



# Choose Columbia

Columbia Economic Development Corporation

## Loan Policy COLUMBIA ECONOMIC DEVELOPMENT CORPORATION NOTICE OF PUBLIC MEETING

Please take notice that there will be a regular meeting of the Columbia Economic Development Corporation’s Loan Committee to be held in person on February 13, 2023 at 8:30am, at One Hudson City Centre, Suite 301, Hudson, NY 12534 in accordance with Public Officers Law Section 103-a. This meeting is open to the public, who will have the opportunity to attend the meeting in person at the One Hudson City Centre address or via Zoom and provide live comments. Comments can also be provided via email before and during the meeting to [mtucker@columbiaedc.com](mailto:mtucker@columbiaedc.com). Meeting packets are posted and available on CEDC’s website: <https://columbiaedc.com>. Join Zoom Meeting:

<https://us06web.zoom.us/j/85939542456?pwd=RkJNWVV0MHRhVWMwV2g5d2NNaTh2QT09>

Meeting ID: 859 3954 2456, Passcode: 625077, Dial by your location: 1 646 558 8656

Find your local number: <https://us06web.zoom.us/j/85939542456?pwd=RkJNWVV0MHRhVWMwV2g5d2NNaTh2QT09>

The public will have an opportunity to attend the meeting live and provide comments via Zoom or in person. Please check the website on [www.columbiaedc.com](http://www.columbiaedc.com) for updated information.

Dated: February 6, 2023

Sarah Sterling, Secretary Columbia Economic Development Corporation

### CEDC Loan Committee

**Chairman:** Kenneth Leggett

**Members:**

David Fingar

Rachel Levine

Michael Molinski

Anita Otey

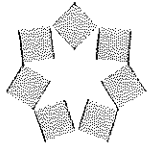
Sarah Sterling

1. Minutes, January 23, 2023\*
2. Portfolio Review\*
3. Twin Lake Ice Co. Loan Request \*
4. Parr Inabar Corp. Loan Request\*
5. Loan Policy Manual Review\*
6. Public Comment

**Attachments:**

Minutes, January 23, 2023	Parr Inabar Corp Loan Request
Portfolio Review	Loan Policy Manual
Twin Lake Ice Co. Loan Request	

\* Requires Approval



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**DRAFT**

**Meeting Minutes  
COLUMBIA ECONOMIC DEVELOPMENT CORPORATION  
LOAN COMMITTEE  
January 23, 2023  
One Hudson City Centre, Suite 301  
Hudson, New York**

A regularly scheduled meeting of Columbia Economic Development Corporation’s (CEDC) Loan Committee meeting was in person in accordance with the Public Officer’s Law Section 103-a, on January 23, 2023 . Mr. Fingar – ActingChair, called the meeting to order at 8:31am.

Attendee Name	Title	Status	Arrived/Departed
David Fingar	Committee Member	Present in person	
Kenneth Leggett	Committee Member	Absent	
Rachel Levine	Committee Member	Present in person	
Michael Molinski	Committee Member	Via Zoom	
Anita Otey	Committee Member	Absent	
Sarah Sterling	Committee Member	Present in person	
F. Michael Tucker	President/CEO	Present in person	
Andy Howard	CEDC Attorney	Present in person	
Jessica Gabriel	Senior Economic Developer	Present in person	
Chris Brown	Housing Coordinator	Present in person	
Lisa Drahushuk	Administrative Supervisor	Present in person	
Martha Lane	Business Development Director	Present in person	
Cat Lyden	Bookkeeper	Present in person	
Stephen VanDenburgh	Business Development Specialist	Present in person	
Riley Werner	Administrative Assistant	Absent	

**Minutes:**

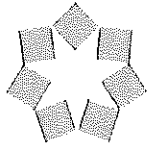
Mr. Fingar asked if there were any changes to the minutes of November 21, 2022. *With no changes, Ms. Sterling made a motion, seconded by Ms. Levine to approve the minutes of November 21, 2022. Carried.*

**Loan Committee Charter:**

*Ms. Levine made a motion, seconded by Ms. Sterling to adopt the current charter. Carried.*

**Portfolio Review:**

Ms. Lane reviewed the Portfolio Report, reporting on the payments made since the date of the report. She stated she would be contacting and meeting with those who were delinquent. *Ms. Sterling made a motion, seconded by Ms. Levine to approve the report and recommend it to the Full Board. Carried.*



