

Commercial Real Estate Loan Application

Investment Real Estate

COMPANY INFORMATION

Business Name _____
 Borrowing Entity* _____
 Address _____
 City/State/Zip _____
 County _____
 Business Industry _____
 Tax ID Number _____
 Number of Employees at Present Time _____

Key Contact _____
 Email Address _____
 Mobile Phone _____
 Business Telephone _____
 Business Fax _____
 Date Established _____
 Website _____
 After this Loan _____

*Please **Type** or **Print** the borrowing entity's legal name as it should appear on all documents.

LOAN PURPOSE & DOLLAR AMOUNT REQUESTED

COLLATERAL

Collateral Detail: (Please provide address if real estate)

Collateral Being Pledged for This Loan _____

*Cooperative Business Services requires that we have the 1st Lien Position on Collateral Pledge. I certify to the best of my knowledge that the information contained herein is true and correct.

OWNERSHIP & MANAGEMENT

Please provide a listing of Owners, Officer Titles, and Ownership Percentages at time of loan closing. You will be executing legal documents for your loan request. Please **Type** or **Print** your Legal Name as it should appear on all documents.

	Officer Title	Principal	Ownership	
1.	_____	_____	_____	%
2.	_____	_____	_____	%
3.	_____	_____	_____	%
4.	_____	_____	_____	%

Is the business or any principal liable as guarantor or endorser on an existing or outstanding loan?

☐
☐

Has the borrowing entity, any principal, or affiliate company ever declared bankruptcy?

☐
☐

Has any principal or guarantor ever been convicted of a felony?

☐
☐

MANAGEMENT/OWNER

To be completed in full by each officer, director, key employee, or owner of 20% or more of the company; if an item is not applicable, please indicate so. If you're applying for an SBA 7a loan you'll need to provide 100% of the applicants direct and indirect owners, which includes entity and individual owners with direct or indirect ownership. The ownership percentage of married spouses and minor children needs to be combined. Birth dates for all owners are required.

Personal Information (Joint Applicants, if any, are asked to complete separately if owning 20.00% or more of the borrowing entity.)

First

Middle

Maiden

Last

Phone Number _____

Email Address _____

SS # _____

Place of Birth _____

Date of Birth _____

Marital Status _____

Primary Residence (Rent or Own):

Current Home Address

Street

City

State

Zip

If Rent, How much? _____

If Own, payment? _____

Taxes and Insurance? _____

Do you escrow? _____

Military Service

Did you serve in the Military: ☐ Yes ☐ No

If yes, Honorable Discharge: ☐ Yes ☐ No

Please provide the following information:

Are you or any business where you have ownership or contingent liability, involved in any pending lawsuits? ☐ Yes ☐ No

If so, please provide details.

Are you or your business presently under indictment, or on parole or probation? ☐ Yes ☐ No

If so, please provide details.

Have you ever been charged with, arrested or convicted for any criminal offense other than a minor vehicle violation? ☐ Yes ☐ No

If so, please provide details.

☐ Yes If you are applying for an SBA loan, please answer the following question: Have you or your business obtained any Commercial Property Assessed Clean Energy (C-PACE) financing for any properties? If so, provide details.

☐ No _____

Are you current on all federal, state, and county taxes, including but not limited to payroll, sales tax, workman's compensation, etc.? If not, please provide details. ☐ Yes ☐ No

Are you current on all personal and intangible property taxes? If not, please provide details. ☐ Yes ☐ No

Are you more than 60 days delinquent under the terms of (a) administrative order, (b) court order, or (c) repayment agreement that requires payment of child support? If so, please provide details. ☐ Yes ☐ No

Note: Any person holding 20% or more ownership is required to complete a separate background form.

I declare under penalty of perjury that these statements are true and correct.

