

This Universal Purchase Package was designed to help with the assembly of a guaranty purchase request package for all 7(a) loan types. Please read and follow instructions provided on each tab. Complying with the requirements, in addition to clearly labeling and presenting each document in the order outlined, will ensure an expeditious review of this package. *Please download the form then open it using the latest desktop version of Adobe to achieve best results.*

PLEASE PLACE SUPPORTING DOCUMENTS BEHIND EACH OF THE APPROPRIATE TABS

Although we seek to arrive at a favorable determination, it must noted, under <u>13 CFR 120.520(b)</u>, SBA is not obligated to purchase the guaranteed portion of a loan unless a Lender has submitted to SBA documentation that SBA deems sufficient to determine whether purchase of the guaranty is warranted. Additionally, under <u>13 CFR 120.520(c)</u>, a lender's failure to provide sufficient post-purchase documentation may lead to an initiation of an action for recovery from the lender for moneys paid by SBA to a registered holder on a guaranty. For these reasons, SBA has the right to request additional documentation other than the items listed on this index, and the Lender must comply with SBA's request.

Tab 1 - General Loan Information

Loan Authorization/E-Tran Terms & Conditions Credit Memorandum Companion Loans Wire Instructions

Tab 2 - Loan Summary

SBA Assignment Form

Tab 3 - Transcript of Account

Note Change in Terms Summary

Tab 4 - Early Default Determination/Documentation

Verification of Financial Information Equity Injection

Tab 5 - Business Eligibility

Affiliation analysis Franchise Eligibility Guaranty Application(s) and Addendum(s)

Tab 6 - Obligors

Obligors/Guarantors - Business Entities Obligors/Guarantors - Individuals

Tab 7 - Use of Proceeds

Settlement Sheet/HUD I Disbursement Evidence Executed Contracts Paid Invoices/ Receipts Inspection Reports Certificate of Completion Sales Agreement(s)

Tab 8 - Collateral Liquidation

List of Collateral Site Visit Appraisal(s) Environmental/Phase I/II Security Agreement(s) Mortgage/Deed of Trust Life Insurance

CPC Tabs

Please upload your completed Universal Purchase Package to E-Tran <u>AND</u> send notification

> <u>OR</u> submit it to the appropriate Center via e-mail or Box.com:

Commercial Loan Service Center - Fresno

801 R Street, Suite 101 Fresno, CA 93721

Phone: 800-347-0922 Fax: 202-481-0483

* Email: <u>fsc.expresspurchases@sba.gov</u> ** Secure File Transfer: <u>Box.com</u>

National Guaranty Purchase Center

1165 Herndon Parkway Herndon, VA 20170

Phone: 703-487-9283 Fax: 202-481-4674

* Email: <u>ngpcprepp@sba.gov</u> for Pre Purchases OR ngpcpostpp@sba.gov for Post Purchases

** Secure File Transfer: Box.com (Pre Purchases) Box.com (Post Purchases)

*When submitting your Purchase Demand by email, ensure the email is no larger than 5 Megabytes in size. <u>Learn how to</u> compress the size of the PDF.

**Submitting your purchase request through secure file transfer is the preferred method of submission. Please use the link(s) above to attach files.



Prior to Submitting a Purchase Request, the Lender must transfer the loan to liquidation status.

The Borrower must be in default on a payment due on the Note for more than 60 calendar days unless SBA agreed otherwise in writing. (<u>13 C.F.R. § 120.520</u>) The borrower has been in payment default for more than 60 calendar days **OR** SBA approval attached.

Request to Honor SBA 7(a) Loan Guaranty signed by an officer of the lending institution attached **OR** Purchase already occurred.

Lender has reviewed E-Tran and acknowledges the information accurately reflects the Lender's loan records.

| Date: | SBA Loan N | umber: | | SBA Loan Name: | |
|-----------------------|-------------------|---------------|------------------|--|--------------------------------|
| Participating Lender: | | | | Contact Person: | |
| Phone Number: | EIN: | | | Email Address: | |
| Is the loan structure | d as EPC/OC? | Yes | No | Loan sold on Secondary Market? | ORIGINAL loan approval amount? |
| Purpose of the loan: | | | cured secured | Select the loan approval type: | |
| | Die | d the loan or | iginate under | ARRA, JOBS Act, STAR or Veterans Adva | antage? |
| Attach a copy of t | he Loan Authoriza | ation/Origina | al E-Tran Term | s & Conditions: include all Modification | s thereto |

Attach a copy of the complete original credit memorandum and any modifications.

(13 C.F.R. \$ 120.524(a)(8)) A request for purchase must be submitted within 180 days of loan maturity or within 180 days of the completion of liquidation or debt collection litigation in connection with a matured loan.

If this request was not made within 180 days of Note maturity, check here and attach a written explanation.