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### **Fully Loaded Performance Inc. Loan request:**

Ms. Lane stated the request was for a \$32,000 CEDC loan and an \$18,000 SBA microloan. She stated the terms would be 72 months at 5% interest, noting the funds would be used to pay off higher-interest debt and facility improvements and working capital. The collateral would be a lien on business assets and a second mortgage on the personal residence. *Ms. Levine made a motion, seconded by Ms. Sterling to recommend the loan as presented to the full board. Carried.*

### **Prixel Press LLC Loan Request:**

Ms. Lane stated the request was for a \$15,000 SBA loan and a \$35,000 CEDC loan. The terms would be 72 months on the SBA loan and 84 months on the CEDC loan. The interest rate would be 5%, with collateral consisting of a second mortgage on property, a lien on business assets and the personal guarantee of the principal. She noted the funds would be used for working capital, materials and supplies. *Mr. Fingar made a motion, seconded by Mr. Molinski to recommend the loan to the Full Board for approval. Carried.*

### **Loan Policy Manual Review:**

Mr. Tucker stated the manual would be presented in February after staff review.

Mr. Tucker updated the Committee on year end statistics of the Loan program including, closing 35 loans totaling \$810,000. He noted he would be developing a report with the information.

*With no further business and no public comment, Ms. Sterling made a motion, seconded by Ms. Levine to adjourn the meeting. Carried. The meeting adjourned at 8:47am.*

*Respectfully submitted by Lisa Drahusuk*

Fund	Active Loans		30-59 Days Past Due		60-89 Days Past Due		90-119 Days Past Due	
	# of Loans	Principal Balance	# of Loans	Amount	# of Loans	Amount	# of Loans	Amount
CEDC Loan Fund	42	\$1,000,910.48	2	\$575.93	1	\$483.15	0	\$0.00
SBA Loan Fund	62	\$773,828.71	2	\$868.70	1	\$511.47	0	\$0.00
<b>Grand Total</b>	<b>104</b>	<b>\$1,774,739.19</b>	<b>4</b>	<b>\$1,444.63</b>	<b>2</b>	<b>\$994.62</b>	<b>0</b>	<b>\$0.00</b>

**CEDC Loan Request  
February 6, 2023**

**APPLICANT:** Twin Lakes Ice Co. LLC  
Ghent, NY 12075

**REQUEST** **\$50,000**

- \$35,000 CEDC Loan
- \$15,000 SBA Microloan

**GRANT:** N/A

**TERM:** 72 Months

**RATE:** 5%

**PURPOSE:** Purchase Machinery & Equipment; Working Capital

**COLLATERAL:** Lien on business assets

**CEDC Loan Request  
February 6, 2023**

**APPLICANT:** Parr Inabar Corp.  
Hudson, NY 12534

**REQUEST:** \$50,000:  
▪ \$30,000 CEDC Loan  
▪ \$20,000 SBA Microloan

**GRANT:** N/A

**TERM:** 72 Months

**RATE:** 5%

**PURPOSE:** Refinance higher-interest debt

**COLLATERAL:** Lien on business assets

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# Loan Policy Manual

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~~Approved by the CEDC  
Board of Directors on  
December 22, 2020~~Draft  
Presented to Martha Lane  
on January 12, 2023

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Columbia Economic Development Corporation

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## COLUMBIA ECONOMIC DEVELOPMENT CORPORATION LOAN POLICY MANUAL

### INTRODUCTION

Columbia Economic Development Corporation (herein referred to as “CEDC” and “Corporation”) is a New York not-for-profit Local Development Corporation. It serves as the lead economic development organization in Columbia County, New York. Its mission is to strengthen the area’s tax base through economic development and job creation, to assist businesses to locate and expand within the County, and to promote Columbia County as a premier spot for both business investment and personal opportunity. CEDC administers the following small business loan programs:

**CEDC Revolving Loan Program.** ~~Low interest loans are offered to businesses that will advance the mission of CEDC which is to create jobs in Columbia County. CEDC maintains a revolving loan fund that startup, newly established, and growing and expanding businesses can access providing that various criteria are met.~~

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**SBA Microloan Program.** CEDC has been designated the U.S. Small Business Administration’s intermediary lender for its Microloan program for Columbia and Greene Counties. CEDC makes SBA Microloans to ~~small, medium, and even large businesses of all sizes.~~ In addition, CEDC conducts business seminars and ~~providing~~ prospective microloan borrowers with free SBA-funded Technical Assistance from CEDC staff and consultants.

