

FSA-2061
(09-25-24)

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

Position 5

APPLICATION FOR RELEASE OR CONSENT

INSTRUCTIONS: Return this completed form to your County FSA Office.

PART A - BORROWER REQUEST – REAL ESTATE SECURITY

Note: If the transaction will result in all FSA debt being paid in full, Part A Items 1 through 5 are required.

1. The undersigned (a) _____

("Borrower") in accordance with the terms of the real estate security instruments now held by the United States, acting through U.S. Department of Agriculture, Farm Service Agency (called "Government") on the property, applies for:

(b) release,

(c) Subordination, Non-Disturbance and Attornment Agreement (SNDA)

(d) consent to, _____

2. Description of Property:

3. Name of lienholder, approximate amount of each lien, including FSA in the order of lien priority prior to proposed transaction:

A. Name of Lien Holder	B. Approximate Amount of Lien	C. Lien Priority

4. The use to be made of the property covered by this application:

5. The anticipated proceeds or benefits from this transaction are:

6. Borrower proposes to use the proceeds as follows:

7. Complete Application for Release or Consent	YES	NO
A. Copy of proposed contract or agreement	☐	☐
B. Copy of environmental assessment for proposed release or consent, if available (<i>This will not replace FSA's environmental assessment, but may be helpful as documentation</i>)	☐	☐
C. Copy of survey, if needed, with legal description for partial release or consent	☐	☐
D. Documentation required for operational review:		
(1) Actual financial performance for the past year (<i>a copy of your last year's tax return or last year's income and expense records are acceptable</i>)	☐	☐
(2) Current balance sheet	☐	☐
(3) Projected income/expense for next year (<i>a copy of your current year's is also acceptable</i>)	☐	☐
(4) Annual crop and livestock production yields	☐	☐
(5) Review and update, if needed, of assessment (<i>copy attached</i>). Please pencil in comments or changes	☐	☐
E. FSA will obtain an appraisal	☐	☐

PART B - BORROWER REQUEST – PERSONAL PROPERTY SECURITY – ONLY FOR RELEASE WITHOUT COMPENSATION

1. The undersigned (a) _____

"Borrower") in accordance with the terms of the personal property security instruments now held by the United States, acting through U.S. Department of Agriculture, Farm Service Agency (*called "Government"*) on the property, applies for:

(b) release,

2. Description of Property from the current FSA-2028 (Security Agreement):

3. Name of lienholder, approximate amount of each lien, including FSA in the order of lien priority prior to proposed transaction:

A. Name of Lien Holder	B. Approximate Amount of Lien	C. Lien Priority

4. Complete Application for Release or Consent

	YES	NO
A. Documentation required for operational review:		
(1) Actual financial performance for the past year (<i>a copy of your last year's tax return or last year's income and expense records are acceptable</i>)	☐	☐
(2) Current balance sheet	☐	☐
(3) Projected income/expense for next year (<i>a copy of your current year's is also acceptable</i>)	☐	☐
(4) Annual crop and livestock production yields	☐	☐
(5) Review and update, if needed, of assessment (<i>copy attached</i>). Please pencil in comments or changes	☐	☐
B. FSA will obtain an appraisal	☐	☐

PART C – CERTIFICATIONS AND SIGNATURES

1. Have you, or any members of an entity, if applicable, ever been:	YES	NO
A. Convicted under any Federal or State law of planting, cultivating, growing, producing, harvesting, or storing a controlled substance within the previous 5 crop years? (See the Food Security Act of 1985, Pub. Law. 99-198)	☐	☐
B. Determined ineligible for Federal benefits based on a conviction for the distribution of controlled substances or any offense involving the possession of a controlled substance under 21 U.S.C. 862?	☐	☐
C. Determined ineligible for Federal benefits based on Federal Crop Insurance Corporation fraud? (See 7 U.S.C. 1515)	☐	☐
2. Explanation for any "YES" answers to Item 1:		
3. ECOA - RIGHT TO RECEIVE APPRAISAL: As part of the assistance provided by FSA, an appraisal report or written real estate valuation may be required to determine the value of the property you intend to pledge or have pledged as security. If FSA orders an appraisal or completes a written real estate valuation, you will receive a copy at no cost. You will receive a copy at least three business days prior to the closing of your loan or servicing action. On occasion, the three-day waiting period could cause a delay in closing the loan or servicing action. If you so choose, you have a right to waive this waiting period and a copy will be provided to you no later than the time of loan closing or servicing action.		
4. I understand that unless FSA executes a separate written instrument for partial release, FSA's approval of this application will merely constitute and evidence FSA's consent, as lienholder, to the proposed transaction without in any way releasing any of its security, modifying the payment terms of my loans, or otherwise affect any FSA rights. If this application is approved, I agree to comply with such terms as may be set by FSA and to dispose of the proceeds as required by FSA. The statements and representations made above are made in connection with the request for a change in the loan security and/or the release of USDA- provided funds. The making of any false statement or misrepresentations herein may be a crime punishable under 18 U.S.C., §1001. I certify that the statements made are true, complete, and correct to the best of my knowledge and belief.		
5A. Signature of Borrower	5B. Date	
5A. Signature of Borrower	5B. Date	
5A. Signature of Borrower	5B. Date	
5A. Signature of Borrower	5B. Date	

PART D - FSA APPROVAL (For FSA Use Only)

1. Recommendation for approval/denial of the request and comments:	Borrower:	
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2A. Initial Payment		2B. Subsequent Payment			
(1) to prior liens		(1) % to prior liens		or	
(2) to extra payment on FSA loan		(2) % to extra payment of FSA loan		or	
(3) to regular payment on FSA loan		(3) % to regular payment of FSA loan		or	
(4) other (specify):		(4) other (specify):		or	
(5) to borrower		(5) % to borrower		or	

3. I hereby:

A. Recommend this application for approval	☐	B. Do NOT recommend this application be approved	☐
C. Recommending Official Name		D. Recommending Official Title	
E. Signature		F. Date	

4. I hereby:

A. Approve this application	☐	B. Do NOT approve this application	☐
C. Reason for denial of the request			
D. Approving Official Name		E. Approving Official Title	
F. Signature		G. Date	

Privacy Act Statement: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is Direct Loan Making (7 C.F.R. Part 764), Direct Loan Serving (7 C.F.R. Part 765), the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine borrower eligibility for the requested FSA Farm Loan Programs action. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information may result in a denial of the requested FSA Farm Loan Programs action.

Public Burden Statement (Paperwork Reduction Act): According to the Paperwork Reduction Act requirement, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0230, 0560-0236. The time required to complete this information collection is estimated to average 90 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden by emailing to: askusda@usda.gov.

Non-Discrimination Statement: In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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