COMPANION LOANS

If the Obligor(s) / Guarantor(s) have **any** other SBA Guaranteed <u>or Non-Guaranteed</u> Loans with your Lending Institution, identify below.

| | - |
|-------------------|------|
| Loan ⁻ | Ivpe |
| | |

Loan Number Approval Date

e Approval Amount

Documentation Required



When SBA honors its guaranty, funds are remitted by Denver Finance Center via ACH or wire transfer only. A check for the purchase amount will not be mailed.

WIRE INSTRUCTIONS

| Bank Type: | A. Bank to receive wire transfer for amounts > \$5,000: |
|----------------|---|
| Bank Name: | Routing # : |
| City: | Account Type : |
| State: | Account # : |
| Contact Name: | B. Bank to receive ACH for amounts < \$5,000: |
| Contact Phone: | ACH Routing Transit # : |

ACH Account Number # :

Bank to which payment will be further credited if different from above:

| Bank Type: | Routing # : | |
|----------------|----------------|--|
| Bank Name: | Account Type : | |
| City: | Account # : | |
| State: | | |
| Contact Name: | | |
| Contact Phone: | | |

Additional Wire Information / Comments:



After all Prudent Liquidation activities are completed and timely, cost-effective recovery is unlikely, SBA will charge off and refer the remaining balance of any legally collectible Loan to Treasury for further collection.

<u>Ch 7 Bankruptcy</u> may be considered closed if a final report of distributions/no distributions was issued.
 <u>Other Bankruptcy</u> may be considered closed if the Bk Plan has been confirmed and clearly documents there will be no payments.
 <u>Treasury Offset Program</u> - Dept. of Treasury will intercept any federal payment going to the obligor/guarantor.
 <u>Treasury Offset Servicing</u> - Dept. of Treasury will fully pursue obligor/guarantor(s) those liable through enforced collection efforts.

*For the loan to be Charged-Off with this purchase, the Lender must:

 Download and attach an executed <u>SBA Assignment Form</u> Attach evidence of recordation for remaining collateral, including mortgages, deeds of trust and/or judgments.

• Select which of the following apply:

Any expenses for which the Lender seeks approval or reimbursement are included in the attached <u>CPC Tabs</u> AND Lender acknowledges no further expenses will be considered. (*Note: Please insert CPC Tabs at the end of the UPP after all other supporting documentation or provide CPC Tabs in a separate PDF file concurrently with the UPP.*) **OR**

Lender certifies that there are no expenses for which approval or reimbursement will be sought.

If the loan IS NOT ready for Charge-Off:

Lender to adhere to Reporting and Wrap-up Reporting Requirements outlined in SOP 50 57

LOAN SUMMARY _

Please provide a detailed summary of the loan and include relevant information such as the nature of the business, loan servicing history and cause of default. Lender's liquidation efforts and action(s) taken in pursuit of obligor(s) should also be explained.



The transcript of account documents the disbursement of loan proceeds, changes to the loan terms and application of payments. Reviewed in conjunction with the Note, it assists with determining the date of default, whether payments were applied to principal and interest in compliance with the Loan Guaranty Agreement and assessing how much interest is payable to the lender.

• Attach a copy of the Original Note.

- Attach copies of Change(s) in Terms (modifications showing revised payment terms). Include investor's approval, if applicable.
- Attach a Certified copy of the Transcript of Account, itemizing each disbursement, payment, and/or recovery.
 - o <u>SBA Form 1149</u> is the Agency's preferred Transcript of Account form.
 - o If loan was disbursed using Borrowing Base Certificates, <u>BBC TOA Tool</u> is recommended and may be used in place of 1149.
 - o Lenders must not add Loan fees to the transcript of account submitted with a guaranty purchase request.
 - Section 1112 Debt-Relief payment(s), if any, should be identified on the Transcript of Account.

If no Section 1112 Debt Relief payments were received, please provide an explanation:

If the ending balance on the TOA does not match the 1502, please provide an explanation:

LOAN TRANSCRIPT SUMMARY

| Loan Maturity Date: | Principal Balance at time of Earliest Uncured Pmt Default |
|---|---|
| If Accelerated - Date of Acceleration: | Recoveries from Account Offset/Agency Approved OIC |
| Date of Earliest Uncured Payment Default: | Recoveries from liquidation of collateral/litigation |
| Interest Rate @ Earliest Uncured Pmt Default: | Borrower Payments made after Date of Default |
| Scheduled Pmt @ Earliest Uncured Pmt Default: | CPC/Litigation Expenses Incurred |
| Interest Paid to Date (IPTD): | Expenses Deducted from Recoveries |
| Date of Transfer to Liquidation: | Total Expenses Requested for Reimbursement |
| Initial Disbursement Date: | Loan Balance (includes requested CPC expenses) |
| Final Disbursement Date: | Voluntary Repair |

LEGAL EXPENSES AND EXPENSES FOR THE CARE AND PRESERVATION OF COLLATERAL -

Any cost, fee or other amount that a Lender seeks to treat as a Recoverable Expense, including expenses that the Lender has already deducted from recoveries, must be reviewed and approved by SBA. Only those expenses that are fully documented with paid invoices and found both reasonable and prudent will be reimbursed. Unsubstantiated expenses will not be reimbursed.