### OBJECTIVES OF THE LOAN PROGRAM

1. Promote development that provides fiscal benefit and economic stability to Columbia and Greene Counties.
2. Assist women, low-income, veteran, and minority business owners, as well as other individuals possessing the capability to operate a successful business, who are unable to obtain sufficient funds from traditional lending sources, such as banks.
3. Attract businesses that provide ~~quality~~ employment opportunities for the residents of Columbia and Greene Counties.
4. Encourage expansion and/or modernization of businesses that will further the counties’ competitive position in the region.

Commented [LC1]: Do we need this word? This can mean a lot of things, open to interpretation. Maybe we just remove it.

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## LOAN COMMITTEE

The Loan Committee is a standing committee of the Corporation that considers loan requests for approval. Each loan shall have a specific risk rating assigned to it, which will determine the initial loan loss reserve allocation for that loan. The loan committee typically meets at least quarterly ~~at least quarterly at least quarterly~~, and ~~in addition to loan review and approvals, the committee reviews and approves the quarterly~~ quarterly Loan Status Reports, ~~s prepared by the Bookkeeper.~~

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~~From the Corporation's By-Laws~~ By-Laws:

As outlined in the Corporation's By-Laws: ~~"The Loan Committee shall consist of not less than five (5) independent members of the Board of Directors, who shall constitute a majority on the committee. Members shall serve on the committee at the discretion of the board. Members appointed to the committee shall have the background necessary to perform its duties. may include residents of Columbia County, with preference given to those individuals possessing experience and expertise in business lending. The Loan Committee shall be comprised of at least five (5) Directors of the Corporation.~~

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The responsibilities of the Loan Committee shall be limited to reviewing applications to the Corporation for loans from the loan funds administered by the Corporation and issuing recommendations to the Board with regard to proposed actions on such applications. The Board may from time to time modify the authority of the loan committee to approve or disapprove loans, including the amount thereof, by resolution duly adopted by the Board; provided, however that any such modification shall not be effective as to any loan approved or disapproved prior to the date of such Board action. A majority of the individuals then serving on the Loan Committee shall constitute a quorum for the transaction of business on any specified item of business by the Loan Committee. The vote of a majority of the individuals serving on the loan committee shall be the act of the Loan Committee. The Committee's meetings shall be open to the public in accordance with the salient provisions of the Open Meetings Law of the State of New York, as set forth within article 7 of the Public Officers Law."

~~It should be noted that a quorum requires a majority of voting members of the Loan Committee.~~

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Loan proposals will go to the Board of Directors when either or both of the following occur:

1. The loan amount requested is greater than ~~\$24,999,000~~, and/or
2. The loan is not unanimously approved by a quorum ~~of the Loan Committee~~

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Commented [JG2]: Unanimous or Majority?

The Board of Directors sets overall lending policies and may, at any time, modify such policies and change, modify or reverse any decision determined to not be in the best interest of CEDC.

### BORROWER ELIGIBILITY

CEDC services two counties: Columbia County, New York, and, for the purposes of making SBA Microloans, Greene County, New York. Borrowers must reside and/or own a business in one of these two counties.

**Commented [JG3]:** If they live in Columbia County but own a business in Rens. Co we can loan them \$?

### LOAN PRODUCTS

CEDC has the following loan products available to businesses:

1. SBA Microloans
2. CEDC Loans

The following table provides highlights of each loan program.

Product	Amount	Description	Interest Rate	Loan Term	Prepayment Penalty
SBA Microloans	\$2,500 to \$50,000	For-profit businesses only; see uses of funds below	3% minimum to maximum amt. allowed by the SBA*	1 to 76 years, payments due monthly	None
CEDC Loans	\$2,500 to \$100,000; higher amounts allowed on a case-by-case basis	For-profit and non-profit businesses; see uses of funds below.	3% minimum; no maximum	1 to 10 years; longer terms allowed on a case-by-case basis. Payments due monthly.	None

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**\*SBA Microloan Maximum Interest Rates** (From the SBA Microloan Program SOP 52 00): Interest rates for Microloans are calculated based on the Intermediary's CEDC's (Intermediary's) Cost of Funds, which is the actual interest paid by CEDC on its loan from SBA:

1. ~~The Intermediary CEDC~~ may charge a Microloan borrower up to seven and three quarters percent (7.75%) over the ~~Intermediary's CEDC's~~ Cost of Funds on a Microloan of more than \$10,000.
2. The ~~Intermediary CEDC~~ may charge a Microloan borrower up to eight and one-half percent (8.50%) over the ~~Intermediary's CEDC's~~ Cost of Funds on a Microloan of \$10,000 or less.

