



SBA DISASTER ASSISTANCE PROGRAM SBA FORM 1366 BORROWER'S PROGRESS CERTIFICATION

Submit completed forms and attachments to:

*Small Business Administration, Disaster Loan Processing and Disbursement Center
14925 Kingsport Rd. Fort Worth, TX 76155-2243*

1. This form is to be used by SBA's disaster loan borrowers to account for expenditures to repair or replace your disaster-damaged real property and/or business contents. Use this form when you are ready to request a subsequent disbursement.
2. Under "Accounting of Loan Funds Spent" list how you spent the last disbursement. Attach photocopies of receipts for items exceeding \$1,000.00.
3. Under "Listing of Definite Commitments" list items you have purchased or contracted for but have not yet paid. Attach copies of the invoices or contracts.
4. Attach a short note requesting a subsequent disbursement. Explain how much you need, when you need it and what it will be used for.
5. By signing this form, you will certify, among other things, that:
 - the funds from this loan have been and will be used in accordance with the "Use of Loan Proceeds and Compensation from Other Sources" paragraphs of the Loan Authorization and Agreement,
 - you have used all additional funds from other sources,
 - you will return any unused loan funds to SBA.

Purpose for Collecting Information

SBA collects this information to verify that borrower has used the loan proceeds for authorized purposes only. This information, including borrower's certifications is required before additional funds can be disbursed. You are asked to provide your name and loan number so that SBA can reconcile this information with the proper loan file, determine whether loan proceeds are being properly used, and whether additional funds can be properly disbursed. Providing the information is voluntary; however, failure to do so could affect whether additional funds are disbursed.

Privacy Act (5 U.S.C. § 552a)

Personal information that is retrieved by individual identifiers, such as name or social security number is protected under the Privacy Act (PA) and maintained by SBA in PA System of Record, SBA 20 – Disaster Loan Case Files. Requests for information about another party whose record is maintained in a PA system may be denied unless SBA has the written permission from that individual to release the information to the requestor; or unless the information is subject to disclosure under the Freedom of Information Act, or one or more of the routine uses listed in SBA System of Record - 20.

U.S. SMALL BUSINESS ADMINISTRATION

BORROWER'S PROGRESS CERTIFICATION

| | |
|----------------------|---|
| Borrower Name: _____ | Application Number: _____ /Loan Number _____ |
|----------------------|---|

DOCUMENTATION OF INJECTION OF ANY OUTSIDE FUNDS (INCLUDING BUT NOT LIMITED TO INSURANCE FUNDS, FEMA REPAIR FUNDS, FUNDS FOR ANY ELECTIVE UPGRADING, PERSONAL FUNDS REQUIRED TO COMPLETE THE PROJECT, FUNDS FROM CIVIL LIABILITY CLAIMS, SALVAGE) MUST BE SUBMITTED TO THE SBA.

AFTER SATISFACTORY EVIDENCE THAT THE OUTSIDE FUNDS ARE INJECTED INTO THE REPAIR PROJECT AND THE SBA FUNDS DISBURSED TO DATE HAVE BEEN ACCOUNTED FOR ADDITIONAL SBA FUNDS CAN BE REQUESTED.

For the purpose of receiving additional funds from the loan, I certify, except as noted below, that:

- * The listing on the reverse side/attached is a true and accurate listing of the use of funds received to date;
- * The funds from this loan have been and will be used in accordance with the Loan Authorization and Agreement;
- * Prior to disbursement of further SBA Loan funds for real estate construction or repair, evidence satisfactory to SBA, will be submitted, that all outside funds received for disaster damages to the real estate, and any other funds necessary to complete the repair/replacement project, have been spent for the repair or replacement of the disaster damaged real estate; and
- * All funds received but not used for disaster repairs will return to SBA, as soon as possible but not later than 1 year from the date of final disbursement.

Describe any exceptions to the above statements here (attach an additional sheet if necessary):

CERTIFICATION:

I hereby certify that (1) I have reviewed all of the certifications above and all certifications are true and correct; (2) I have reviewed all of the responses to the questions in this form and all exhibits and attachments submitted with this form; and (3) all information, exhibits, and attachments are true and correct to the best of my knowledge. I understand that the U.S. Small Business Administration is relying on this information in order to decide whether to make additional disbursements on my loan.

CRIMINAL AND OTHER PENALTIES FOR FALSE STATEMENTS:

Whoever wrongfully misapplies the proceeds of a loan obtained under this subsection shall be civilly liable to the Administrator in an amount equal to one-and-one half times the original principal amount of the loan under 15 U.S.C. 636(b). In addition, any intentional or negligent misrepresentation of the information reported on this form or in support of that information may result in criminal, civil or administrative sanctions including, but not limited to: (1) fines of up to \$500,000, and imprisonment of up to 10 years or both, under 15 U.S.C. 645, 18 U.S.C. 1001, 18 U.S.C. 3571, and any other applicable criminal laws; (2) treble damages and civil penalties under the False Claims Act, 31 U.S.C. 3729 (a); (3) double damages and civil penalties under the Program Fraud Civil Remedies Act, 31 U.S.C. 3802; and (4) suspension and/or debarment from all Federal procurement and non-procurement transactions.

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|----------------------|
| Borrower's signature |
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|------|
| Date |
|------|

PLEASE NOTE. The estimated burden for completing this form is 30 minutes per response. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments on the burden should be sent to U.S. Small Business Administration, Director of Records Management Division 409 3rd St., S.W., Washington D.C. 20416 and Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202, Washington D.C. 20503. DO NOT SEND FORMS TO OMB.

Application Number: _____ / Loan Number: _____

ACCOUNTING OF LOAN FUNDS SPENT

List all funds spent or committed to repair or replace disaster-damaged real property and/or business contents as follows:

1. Please provide a copy of each individual invoice/receipt over \$1,000, enter it on a separate line below and indicate on the invoice/receipt how it was paid (check #, credit card, cash, etc.) or copies of cancelled checks, and/or paid receipts, etc. Photocopies are acceptable.
2. Any invoices/receipts less than \$1,000 may be grouped together and entered on a separate line – do not submit these individual receipts. (*For example, multiple receipts totaling \$1,500 for building materials can be grouped together, etc.*)

| Item (or group of items) purchased/work performed | Amount \$ |
|---|--------------|
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| | |
| | |
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| | |
| | |
| | |
| TOTAL | \$ |

LISTING OF DEFINITE COMMITMENTS (not yet paid) FOR REPAIRS AND REPLACEMENTS

Use the same groupings as described above. (Attach copies of Bids/Estimates, Construction Material Purchase Orders, Contracts, etc., for each item that you estimate will cost \$1,000 or more.)

| Description of item(s) committed and/or contracted | Amount \$ |
|--|--------------|
| | |
| | |
| | |
| | |
| TOTAL | \$ |

If you need additional space above, please make copies of this page.

YOU MUST SIGN AND DATE PAGE 1 OF THIS FORM.

REMINDER: You must retain complete records of all transactions financed with your SBA loan proceeds, including copies of all contracts and receipts, for a period of 3 years after you receive your final disbursement of loan proceeds. SBA may require you to show those records at any time from now until the end of the 3-year period.

We suggest you keep a copy of this form for your records.