Please note: Requests for approval of Recoverable Expenses may only be submitted with this Purchase Package <u>**OR**</u> with the Wrap-up Report when charge-off is requested. Please use the <u>Care and Preservation of Collateral (CPC) Tabs</u> when submitting Recoverable Expense requests with the Purchase Package or <u>Wrap-up Report</u>. Please insert CPC Tabs at the end of the UPP after all other supporting documentation or provide CPC Tabs in a separate PDF file concurrently with the UPP.

Important Consideration: Lenders must obtain SBA's prior approval of a litigation plan and budget before proceeding with non-routine litigation, which includes anticipated litigation expenses of \$10,000.00 or more. See SOP 50 57



Date of initial disbursement

Date of <u>final</u> disbursement (A revolving line of credit is considered fully disbursed at initial disbursement) Date of Default

Yes

No Did the borrower cure the default and make the scheduled loan payments for 12 months following the 18 month period? If so, provide an explanation:

Based on the information provided above, identify the type of default:

For DELEGATED loan approvals, if not already included in Tab 1:

- Attach the Lender's credit memorandum AND
- Any/all documentation used and/or relied upon to justify the initial loan approval.

VERIFICATION OF FINANCIAL INFORMATION

Attach copies of applicant/seller IRS Tax Transcripts or Business Tax Returns (as applicable per SOP 50 10 program type requirements in effect at the time of loan approval) for the last 3 years in operation; if start-up, all years.

- If proceeds were used to finance a change of ownership, also: Attach copies of the seller's financial information relied upon by business valuation. If a segment of a business was acquired and the lender relied upon alternative verification as described in the applicable SOP 50 10, attach required supporting documentation.
- If the Lender uses business financial information to determine the creditworthiness of an SBA Loan, also: Attach evidence of reconciliation of applicant financial information, including resolution of discrepancies noted, interim financial statements and, if applicable, a copy of IRS tax filing extension along with evidence of payment of estimated taxes.

EQUITY INJECTION

Was an equity injection required by the SOP 50 10 at the time of loan approval, or by the Lender's credit memo?

If **verification** of the Equity Injection was required by the Lender/SBA, check here and attach required supporting documentation based on the applicable SOP 50 10.

If **evidence of sourcing** was required by the Lender/SBA, check here and attach required supporting documentation based on the applicable SOP 50 10.

If **Standby Debt** was used as part of the equity injection, check here attach a copy of the Standby Creditor's Agreement and any notes associated with the agreement(s).

EQUITY INJECTION WORKSHEET

 Equity Type
 Required Amount
 Actual Amount
 Source Variance Required

 Cash
 Total Project Cost:

 Asset
 Standby Debt

 Other
 Total



Attach your analysis of affiliation.

If applicable, attach a copy of any relevant Franchise, License, Dealer and/or Jobber agreement along with evidence that the lender verified the eligibility of the franchise based on the SOP 50 10 requirements in place when the loan was originated.

Attach a completed SBA Form 159 ("Fee Disclosure and Compensation Agreement"), if applicable **OR** uploaded to E-Tran.
If the total compensation exceeds \$2,500, the compensation must be itemized and supporting documentation attached.



Obligors

Complete this Tab for **each** Business Entity or Individual (Obligor, Guarantor or Assumptor); attach Assumption Agreement, if applicable. After attaching the required documents, click "Additional Obligor" to add another.

Identify the type:

| Name: | | | | |
|--|--|--|--|--|
| Last Known Address | In order to ensure delivery of Due Process Letter or other Legal Notice(s), what address should be used? | | | |
| | | | | |
| Select referral type for this individual/entity: | | | | |
| | Social Security Number/EIN: | | | |