Date _____

Signature _____

Print Name _____

BUSINESS LOAN APPLICATION AND ACKNOWLEDGMENT AND AGREEMENT

By signing below, the loan applicant and each of the undersigned ("Loan Applicants"), specifically represent the Credit Union ("Lender") and the Lender's actual and potential agents, brokers, processors and underwriters, attorneys, insurers, servicers, successors and assigns (collectively "Lender and Lender's Agents") and agree and acknowledge that: (1) the information provided on all accompanying forms, financial statements, and schedules ("Loan Application") for obtaining credit is true, accurate, and complete as of the date set forth opposite the Loan Applicants' signatures; (2) the representations made in the Loan Application will be continuously relied upon by the Lender and the Lender's Agents in evaluating the Loan Application and, if approved, in extending credit and that the Loan Applicants acknowledge that they have an obligation to amend and supplement the information provided in the Loan Application if any material facts should change prior to closing any loan; (3) Lender and Lender's Agents have not made any commitment to approve the Loan Application and extend credit, unless otherwise agreed to in writing; (4) Lender and Lender's Agents are authorized to conduct any inquiries they decide are necessary to verify the accuracy of the information contained in the Loan Application, and that Lender and/or Lender's processors and underwriters and servicers, successors and assigns are authorized to obtain credit reports from credit reporting agencies on the Loan Applicants; (5) Lender and/or Lender's servicers, successors and assigns are authorized to answer any questions from others about Lender's credit experience with the Loan Applicants; (6) Lender and/or Lender's servicers, successors and assigns are authorized to retain the Loan Application, whether or not Lender approves any extension of credit; (7) if credit is extended, Lender and/or Lender's servicers, successors and assigns are authorized to obtain credit information regarding the Loan Applicants from time to time during any time that the loan has an outstanding balance; (8) Lender and Lender's Agents shall not be liable for any claim arising from the use of information provided to the Loan Applicants or for providing such information to others; (9) intentional or negligent misrepresentation of the information contained in the Loan Application may result in civil liability, including monetary damages, to any person who may suffer a loss due to reliance upon any misrepresentation and criminal penalties including, but not limited to, fine or imprisonment or both under provisions of Title 18, United States Code, Section 1001, et seq.

NOTICE OF RIGHT TO RECEIVE APPRAISAL REPORT

The lender may individually, or by and through Cooperative Business Services, LLC ("CBS") order an evaluation or appraisal to determine the value of any property that may be utilized as collateral for any proposed loan from the Lender to Loan Applicants. Lender or CBS may charge the Loan Applicants for the cost(s) associated with an appraisal. Lender and CBS will promptly provide the Loan Applicants a copy of any evaluation or appraisal report, even if the proposed loan is denied or is not consummated, for any reason. Loan Applicants can order and pay for a separate appraisal on any property to be utilized as collateral, for Loan Applicant's use, and solely at Loan Applicant's cost. If the application for credit is secured by a first lien on a dwelling, (as defined in § 1002.14(b)(2), Loan Applicant is hereby notified: Lender may order an appraisal to determine the property's value and charge you for this appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close. You can pay for an additional appraisal for your use at your own cost.

HOME MORTGAGE DISCLOSURE ACT NOTICE

For those Loan Applicants submitting a Loan Application that includes collateral consisting of real property that is considered a Dwelling (as that term is defined in the Home Mortgage Disclosure Act ("HMDA"), Lender will collect information in accordance with HMDA and CRF Part 1003 (Home Mortgage Disclosure – Regulation C), Section 1003.1-1003.6. The HMDA data about Lender's residential mortgage lending are available online for review. The collected data shows geographic distribution of loans and Loan Application(s), ethnicity, race, sex, age and income of Loan Applicants, and information about loan approvals and denials. HMDA data for many other financial institutions are also available online at the Consumer Financial Protection Bureau's website (www.consumerfinance.gov/hmda).

NOTICE CONCERNING COLLECTION OF EARLY EXIT FEE

In the event that Lender provides any loan to Loan Applicant pursuant to the Loan Application that permits for or requires collection and recovery of a prepayment penalty and/or early exit fee ("Early Exit Fee") Loan Applicant is hereby notified and acknowledges that CBS will receive and retain said Early Exit Fee, and that neither Lender or any other credit union that may be participating in the loan will receive any portion of said Early Exit Fee.

ADDITIONAL NOTICE

CBS complies with Section 326 of the Patriot Act, which requires CBS to obtain, verify, and record information that identifies each applicant for financing. CBS complies with the FACT Act, and other similar laws, which allow each applicant to opt out of information sharing for marketing purposes. CBS also complies with the Equal Credit Opportunity Act ("ECOA"), which prohibits creditors from discriminating against credit applicants on basis of race, color, religion, national origin, sex, marital status, age, receipt of public assistance, or exercise of legal rights, including the good faith exercise of any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is:

Region II, National Credit Union Administration
Region 2-Capital
1900 Duke Street, Suite 300
Alexandria, VA 22314

REGULATION B NOTICE OF INTENT TO APPLY FOR JOINT CREDIT

Regulation B and the Equal Credit Opportunity Act requires that a lender obtain evidence of each loan applicants intent to apply for joint credit before a credit decision can be made. Failure to complete when required will render the application/request for credit incomplete. Please mark one of the following choices:

☐ I (we) intend to apply for joint
credit

☐ I (we) do not intend to apply for joint
credit

PRIVACY POLICY DISCLOSURE

CBS is committed to the highest standards in safeguarding and using your confidential information. CBS will collect certain personal identifiable information ("PII") which includes but not limited to business, geographic and demographic information, names, addresses, phone numbers, email addresses, tax identification numbers, employee identification numbers, trust agreements, corporate documents, bank account numbers, loan numbers, obligation numbers, passwords for secured documents, and other financial information while processing your loan application. PII collected by CBS is not sold to third parties, and is only disclosed to those third parties authorized by you, or when necessary to provide or administer services as it relates to the processing of your loan application, including service providers under contract with CBS, who help with parts of CBS' business, when required by an audit by a third party (including government authorities) or when required by legal process (law, regulation, court order, subpoena, search warrant, or in the course of legal proceedings).

