

CDE Institution Level Report (2010)

I.	ORGANIZATIONAL INFORMATION
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A.	BASIC INFORMATION
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	Date of Organization's Fiscal Year End	-2010
	Organization Type	
	Organizational Structure	
	Year of Organization's Incorporation	
	Year Organization Began Financing Activities	
	Street Address	
	City	
	State	
	Zip	
	Website Address (if available)	
1	Name of Person Responsible for Completing the ILR	
2	Telephone Number of Person Responsible (including Extension if applicable)	() - Ext:
3	E-mail Address of Person Responsible	

B.	ORGANIZATIONAL STRUCTURE / AFFILIATION
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4	Is the Organization a "Faith-Based" Organization?	
5	Did any QLICs Made During the Reporting Period Finance or Provide Services to any Religious Institution(s) or Faith-Based Organization(s)?	
6	Has or Does the Organization Intend to Use Any Other Tax Credit Programs in Conjunction With Its NMTC Program Strategy?	
	* Historic Tax Credit	
	* Empowerment Zone, Enterprise Community or Renewal Community Tax Credits	
	* Other Federal Tax Credit Program	
	-- Name of Other Federal Tax Credit Program (if yes above)	
	* State Tax Credit Program	
	-- Name of Other State Tax Credit Program (if yes above)	
	* Local Tax Credit Program	

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I. ORGANIZATIONAL INFORMATION

C. GEOGRAPHIES FINANCED DURING THE REPORTING PERIOD

7 Which of the Following Geographic Areas were Financed by the Allocatee's QEI Proceeds During the Reporting Period?

* Appalachia	
* Colonias	
* Hot Zones	
* Lower Mississippi Delta	
* Native American Areas	
* Rural Areas	
* Major Urban Area	
* Minor Urban Area	

D. HUMAN RESOURCES DEDICATED TO THE ALLOCATEE'S NMTC PROGRAM

Total Staff and Consultant Activity Breakout	Staff and Consultants
8 FTEs Dedicated to Lending/Investing	
9 FTEs Dedicated to FCOS	
10 FTEs Dedicated to Administration and Other Activities	
11 Total FTEs	=
12 Consultant/Contractor FTEs	

II. FINANCIAL POSITION

A. LENDING/INVESTING POOL

13 [QEI Distribution Table](#)

Please Check Here to Confirm That the Table Below is Complete

14 [Non-QEI Investment Capital Table](#)

15 [Investment Capital Summary Table](#)

16 Off-Balance Sheet Resources Committed to the Organization for NMTC-Related Lending/Investing. \$

B. ADDITIONAL FUNDS LEVERAGED BY THE ORGANIZATION

17 Additional Funds the Organization Was Able to Attract Because of Its QEIs. \$

C. QLICI COMMITMENTS

18 Total Financing Committed for QLICIs (Except FCOS) at Reporting Period End \$

D. REPORTING PERIOD SUMMARY FINANCIAL INFORMATION

Please Check Here to Confirm That the Table Below is Complete

19 [Non-QEI Contributions for Operating Expenses Table](#)

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III. LOAN PURCHASES

Please Check Here to Confirm That the Table Below is Complete

20 [Loan Purchase Table](#)

Sector Breakout for All Loans Purchased During the Reporting Period

Total Amount and Number from the Loan Purchase Table \$

Sector Breakout for all Loans Purchased		\$ Paid	# Loans
Real Estate Business			
Non-Real Estate Business			
Other/Unknown Loans			
Totals		=	=

22 Did the Organization Require Each of the CDEs from which it Purchased Loans to Reinvest at least the Designated Percent of the Proceeds (the Percentage Indicated in the Allocation Agreement) of Such Loan Sales in the Form of QLICIs?