- Please attach a copy of the document used to verify the SSN/EIN of this business/individual.
- For loans approved on or after October 1, 2020, please attach evidence of the System for Award Management (SAM) Exclusion search.
- For loans approved on a <u>Delegated</u> basis, if if required by the SOP 50 10 in effect at loan approval, attach a copy of the CAIVRS pre-screening results along with any applicable SBA waiver or documentation substantiating your verification that all "Delinquent Federal Debt" had been fully satisfied pursuant to 31 CFR § 285.13
- If the Note was Accelerated and Demand was made on this Business Entity / Individual, attach a copy of the Acceleration and/or Demand Letter.
- Please attach a copy of the SBA Guarantee, if applicable, along with the SBA Form 1919:
 - If SBA Form 1919 indicates this Individual is not a U.S. citizen, attach a copy of a stamped UCIS G-845 and a USCIS Form I-551 or acceptable substitute evidencing Lawful Permanent Resident (LPR) status.
 - If SBA Form 1919 indicates this Individual has a criminal history, attach evidence that SBA cleared the SBA Form 912, if applicable, or the individuals narrative regarding the details of the affirmative response(s).
- If this business/individual has filed for **bankruptcy**, please attach summary and additional docs (e.g. Notice to Creditors, Relief of Stay, etc.)
- If this individual is deceased, please attach a copy of the Death Certificate.

Please provide an explanation below if any of the above requested items are required, but not attached (e.g. 912 Clearance, Evidence of Lawful Permanent Resident (LPR) status, CAIVRS, etc.)



Tab 7

Attach documentation supporting each disbursement as outlined in the SOP 50 10 in effect at the time of loan approval.

The Lender must attach evidence to support that disbursements for purposes other than Working Capital were used as authorized. Lenders should refer to the SOP 50 10 in effect at origination when assembling their supporting documentation. In general, the following documentation is acceptable to verify disbursement: joint payee checks, copies of receipts, invoices or other supporting documentation marked paid by the seller or vendor, or evidence of an electronic funds transfer to a vendor along with a copy of the invoice. Lenders should provide the required SBA Form 1050 and are encouraged to provide their disbursement documentation in chronological order that aligns with the disbursements shown on the Transcript of Account.

Commercial Real Estate
Leasehold Improvements/Construction
Machinery and Equipment
Inventory
Debt Repayment/Refinance
Working Capital
Business Purchase/Change of Ownership
Pay Trade or accounts payable
Pay Off Interim/Construction Loan
SBA Guaranty Fee/Closing Costs

Other

For loan structures that involve an Eligible Passive Company and Operating Company (EPC/OC):

- Provide evidence that working capital proceeds were disbursed to the OC.
- Attach the Lease Agreement between EPC and OC/OC and tenants, along with the Subordination of Lease.
- Attach the Assignment of Rents and Lease between EPC and OC.



Tab 8

Ensuring the Lender followed prudent lending practices in the servicing and liquidation of the loan and confirming all actions taken were in compliance with applicable Loan Program Requirements is an important step in the review.

- Identify the collateral required at loan approval and/or any subsequent modification(s).
 - * If necessary, attach an itemized list of each with unit value of \$5,000 or more, including description and serial number.
 - * For CAPLine(s), itemize by cycle(s), contract(s), project(s) or end product(s).
 - * Attach a post-default listing, which addresses each of the original items and their disposition.
- Attach evidence of lien perfection for each collateral requirement listed.
- Attach a copy of the Site Visit, if applicable, and enter the date the site visit was performed:

| Collateral Requirement | | Collateral After Default | | Actual/Estimated |
|-------------------------------|---------------|--------------------------|---------------|------------------|
| Type of Collateral | Lien Position | Disposition | Lien Position | Recoveries |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Provide a General Collateral Summary and attach any supporting documentation:

- If litigation is involved: include case # and explanation of outcome/expectation along with Foreclosure or other litigation documentation, pleadings, schedules, etc.
- If collateral released/modified/abandoned: provide details and attach relevant documentation, substantiating the action taken. (E.g. Post-Default Appraisal(s) and/or Valuation, Purchase/Sale Agreement, cost-benefit analysis, or Police/fire reports, Insurance claims, etc.)
- If collateral was sold and recoveries were applied to the loan balance and/or recoverable expenses: the lender must provide documentation that confirms the source (the buyer and what was sold) and amount (gross and net) of recoveries. The lender should also provide documentation supporting the sale price for items valued over \$5000 that were not sold via auction.
- If a timely site visit was **not** conducted, explain.

Attach any other collateral documents, such as:

- Inter-creditor, Subordination, Non-Disturbance or Attornment agreement(s)
 - Summary and Conclusion pages of any post-default Environmental Investigation Report
 - o or an explanation for why an Environmental Investigation was neither necessary nor prudent;
 - Other related hypothecation security documents

If proceeds were used for Commercial Real Estate, attach:

- Origination Appraisal
- A copy of Executed Closing Statement
- Environmental Questionnaire, Phase I/II Reports
- Attach evidence of Title/Hazard Insurance
- Attach Recorded Deed of Trust/Mortgage

If EWCP loan and applicable WCP

- Attach evidence that the applicant deposited cash into an account held by the lender in an amount equal to at least 25% of any Standby Letter of Credit that was issued.
- Assignment of credit insurance, letters of credit proceeds, and contract proceeds, as applicable.