



# cash collateral support application

This form must be completed for each Cash Collateral Support (CCS) request being made. Additional Instructions for completing this application are provided on the final page of this document.

## lender information

Lender Name	
Branch Location (address, city)	
Contact Person	Email
Phone	Tax ID Number
Regulatory ID Number, respond to applicable field: RSSD ID _____ NCUA Charter _____ CDFI Certification _____ Other Registration _____ None <input type="checkbox"/>	

## project financing details

Borrowing Entity Name
Operating Entity (if different than Borrower)

## new credit requiring cash collateral support (as a result of this transaction)

type of loan/credit facility	loan/credit	interest rate at time of obligation	term	amortization	annual pmt	lien position
	\$	%			\$	
Loan APR %	Lender Origination Charges \$					
Interest Rate Variability: <input type="checkbox"/> fixed interest rate <input type="checkbox"/> adjustable interest rate <input type="checkbox"/> both a fixed interest rate and an adjustable interest rate Maximum Interest Rate: _____ %						
Exclusion of Certain Features: CCS-supported loans may not include: (1) confession of judgment clauses, (2) prepayment penalties on loans below \$100,000, (3) "double-dipping" fees, or (4) lender-charged fees to the borrower in excess of 3 percent of the loan. See Program Guidelines for more details on these prohibitions. Check box to certify subject loan will be in compliance with the above limitations: <input type="checkbox"/>						

## cash collateral support request

loan/credit	cash collateral (ccs)	ccs as % of loan amount	ccs borrower fee	term of deposit
\$	\$	%	\$	

description of collateral supporting credit

type of collateral	estimated value	lender's max ltv	available credit
	\$	%	\$
	\$	%	\$
	\$	%	\$
Total			\$

application checklist The following documents are required with the CCS applications if they were collected during lender's underwriting process.

☐ Lender Credit Analysis (required)

☐ Most recent three years' historical financial statements and tax returns (including balance sheets and income statements)

☐ Most recent tax return from all individuals with an ownership interest of 20% or greater

☐ Business plan may be required (must include business description, products or services, business production plan, market analysis or marketing plan, organization/management plan, and financial plan)

☐ An interim financial statement no more than 90 days old

☐ Personal Financial Statement

☐ Appraisal or other valuation

☐ Projected financial statements for two (2) years may be required (including balance sheets and income statements)

☐ Subject loan must not close or fund prior to execution of the program Deposit Agreement

☐ If lender is refinancing debt, lender must provide documents and records that demonstrate the required criteria have been met.

disclaimers

Nondiscrimination and Affirmative Action

The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Federal Trade Commission, Equal Credit Opportunity, Washington, D.C. 80580.

With respect to its programs, services, activities, and employment practices, Colorado Housing and Finance Authority prohibits unlawful discrimination against applicants or employees on the basis of age 40 years and over, race, sex, sexual orientation, gender identity, gender expression, color, religion, national origin, disability, military status, genetic information, marital status or any other status protected by applicable federal, state or local law. Requests for reasonable accommodation, the provision of auxiliary aids, or any complaints alleging violation of this nondiscrimination policy should be directed to the Nondiscrimination Coordinator, 1.800.877.2432, TDD/TTY 800.659.2656, CHFA, 1981 Blake Street, Denver, Colorado 80202-1272, available weekdays 8:00am to 5:00pm.

Authorization/Certification

As a political subdivision of the State of Colorado working to create opportunities for a better Colorado, Colorado Housing and Finance Authority (CHFA) reserves the right to publicize financing under its Community Development Division. If provided a loan or other financing through one of CHFA's Commercial programs, the borrower or sponsor authorizes the use of the development, owner, sponsor, and/or business name in the marketing of this program. The applicant authorizes any insurance agent or company to provide copies of policies of insurance with respect to the Project, borrowers or guarantors, including without limitation copies of any life insurance policies. The applicant certifies to CHFA that without the participation in the CCS program, the applicant would not be willing to provide financing at the terms outlined in this application.

CORA Exception to Confidentiality

As a political subdivision of the State of Colorado, CHFA is subject to the Colorado Open Records Act (CORA) C.R.S. §§ 24-72-201, et seq., which requires CHFA to permit inspection and copying of certain public records. Applicants should be aware that documents submitted to CHFA pursuant to this loan application may be subject to inspection by the public. If an Applicant believes that certain information included in the loan application is subject to exclusion under CORA, the Applicant should specifically delineate such information and state the specific exclusion. CHFA shall consider such statements in its response to requests for inspection under CORA. CHFA will notify the Applicant if a request is made for such information so that the Applicant may take any action it deems necessary to defend against the request. The Applicant, not CHFA, shall be the entity responsible for defending against CORA disclosures for any records.