Commented [SV4]: Sequence 1 and 2 based on loan amount?

## Uses of Funds

### 1. SBA Microloans

SBA funds may be used for many verifiable and reasonable business expenditures including:

- a. ~~Furniture, fixtures and Equipment~~
- b. ~~Materials and supplies~~
- b.c. ~~Inventory~~
- e.d. ~~Working capital~~
- d. ~~Fit out of leased space~~
- e. ~~Paying down higher interest debt~~
- f. ~~Recuperation of owner's investment~~
- f.a. ~~Materials and supplies~~

Commented [JG5]: SOP States "Investments in real or personal property acquired and held primarily for sale, LEASE, or investment" are not eligible

Commented [SV6]: Would an owner's investment be personal debt?

Funds may not be used for:

- a. ~~Investments in real or personal property acquired and held primarily for sale, LEASE, or investment~~ Real estate purchases or renovations
- b.a. ~~Non-profit businesses, except child care~~
- b. ~~Any business engaged in illegal activities~~
- c. ~~Payment of personal debt~~

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### 2. CEDC Loans

CEDC funds may be used for many verifiable and reasonable business expenditures including:

- a. ~~Fixed assets~~
- b. ~~Furniture, fixtures and equipment~~
- c. ~~Materials and supplies~~
- b.d. ~~Inventory~~
- e.c. ~~Working capital~~
- d.f. ~~New construction~~

- e.g. Renovations/additions to existing facilities
- h. Recuperation of owner's investment
- ~~f. Materials and supplies~~

Funds may not be used for any business engaged in illegal activities.

### LOAN ORIGINATION

The tables below shows the supporting documentation required for each Principal with at least 20% ownership in the business.

SBA Microloans	CEDC Loans
Loan application, signed	Loan application, signed
Personal Financial Statement (SBA Form 413)	Personal Financial Statement (SBA Form 413)
Statement of Personal History (SBA Form 912)	Statement of Personal History (SBA Form 912)
Certificate Regarding Debarment (SBA Form 1624)	N/A
<del>Two years personal tax returns (federal only, all pages) including W-2s</del>	<del>Two years personal tax returns (federal only, all pages) including W-2s</del>
<del>Two years of business tax returns (federal only) — if applicable</del>	<del>Two years of business tax returns (federal only) —, if applicable</del>
<del>Interim Financial Statements — if existing business</del>	<del>Interim Financial Statements — if existing business</del>
Two months of business bank statements (checking and savings)	Two months of business bank statements (checking and savings)
Business plan (for startup businesses)	Business plan (for startup businesses)

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Three years of financial projections, including a monthly cash flow statement for the first year	Three years of financial projections, including a monthly cash flow statement for the first year
Budget (how loan proceeds are to be used)	Budget (how loan proceeds are to be used)
Articles of incorporation, copy of DBA, or partnership agreement	Articles of incorporation, copy of DBA, or partnership agreement
Lease (if applicable)	Lease (if applicable)
Business permits, licenses, and/or certificates	Business permits, licenses, and/or certificates
Description of proposed collateral	Description of proposed collateral
Resume/bio of each principal	Resume/bio of each principal

### Credit Reports

Credit reports are ordered and examined for all principals with at least 20% ownership, as well as for co-signers of loan applications. CEDC does not have a minimum credit score requirement.

### CAIVARS

CAIVARS, Credit Alert Verification Reporting System, is a product of the Department of Housing and Urban Development. This report is ordered for all borrowers.

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### Collateral

All loans must be secured. Collateral may include real property, equipment, receivables, and other business or personal assets. All loans require personal guarantees. Collateral is perfected by applicable filings with the Department of State, Department of Motor Vehicles, and county recordings.

Commented [JG7]: IS that the right word?