IV. FINANCIAL COUNSELING AND OTHER SERVICES (FCOS)

Please Check Here to Confirm That the Table Below is Complete

23 [QEI Used for FCOS Table](#)

FCOS Provided Using QEI Funds		Number of Clients	Hours Provided
24	Entrepreneurs and Businesses Receiving Group-Based Training		
25	Entrepreneurs and Businesses Receiving One-on-One Technical Assistance		

26 Amount of Non-QEIs Used for FCOS, If Any \$

FCOS Provided Using Non-QEI Funds		Number of Clients	Hours Provided
27	Entrepreneurs and Businesses Receiving Group-Based Training		
28	Entrepreneurs and Businesses Receiving One-on-One Technical Assistance		

V. BETTER RATES & TERMS

29 What is the Allocatee's Comparable for Determining Better Rates & Terms?

- * CDE's Non-NMTC transaction
- * CDE's Parent/Affiliate
- * Banks
- * Other

30 Allocatees Comparable Comments

VI. IMPACTS

- 31 [Lending/Investing with Other CDEs](#)
- 32 [Lending/Investing with Certified CDFIs](#)

VII. DATA COLLECTION SYSTEMS

33	Loan Portfolio Software	
	Other	
34	Borrower Characteristics Software	
	Other	
35	Community Development Impact Software	
	Other	

VIII. CREDIT REPORTING AGENCIES USED

36	Credit Scores	
37	Reporting Agency	
	* Equifax	
	* Experian	
	* TransUnion	

IX. ILR FEEDBACK

- 38 [Success Story](#)
- 39 What fees are Allocatees collecting that are not reflected in the TLR?
 - * QEI admin dollars
 - * Fees from investors
 - * Backend fees
 - * Other entities collecting fees (CDFIs, other investors, etc.)
 - * None
- 40 Comments

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X. IRS COMPLIANCE QUESTIONS

- 1 For each Qualified Equity Investment received during the fiscal year have you notified the investor that their investment qualifies for the New Markets Tax Credit?
- 2 At any time during the fiscal year did the total dollar amount of QEIs received exceed the amount of the NMTC allocation awarded by the CDFI Fund?
 - a. If yes, what was the amount of QEIs received that exceeded the amount authorized in the Allocation Agreement? \$
- 3 During the fiscal year was there a recapture event, as described in 26 CFR section 1.45D-1T(e)(2) that was not corrected in accordance with the IRS regulations?

Please Check Here to Confirm That the Table Below is Complete

a. [If yes, complete the following chart for each QEI subject to recapture.](#)

- 4 For QLICIs made during the fiscal year, was each QLICI made within 12 months of originally receiving the QEI in accordance with the IRS regulations including allowable corrections?
 - a. If no, what was the aggregate dollar amount of QLICIs not made within the required timeframe? \$
- 5 Did you receive any principal repayments on a QLICI (equity or debt), for which these amounts were not reinvested that resulted in the organization failing the substantially-all requirement?
 - a. If yes, what was the aggregate dollar amount of QLICI repayments not reinvested within the required timeframe? \$
- 6 For any QLICIs that you made during the fiscal year to Qualified Active Low-Income Community Businesses, did the businesses qualify as QALICBs (per 26 CFR section 1.45D-1T(d)(4)) at the time of the initial investment?
 - a. If NO, please describe below.

- 7 If you invested in or lent to other CDEs, did you ensure that these entities:
 - a. Were in fact certified as CDEs by the CDFI Fund?
 - b. Invested the funds received into eligible QALICBs?
- 8 If you purchased loans from other CDEs, did those loans meet the loan purchasing criteria (per 26 CFR section 1.45D-1T(d)(1)(ii))?
- 9 Did you establish reserves in accordance with 26 CFR section 1.45D-1T(d)(3)?
 - a. If yes, what was the aggregate amount of reserves established? \$
- 10 Did you use the direct tracing or safe harbor method for determining substantially all?

Please Check Here to Confirm That the Table Below is Complete

[IRS Question 10 Table](#)

- 11 Please use the narrative box below to provide any further information regarding your responses to Question 1-10 of this IRS compliance survey:

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CERTIFICATION STATEMENT

Prior to the CDFI Fund accepting the data submitted by an Awardee/Allocatee, the user must certify, on behalf of the organization, to the following:

CIIS DATA SUBMISSION

- 1 The person(s) entering the data and making these certifications has been authorized, by the organization for which the data is input, to enter the data and make the certifications.
- 2 The institution-level and transaction-level data to be submitted to the CDFI Fund through CIIS is true, accurate, and complete, and accurately represents the activities and/or performance of the organization for which data is input.

