_\_\_\_

#### Claim Information

Outstanding Principal	\$	_____
Liquidated Collateral	\$	_____
Accrued and Unpaid Interest	\$	_____
Out-of-pocket expenses (Attach detailed explanation)	\$	_____
Total	\$	_____

**Please attach a complete transaction history report, a short narrative of the loan history, receipt(s), and Bill of Sale(s) (if applicable).**

- The lender warrants this claim is being filed within 120 days of the loan being charged off and that charge-off was consistent with the lender's usual methods for taking action on loans not enrolled in the Program.
- Lender will, as CPCFA's agent, pursue additional recovery on this defaulted loan through legal proceedings, seizure and liquidation of collateral, guarantees, and/or other sources.
- Lender certifies it has given notice to the Authority of the initial enrollment of the loan in CalCAP, and either:
  - has given notice to the Authority of any renewals or extensions of the loan; or
  - the loan was continuously renewed or extended since the date of its initial enrollment in CalCAP.
- This claim is for a loan that the undersigned holds, or a loan that has been assigned, transferred, or pledged to another entity pursuant to prior authorization by CPCFA.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_

#### California Pollution Control Financing Authority Use Only

Authorized Signature	Date	Amount	\$
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When complete, please send to: [CalCAP@treasurer.ca.gov](mailto:CalCAP@treasurer.ca.gov) or by fax (916) 589-2805

Revised August 15, 2017