### Amortization and Repayment

1. SBA Microloans may be amortized up to ~~six~~seven years. Although the longest allowable term is desirable in order to keep monthly payments low, the initial term should generally

- be ~~five or six~~ years. This allows for a 6-month deferment during the life of the loan, or other refinancing arrangements. The loan term may not exceed ~~seven~~<sup>76</sup> years.
2. CEDC loans may be amortized up to 10 years. Longer terms will be considered on a case-by-case basis.

**Interest**

Interest shall be calculated on a fixed schedule. ~~for all loans closed after January 1, 2022. Some older loans have interest calculated on a 365-day year, actual number of days elapsed.~~

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**UNDERWRITING PROCESS**

Staff members involved in the loan program are the primary originators of loans. Lending staff meet with clients and collect applications, financial statements and other relevant information, including credit reports. They provide guidance in fine-tuning a business plan. If appropriate, they refer to clients to technical assistance providers such as other CEDC staff, NYS Small Business Development Corporation staff, ~~SCORE~~<sup>Score Business Mentors</sup>, ~~Veterans Business Outreach Centers~~, or paid consultants who have a written agreement with CEDC to provide technical assistance to its clients. Once all documentation is compiled and reviewed ~~complete~~, lending staff prepares the Loan Request Recommendation.

**Loan Requests Recommendation**

The ~~loan~~ Loan request Recommendation must be reviewed by the President and CEO, or ~~other officer of the corporation~~ the chair of the loan committee before being sent to the Loan Committee. If approved, the Loan Request Recommendation will be sent to the Loan Committee along with relevant supporting documentation. Every effort will be made to send the Loan Recommendation ~~request~~ at least three days prior to Loan Committee meetings.

Loan Recommendations ~~requests~~ will ~~generally~~ generally contain the following information:

- Date
- Applicant name



- Address of proposed project
- Guarantors
- **Description of project**
- ~~Loan fund to be used~~
- Interest rate
- Term
- Monthly payment
- Collateral
- Project description
- Financial analysis
- Use of funds
- ~~Jobs created and/or retained proposed~~
- **Justification**

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- ~~Proposed risk rating~~

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**Commented [LC8]:** We do not currently include this. They all start at 15%. I suggest we remove it.

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## Loan Committee Review

In Loan Committee meetings, appropriate lending staff will present loan recommendations/request. After presentation and discussion, which may include going into executive session, the Loan Committee may:

1. Approve the loan as is, or
2. Approve the loan with changes, or
3. Request further information, thus tabling a decision, or
4. Deny the loan

Loan Committee approvals of loans of ~~greater than \$25,000 or more, or without unanimous approval~~, must be referred to the full Board for approval.

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## COMMITMENT LETTERS

Appropriate lending staff shall prepare commitment letters for all approved loans, per the terms and conditions approved at the staff level, and by the Loan Committee, and, if applicable, by the Board of Directors.

The President and CEO shall sign all commitment letters. The President is authorized to make necessary adjustments to the commitment letter in order to close the loan per the general intent of the loan committee.

The commitment letter will itemize the terms of the loan, the guarantors, and any contingencies. Loan commitments will generally expire in 90 days, unless Lending Staff extends the term in writing.

Commented [LC9]: 1) Greater than 25k, versus 25k or greater  
2) Without unanimous approval must go to board – are we definitely operating like this? Earlier in this document it mentioned without unanimous approval by a quorum – which is a different thing, no? that would just mean a majority?

Commented [JG10R9]: Agree – not clear is it unanimous or quorum?

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## LOAN CLOSING PROCESS

Loans secured by real property are closed by a CEDC-approved attorney. All other closings are handled by Lending Staff. For loans closed by Lending Staff, the following checklist will be used as a guideline.