ASSURANCES

- 1 If the Awardee received a 2003 or 2004 Native American Technical Assistance (NATA), Native American CDFI Development (NACD) award, or Native American CDFI Assistance (NACA) award, 50 percent or more of the Awardee's or the Awardee's Partner's activities primarily serve Native American, Alaska Native and/or Native Hawaiian communities.
- 2 If the Awardee has received an award from the CDFI Fund, none of the proceeds of said award has been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.
- 3 If the organization has transferred any portion of its NMTC allocation authority to a subsidiary Allocatee and said subsidiary Allocatee has issued a Qualified Equity Investment (QEI), the Allocatee hereby certifies that said subsidiary Allocatee has obtained an unqualified opinion on its most recently completed audited financial statement. The certification applies to the year in which the subsidiary Allocatee issued the QEI and each year thereafter until termination of the Allocation Agreement.

REPRESENTATIONS AND WARRANTIES

The Awardee/Allocatee hereby represents and warrants to the CDFI Fund the following, as applicable:

- 1 Organization, Standing and Powers. The Awardee is a validly existing Tribal Government or Alaska Native Village Government, or an entity validly existing and in good standing under federal law or the laws of the state or Tribe of its legal formation, and has all requisite power and authority to own and operate its assets and properties, to carry on its business as it is now being conducted and to carry out its proposed, hereby authorized use(s) of the Assistance provided pursuant to an Assistance Agreement.
- 2 Qualification. The Awardee is duly qualified, in good standing and authorized to transact business in each jurisdiction where the conduct of the Awardee's business, the carrying out of its authorized use(s) of the Assistance or the ownership of its assets and properties requires such qualification, or, if not so qualified, the Awardee's failure to so qualify shall not have a material adverse effect on the Awardee, its financial condition or operations and will not impair the Awardee's ability to carry out its authorized use(s) of the Assistance or its right to enforce any material agreement to which it is a party.
- 3 Litigation. The Awardee has neither actual nor constructive knowledge of any suit, action, proceeding or investigation pending or threatened that questions the validity of the Assistance Agreement including, but not limited to, the carrying out of the authorized use(s) of the Assistance.
- 4 Disclosure. Neither the Assistance Agreement nor any attachment thereto, nor any certification or other document referenced or incorporated therein and furnished to the CDFI Fund by the Awardee contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein, in light of the circumstances under which they were made, not misleading. The Awardee has disclosed, in writing, to the CDFI Fund all facts that might reasonably be expected to result in a material adverse effect upon the Awardee's ability either to conduct its principal business or to carry out its authorized use of the Assistance. The Awardee has not knowingly and willfully made or used a document or writing containing any false, fictitious or fraudulent statement or entry as part of its correspondence or communication with the CDFI Fund. The Awardee acknowledges, under 18 U.S.C. section 1001, that if it knowingly and willfully makes or uses such document or writing it or its employee(s) or agents shall be fined or imprisoned for not more than five years, or both.

CERTIFICATION STATEMENT

REPRESENTATIONS AND WARRANTIES

- 5 Taxes; Debts; Bankruptcy. The Awardee is not delinquent on any debts owed to Federal, State, local or Tribal governments including, but not limited to, amounts due under the Internal Revenue Code, and has never filed for bankruptcy nor had a conservator appointed. The Awardee has neither actual nor constructive knowledge of any pending or anticipated bankruptcy filings or conservatorship appointments on its behalf.
- 6 Debarment, Suspension and Other Responsibility Matters. Pursuant to 31 C.F.R. 19.335, neither the Awardee nor any of its principals (as defined by 31 C.F.R. 19.995): (a) are presently excluded or disqualified from covered transactions by any Federal department or agency; (b) within the three-year period preceding the date of the Assistance Agreement, have been convicted of or had a civil judgment rendered against them for any of the offenses listed in 31 C.F.R. 19.800(a); (c) are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in 31 C.F.R. 19.800(a); or (d) within the three-year period preceding the date of the Assistance Agreement, have had one or more public transactions (Federal, State, or local) terminated for cause or default.