Pursuant to the Consumer Financial Protection Bureau (the "CFPB") Regulation P, you have a right to receive the CBS Privacy Policy when you enter into a customer relationship with CBS and its member credit unions, on an annual basis during the term of any loan with CBS' member credit unions, and upon request by contact CBS at 888.697.9555. Under the CFPB Regulation P you will receive a copy of this Privacy Policy within ten (10) business days following your request and address you have provided to CBS. The Privacy Policy is always available to view online at www.cbscuso.com.

****Notice to California Residents***

CBS has adopted a Privacy Policy for California Residents (as defined in Section 17014 of Title 18 of the California Code of Regulations, as that section read on September 1, 2017, however identified, including any unique identifiers) to maintain compliance with the California Consumer Protection Act of 2018. The Privacy Policy for California Residents is available at: <https://www.cbscuso.com/about/downloads/>

DISCLOSURE AND CONSENT TO RECEIVE DOCUMENTS IN ELECTRONIC FORM

The disclosures document your consent to conduct transactions electronically and to electronically receive disclosures and notices of your accounts you are applying to open. The disclosure also describes your rights to conducting transactions electronically, including receiving disclosures and notices as well as consequences of withdrawing your consent. For your reference, we recommend you print and retain a copy of the disclosure and agreements related to the transaction. Unless you consent to receive electronic notices, you will have the right to receive all required disclosures in paper form (i.e., non-electronic). You may withdraw your consent at any time by contacting us at the address or phone number listed below. Your consent to conduct transactions and receive disclosures and notices electronically means that you agree to provide to us the information (including your current email address) needed to communicate with you electronically and to provide updates if the information changes immediately. We also reserve the right to provide any disclosures or notices in writing, rather than electronically. Except as otherwise provided by law or in other agreements, you cannot give us notices electronically, and all notices from you must be in writing. These disclosures and consents are meant as provisions of the Electronic Signatures in Global and National Commerce Act (E Sign Act) (15 U.S.C. 7001 et seq.). Where the disclosures under 1002.5(b)(1), 1002.5(b)(2), 1002.5(d)(1), 1002.5(d)(2), 1002.13, and 1002.14(a)(2) accompany an application accessed by the applicant in electronic form, these disclosures may be provided to the applicant in electronic form on or with the application form, without regard to the consumer consent or other provisions of the E Sign Act. The disclosure and your consent indicate you can receive and transmit through the Internet and have appropriate software and security encryptions to communicate.

DISCLOSURE OF CREDIT

I authorize the lender to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness. I also authorize the lender to pull a personal credit bureau report. I certify the above and the statements contained in the attachments are true and accurate as of the stated date(s). These statements are made for the purpose of either obtaining a loan or guaranteeing a loan. I understand FALSE statements on a loan application may result in forfeiture of benefits, a fine up to \$10,000, or imprisonment for not more than five years, or both, under 18 U.S.C. 1001. FALSE statements on a conventional loan application may result in fines and imprisonment under relevant Federal and State laws.

CONSENT TO THE USE OF TAX RETURN INFORMATION

Each party hereto, whether borrower or guarantor, whether entity or individual, understands, acknowledges, and agrees that the Lender and other loan participants, if any, can obtain, use, and share the undersigned’s tax return information for the purposes of (i) providing an offer; (ii) originating, maintaining, managing, monitoring, servicing, selling, insuring, and securitizing a loan; (iii) marketing; or (iv) as otherwise permitted by applicable laws, including state and federal privacy and data security laws. The term “Lender” includes the Lender’s affiliates, agents, service providers, and any of aforementioned parties’ successors and/or assigns. The other loan participants, if any, includes any actual or potential owners of a loan resulting from the undersigned’s application, or acquires of any beneficial or other interest in the loan, any mortgage insurer, guarantor, any servicers or service providers for these parties and any of the aforementioned parties’ s successors and/or assigns.