- Photocopy driver's license(s) or other photo ID
- Obtain original signature on Commitment letter (if applicable)
- Obtain signature corporate resolution (if applicable)
- Obtain signature on Personal Guaranty
- Obtain signature on Promissory Note
- Obtain signature on Security Agreement in two places
- Obtain signature on Inability to Obtain Funds Elsewhere if applicable (for SBA Microloans)
- Photocopy all documents for client
- Collect closing fees
- Give check(s) and amortization schedule to client; funds may be wired in lieu of check
- Discuss documentation required for Use of Funds
- Discuss Technical Assistance (for SBA Microloans)
- Discuss publicity
- Write memo on Inability to Obtain Funds Elsewhere, if applicable (for SBA Microloans)
- Determine flood risk factor/Print FEMA flood map for address of business (for SBA Microloans)
- Enter loan into Downhome Loan Management database

- ~~Put Enter loan into~~ loan on Capital Access Financial System within 7 days of closing (for SBA Microloans)
- File UCC with NYS Department of State, if applicable

## SERVICING AND COLLECTIONS

### Due Dates, Grace Periods and Late Fees

The first loan payment is due ~~within 60 days for SBA Microloans~~ ~~30--5945 days~~ from the loan closing date. ~~The first loan payment on a CEDC loan is set on a case by case basis.~~ Subsequent due payments are due monthly on the ~~first or fifteenth same date.~~ A ten-day grace period is provided. Payments received after the due date may be assessed a ~~late charge of a five percent (5%) late charge~~ or \$25.00, whichever is greater. ~~Late payments-charges~~ may be waived at the discretion of the Lending Staff, and should generally be waived if:

- o It is the first time a borrower is late.
- o Borrower contacts CEDC to notify them the payment will be late, and provides a valid reason.
- o Borrower has a good repayment history.

### Billing Statements Invoicing

~~Beginning in 2017,~~ clients with outstanding loans will receive monthly ~~billing statements~~ invoices via email or U.S. mail. ~~Coupon books will be discontinued once invoicing is in place.~~

### Collections

- 16 days past due: a phone call is made or an email is sent to the client notifying them that their loan payment is past due and requesting payment.
- 30 days past due: the same is done, and immediate payment is requested.
- 60 days past due: a default letter may be sent, and a meeting with the client may be requested.
- 90 days past due: a demand letter will be sent, with 30 days to cure the default, and notice of intent to foreclose.

Lending staff will consult with ~~the President and CEO and will report to~~ the Loan Committee and/or Board of Directors regarding refinancing, deferments, foreclosure, write-offs or other alternatives. Decisions will be made on a case-by-case basis depending on borrower's payment history, borrower's communication with CEDC, amount of principal outstanding, and the collateral securing the loan.

### Workouts

Every effort will be made ~~by CEDC~~ to work with the borrower to mitigate loan losses and additional costs, such as attorney's fees. Options include:

- Interest-only period (maximum 6 months for SBA Microloans)
- ~~Minimum monthly payments~~
- Regular monthly payment plus an additional amount toward back payments
- Loan restructuring: extending term (maximum 76 years of SBA Microloans) adding payments to end of loan, re-amortizing.

### Bankruptcy

If borrower initiates bankruptcy proceedings, CEDC will receive "Proof of Claim", and collection efforts will cease, per law. CEDC's attorney will be notified of all bankruptcies.

### Non-Accrual Status

Non-accrual status occurs when a loan is 120 days past due for interest and/or principal, or collection of the outstanding principal and interest is unlikely to occur.

### Charge-Offs

The SBA requires loans to be charged off after 120 days. Neither Loan Committee nor Board approval is required, although it will be reported to both by Lending Staff. CEDC loans may be charged off at 120 days as well, if they are deemed uncollectable. Both Loan Committee and Board approval are required. After a loan is charged off, ongoing collection efforts will continue by Lending Staff and/or CEDC's attorney.

## LENDING AUTHORITY

The President and CEO Lending Staff has the authority to deny loan applications, but not to approve them except for loans of \$5,000 or less. Loan applications that do not receive unanimous approval by the Loan Committee must be brought to the Board of Directors for a decision.

Commented [JG11]: Unanimous or majority?

All loan modifications are reported to the Loan Committee at least quarterly. SBA Microloans must be charged off after 120 days of non-payment per SBA regulations. Such charge-offs do not require staff, committee or board approval.

Please see the last page of this Manual for a chart illustrating lending authority limits.

## PORTFOLIO MANAGEMENT

### Risk Rating System

New loans are given an initial risk rating from 1 to of 3, at the time of approval. Each loan outstanding will be reviewed by the President and CEO and all relevant staff members on a monthly basis. The Loan Committee and Board of Directors will review periodic reports of all loans outstanding with their corresponding risk ratings.