COVENANTS AND AGREEMENTS OF THE AWARDEE

Until the termination of the Assistance Agreement, the Awardee shall duly perform and observe each and all of the following covenants and agreements:

- 1 Compliance with Government Requirements. In carrying out its responsibilities pursuant to the Assistance Agreement, the Awardee shall comply with all applicable Federal, State, local and Tribal laws, regulations, ordinances, Office of Management and Budget (OMB) Circulars, and Executive Orders.
- 2 Fraud, Waste and Abuse. If the Awardee becomes aware at any time of the existence or apparent existence of fraud, waste or abuse of Assistance provided pursuant to the Assistance Agreement, the Awardee shall promptly report such incidence(s) to the Office of Inspector General of the U.S. Department of the Treasury and/or the CDFI Fund.
- 3 Retention of Records. The Awardee shall comply with all record retention requirements set forth in OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Institutions, and OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments. Pursuant to this Circular, the Awardee shall retain all financial records, supporting documents, statistical records and any other records pertinent to the Assistance for a period of three years after the conditions for termination have all been met.
- 4 Equal Credit Opportunity Act. The Awardee shall provide its products and services in a manner that is consistent with the Equal Credit Opportunity Act (15 U.S.C. section 1691), to the extent that the Awardee is subject to the requirements of such Act.
- 5 Certain Insider Activities. The Awardee shall comply with the restrictions on Insider activities set forth in the CDFI Program Regulations (at 12 CFR section 1805.807).
- 6 Certification. If the Awardee is a certified CDFI, the organization continues to meet the eligibility requirements for certification as a CDFI. If the Allocatee is a certified CDE, the organization continues to meet the eligibility requirements for certification as a CDE. The term "Organization" shall include the Allocatee and all of its subsidiary Allocatees, if applicable. As applicable, the Awardee/Allocatee maintains its existence as an Insured Credit Union, an Insured Depository Institution, or a Depository Institution Holding Company, as defined by the Appropriate Federal Banking Agency.
- 7 Applicability of Criminal Provisions. The criminal provisions of 18 U.S.C. section 657 regarding embezzlement or misappropriation of funds are applicable to all Awardees and Insiders.
- 8 Compliance with Non-Discrimination Statutes. The Awardee shall comply with all Federal statutes relating to non-discrimination, including, but not limited to: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Drug Abuse Office and Treatment Act of 1972; the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970; section 523 and 527 of the Public Health Service Act of 1912; and Title VIII of the Civil Rights Act of 1968.

If the Awardee / Allocatee is unable to comply with all applicable certifications, the organization must advise the CDFI Fund as such in writing in reasonable detail. Such correspondence should be addressed to the CDFI Fund's Grants Manager at grantsmanagement@cdfi.treas.gov.

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13 QEI Distribution Table

Award Control Number	QEI Identifier	Date QEI Issued	Amount of QEI at Original Issue	QLICI USAGE(\$\$)				Other Eligible Usages			Original Term of QEI (months)
				QALICB Loans and Investments	Loans and Investments in Other CDEs	Loan Purchases from Other CDEs	FCOS	Operations	Reserves for Additional Investments in Existing QLICIs	Reserves for Loan Losses	
TOTALS											

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14 Non-QEI Investment Capital Table

Source of Capital	Type of Capital	Amount	Interest Rate	Remaining Term (in months)
Debt Subtotal		\$		
Grand Total		\$		
			%	

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15 Investment Capital Summary Table

Type of Capital	Amount	Percentage of Total Capital	Weighted Average Interest Rate of Debt	Weighted Average Term (months) for Debt
Debt Subtotal	\$	%	%	
Grand Total	\$	%		
		%	%	

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19 Non-QEI Contributions for Operating Expenses Table

Type of Contributor	Amount
TOTAL	\$

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20 Loan Purchase Table

Purchase #	Purchase Date	Seller Organization	Total \$ Paid	Total # Loans	Presale Book Value
TOTALS					

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20 Loan Purchases (Source of Funds) Table

Purchase #	Purchase Date	Seller Organization	Total # Loans	Presale Book Value
Source of Funds		Loan Purchases from Other CDEs	Actual \$ Paid	
TOTAL				

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23 QEIs used for FCOS Table

QEI	Amount Set Aside for FCOS	Amount Used for FCOS During Reporting Period

31 Lending/Investing with Other CDEs

32 Lending/Investing with Certified CDFIs

38 Success Story

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IRS 3 Recapture Event Table

QEI	Date Recapture was Triggered	Reason for Recapture	Amount Subject to Recapture	Did you Inform the Appropriate Investors of the Recapture Event?

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IRS 10 Substantially All Methodology Table

Name of the CDE	Substantially All Methodology Used

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Notes

Question No.	User	Date	Note
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