Important Information

**The following uses and activities shall not be conducted in or on the Project:** Activities which are illegal under federal, state, or local laws; selling, producing, or displaying sexually oriented material (e.g., adult book stores, adult video stores, adult theaters, etc); non-medical massage services; a business generating greater than fifty percent (50%) of its revenues from the sale of alcoholic beverages (breweries, wineries and distilleries are excluded from this rule); a business or organization that discriminates in its membership or facility usage on the basis of race, color, national origin, religion, gender, age, disability, citizenship status, marital status, sexual orientation, or any other status protected by law; gambling activities (not including sale of state sanctioned lottery tickets); selling or dispensing products illegal under federal, state, or local laws; religious services, instruction of overtly sectarian activities; pawn brokering; making "payday" or short-term loans by an entity that is not a bank, credit union, savings and loan, or other banking institution; and escort services. Loans which have closed or funded prior to execution of the program's Deposit Agreement will not be eligible for cash collateral support.

lender signature

Signature

Date

Name

Title

Is the above authorized to sign documents on behalf of the lender?

☐ Yes   ☐ No

lender narrative

Explain the economic benefit to the community or state that will, or is expected to, result from the project.

Special notes to CHFA about project

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## additional instructions for completing ccs lender application

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The application items addressed below are listed in the order they appear on the application. Not every item from the application is addressed on this page. Please contact CHFA with additional questions regarding the CCS Lender Application.

- **Regulatory ID Number:** The lender response will vary depending on entity type.
  - For lenders whose deposits are insured by the Federal Deposit Insurance Corporation, provide the organization's RSSD ID.
  - For federally insured credit unions, provide the charter number from the National Credit Union Administration (NCUA).
  - For Community Development Financial Institutions, provide the CDFI certification number.
  - If none of these apply but another regulatory ID applies, provide that in 'Other.'
  - If no regulatory ID number applies, select 'None'.
- **Borrowing Entity Name:** In most cases, the borrowing entity should be the business entity, though real estate holding companies are allowed if specific conditions are met.
- **Operating Entity:** This field is only necessary if a separate legal entity is acting as the borrowing entity, and the operating business is acting as a guarantor. This is generally only allowed in eligible commercial real estate acquisitions involving a holding company.
- **Type of Loan:** Options include:
  - Term Loan with a specified repayment schedule and a fixed or floating interest rate
  - Revenue Based, Income Based, or other Performance-contingent payments
  - Line of Credit
  - Bridge, Venture debt, or other debt whose repayment is contingent on event (with or without interim interest payments)
  - Other – If other please provide additional information
- **Loan APR %:** This should be an estimate of the loan's APR, based on your interest rate and proposed fees.
- **Lender Origination Charges:** This should include all fees that are charged by the lender to the borrower for its work associated with the application, review, and closing process of the loan. The CCS fee and other third-party costs for customary charges should not be included. Examples of third-party charges that should not be included are: appraisals, title work, surveys, credit reports, etc.
- **Maximum Interest Rate:** What is the maximum rate permitted under the loan (not including fees, penalty or default interest, or other charges). If the rate is fixed, this field will match the Interest Rate at Time of Origination.
- **Description of Collateral:** This is where the lender demonstrates their collateral shortfall, which is a requirement to be eligible for the program.
  - **Type of Collateral:** List the type of collateral assets or specific assets being used. For real estate or heavy equipment, you can be asset specific. In other cases, it may be appropriate to list general categories like 'Equipment' or 'Account Receivables'.
  - **Estimated Value:** This should be the pre-margined value of the assets. For real estate this could be the purchase price or appraised value.
  - **Lender's Max LTV:** Provide the Loan-to-Value ratio your organization is utilizing for this asset. In general, CHFA expects that lenders will use their standard LTV policies when margining collateral assets to demonstrate a collateral gap. If you are deviating from your standard policy, explain why.
  - **Available Credit:** This field establishes the amount of available credit each collateral assets provide. To arrive at this figure, the base value is multiplied by the LTV percentage.
- **Application Checklist:** A lender credit analysis is required for all projects. Otherwise, CHFA requests that you submit all items listed here that were collected and reviewed as part of your organization's underwriting process. If you did not collect an item on this list for your review, you are not required to collect it for our review.