Risk ratings are based on the following:

1. Payments are current; typically fully collateralized; no known problems. No loan is given a 1 rating at closing; a loan may become a 1 after one year of solid performance.
2. Payments are current; may be under collateralized and/or CEDC is not in first position; business may have some known risk. ~~Likely initial rating for new loans.~~
3. Payments are current; may be under collateralized and/or CEDC is not in first position; may have recent late payments; business may have known risk. Initial rating for riskier-new loans.
4. Payments are more than 30 days late; known risk threatening repayment; collection procedures initiated
5. Payments are more than 60 days late; known risk threatening repayment; loan restructuring possible.
6. Payments are more than 90 days late; known risk threatening repayment;
7. Loan restructuring unlikely; charge off likely

8. Loan to be charged off

Commented [LC12]: Our initial rating is 3 - not 2.

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### Loan Loss Reserve Policy

For SBA Microloans, CEDC is required to maintain 15% of the outstanding balance in a Loan Loss Reserve Account (LLR) for each of the loans it has with the SBA. For CEDC loans, there is no requirement, but a minimum of 5% will be reserved for potential losses.

The chart below describes how the loan risk rating system is used to determine the appropriate amount to be allocated to the loan loss reserve account for each loan.

Rating	Loan Loss Reserve
1	5%
2	10%
3	15%
4	20%
5	25%
6	50%
7	75%
8	100%

Adjustments to the reserve may be made at any time based on the review of borrowers' financial performance, payment history, and other facts regarding business operations. Loan loss reserve amounts are reported to the Loan Committee and Board of Directors at least quarterly. Only the Board of Directors has the authority to increase or decrease reserve amounts.

#### Reporting Requirements

SBA Microloans must be updated in the Capital Access Financial System monthly. Financials must be provided to the SBA quarterly.

A Loan Status Report will be generated by the CEDC Bookkeeper on a monthly basis. It will be reviewed by the Lending Staff and President & CEO monthly, and by the Loan Committee at least quarterly.

### CONFLICTS OF INTEREST

#### Gifts

CEDC prohibits CEDC Staff, Committee Members and Board Members from soliciting or accepting any gratuities, gifts or favors other than promotional gifts of nominal value consistent with accepting gifts of more than \$75 per section 805-a of the General Municipal Law.

#### Less than Arm's Length Transactions

All Loan Policies and Procedures shall adhere to the CEDC Conflict of Interest Policy set forth in the Corporation's by-laws, Section 801 of the General Municipal law, and any applicable provision of state or federal law.

#### Statement of Non-Discrimination

No person in the United States shall, on the basis of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, disability, predisposing genetic characteristic, familial status, status as a victim of domestic violence, or marital status ~~race, color, religion, age, national origin, gender, sexual~~

orientation, disability, or marital status, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any project assisted with CEDC or SBA funds.

Appendix: Lending Authority Table

<u>Decision</u>	<u>Approval Required Lending Staff</u>	<u>Approval Required President &amp; CEO</u>	<u>Approval Required Loan Committee</u>	<u>Approval Required Board of Directors</u>
<b>New Loan Applications</b>				
• Loans \$5,000 or less	-	yes	no	no
• Loans \$10,000 or less	-	-	yes	no
• Loans \$24,999 or less	-	-	yes	no
• Loans \$25,000-\$50,000	-	-	-	yes
• Loans over \$50,000	-	-	-	yes
<b>Existing Loans</b>				
<b>Extension of loan maturity</b>				
• One year or less	yes	no	no	no
• Greater than one year	-	yes	no	no
<b>Renegotiate Payment Plan</b>				
• Minor	yes	no	no	no
• Major	-	yes	no	no
<b>Foreclosure/Collections</b>				
• Charge-off loan \$24,999 or less	yes	yes	yes	no
• Charge-off \$25,000 or more	yes	yes	yes	yes
• Pursue Foreclosure	yes	yes	yes	no
• Approve steps and fees during collection process	yes	yes	no	no
<b>Loan Commitments/Pre-closing</b>				
<b>Increase in commitment amount</b>				
• \$1,000 or less	yes	no	no	no
• Over \$1,000 to \$4,999	-	yes	no	no
<b>Extension of commitment date</b>				
• One month or less	yes	no	no	no
• Over one month	yes	no	no	no

Change in collateral: Same criteria as new loan application lending authority

Miscellaneous changes (interest rate, repayment, maturity date, etc.): Same criteria as new loan application lending authority

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