ACKNOWLEDGMENT

(You acknowledge receipt of a copy of this notice on today’s date)

Print or Type Applicant Name	_____	Applicant Signature	_____	Date	_____
Print or Type Applicant Name	_____	Applicant Signature	_____	Date	_____

BORROWER

Primary Applicant/ Borrowing Entity Name _____

Applicant Address _____

Contact Information for CBS: 888.697.9555 www.cbscuso.com

These Notices are intended for use in connection with applications for business credit under 1002.9(a)(3)

BROKER DISCLOSURE FORM

This Broker Disclosure Form (the "Form") is to confirm that the undersigned has retained _____ (the "Broker") to facilitate a possible commercial loan transaction involving the property located at _____ through Cooperative Business Services, LLC ("CBS") and a lead credit union to be chosen at a later date (the "Lender"). The Broker is hereby authorized to negotiate any proposed loan on the undersigned's behalf, disclose confidential information to CBS, and receive confidential information about a potential loan from Lender through CBS. Such authorization will also include any and all confidential information from any guarantors on the proposed loan from Lender.

Broker may receive a fee for its involvement in the proposed transaction; by signing below, the undersigned acknowledges that CBS and/or Lender is in no way liable or responsible for the payment of such fee to the Broker, and will not facilitate the payment of fee to the Broker. All monetary arrangements and agreements between the Broker and undersigned (including any guarantors) are outside of the scope of the proposed loan from the Lender through CBS.

CBS and Lender may rely on the authority of the Broker until the undersigned provides notification to CBS, in writing, that its relationship with the Broker has been terminated.

By signing below, the undersigned warrants and represents that he/she has the capacity and authority to sign this Form on behalf of the undersigned, including any successor and/or assigns of the entity.

Entity Name: _____

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT FROM GUARANTOR(S) OF POTENTIAL LOAN:

By: _____

Name: _____

By: _____

Name: _____

By: _____

Name: _____

BROKER INFORMATION:

Brokerage Firm Name: _____

Primary Contact at Brokerage Firm: _____

Email Address of Contact: _____

Phone Number _____

Address _____

City/State/Zip _____

License # _____

SMALL BUSINESS DATA COLLECTION FORM

Federal law requires that we request the following information to help ensure that all small businesses applying for loans and other kinds of credit are treated fairly and that communities' small business credit needs are met.

One or more employees or officers involved in making a determination concerning your application may have access to the information provided on this form. However, **FEDERAL LAW PROHIBITS DISCRIMINATION** on the basis of your answers on this form. Additionally, we cannot discriminate on the basis of whether you provide this information.

Information about your application (without your name or other directly identifying information) may eventually be available to the public. Though filling out this form will help ensure that all small business owners are treated fairly, **YOU ARE NOT REQUIRED TO PROVIDE THIS INFORMATION.**

Business ownership status

Please indicate the business ownership status of your small business. For purposes of this form, your business is a minority-owned business or a women-owned business if one or more minorities** or women (i) directly or indirectly own or control more than 50 percent of the business AND (ii) receive more than 50 percent of the net profits/losses of the business.

What is your business ownership status? (Check one or more)

- ☐ I do not wish to provide this information
- ☐ Minority-owned business
- ☐ Women-owned business
- ☐ None of these apply

****Minority means Hispanic or Latino, American Indian or Alaska Native, Asian, Black or African American, or Native Hawaiian or Other Pacific Islander. A multi-racial or multi-ethnic individual is a minority for this purpose.**

Number of principal owners

For purposes of this form, a principal owner is any individual who owns 25 percent or more of the equity interest of a business. A business might not have any principal owners if, for example, is not directly owned by any individuals (i.e., if it is owned by another entity or entities) or if no individual directly owns at least 25 percent of the business.

How many principal owners does your business have? (Check one)

- ☐ 1
- ☐ 2
- ☐ 3
- ☐ 4

Continues on next page

Demographics and information about principal owners

As a reminder, APPLICANTS ARE NOT REQUIRED TO PROVIDE THIS INFORMATION. We cannot discriminate on the basis of any person's ethnicity, race or sex. Further, we cannot discriminate on the basis of whether you provide this information.

PLEASE FILL OUT ONE SHEET FOR EACH PRINCIPAL OWNER.

1. What is your ethnicity? (Check only one)

- ☐ I do not wish to provide my ethnicity
- ☐ Hispanic or Latino
- ☐ Not Hispanic or Latino

2. What is your race? (Check one or more)

- ☐ I do not wish to provide my race
- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Black or African American
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ White

3. What is your sex? (Check only one)

- ☐ I do not wish to provide my sex
- ☐ Male
- ☐ Female

Notice To Each Applicant:

One or more employees or officers involved in making a determination concerning this application may have access to each applicant's responses to the financial institutions inquiries regarding whether the applicant is a minority-owned business or a woman-owned business, and regarding the ethnicity, race and/or sex of the applicant's principal owner.

REFERRAL SOURCE

How did you hear about CBS?

- ☐ Search engine (Google, Bing, etc.)
- ☐ Email
- ☐ Print advertisement
- ☐ Referral (please specify) _____
- ☐ Social media
- ☐ Event/trade show
- ☐ Other (please specify) _____