



Florida's Dynamic
Waterfront Community

2001 BROADWAY, SUITE 300
RIVIERA BEACH, FL 33404
Phone: 561-844-3408
Fax: 561-881-8043
Website: www.rbcr.com

MEMORANDUM

TO: Honorable Chair and Members, CRA Board of Commissioners
City of Riviera Beach, Florida

FROM: Scott Evans
Interim Executive Director, CRA

COPY: J. Michael Haygood, CRA Attorney

DATE: May 13, 2020

SUBJECT: RESOLUTION providing funding for COVID Economic Recovery including Small Business Assistance.

The attached Resolution provides funding in the amount of \$125,000 for the COVID Economic Recovery to help assist the local small business who have been affected by the recent shutdown to the economy. This Resolution will provide matching funds for the CRA to participate in the City's Economic Recovery Plan. The recommendation from staff is to provide up to \$100,000 of the funds to create a Citywide program for the Small Business assistance.

Attached is successful program implemented by the Boynton Beach CRA. The CRA staff proposes to utilize these guidelines to quickly implement a Citywide small business fund. We are requesting Board direction to utilize the attached model to create an online application for any business in the City. The program would be funded on a first come, first serve basis, and if jointly funded by the City & CRA then the dollars could be used for the correct area, but our local business owners could access the application at one online location.

The program provides immediate loans to small business with 50 or fewer employees. If the City provides \$50,000 from its funding pool and the CRA provides \$100,000 then the total pool will be \$150,000. We are recommending that the Loans be limited to \$5000. Dollars each, which would allow the program to assist approximately 30 local businesses. The loans are proposed to be interest free, and if the business can show compliance with the Program and that the loan was used towards payroll, utilities, or inventory expenses within 1 year of the loan date, then the loan will be forgiven and the business will not have to repay the loan.

The CRA proposes to duplicate the attached program (attached as Exhibit A) making it available City Wide. The funding is being transferred from the Property Acquisition fund which is for the purchase of small properties. Currently the line item has \$300,000 dollars and the revised budget line item will be reduced to \$175,000. dollars.

If the Board directs staff to proceed, we will immediately coordinate with the City to issue this program in an expedited manner.

EXHIBIT A

BOYNTON BEACH CRA SMALL BUSINESS LOAN PROGRAM



April 23, 2020 – September 30, 2020

**BOYNTON BEACH COMMUNITY REDEVELOPMENT AGENCY
SMALL BUSINESS DISASTER RELIEF
FORGIVABLE LOAN PROGRAM**

Program Rules and Regulations

The Boynton Beach Community Redevelopment Agency (BBCRA) recognizes that small businesses suffered substantial financial loss due to the adverse economic impacts caused by the COVID-19 pandemic. In response to the negative economic impacts on our local businesses and the City of Boynton Beach’s economy, and to prevent the creation of slum and blight, the BBCRA has created the BBCRA Small Business Disaster Relief Forgivable Loan Program (the “Program”). The Program is intended to provide direct financial relief to businesses located within the BBCRA area (see attached map).

Through the Program, the BBCRA will provide businesses with 50 or fewer employees up to \$10,000 in an interest free loan. If the business can show compliance with the Program and that the loan was used towards payroll, utilities, or inventory expenses within 1 year of the loan date, the loan will be forgiven and the business will not be required to repay the loan. The loans will be awarded on a first-come, first-serve basis. Loan recipients will be required to sign a promissory note to ensure compliance with the Program and loan terms and conditions. The BBCRA has sole discretion to determine compliance with the Program and loan terms and conditions sufficient to allow forgiveness of the loan.

BBCRA is a public agency and is governed by the Florida Public Records Law under Chapter 119, Florida Statutes. The BBCRA may produce any documents provided by loan applicants upon receipt of a public records request, subject to any exemptions provided by Florida law. If loan applicant believes that any information is proprietary and exempt from public records such as a trade secret, the loan applicant should indicate that in the application.

Initials _____

Funding Assistance

The BBCRA Small Business Disaster Relief Forgivable Loan Program offers financial assistance to the business in the form of a forgivable loan for eligible expenses, up to \$10,000, associated with payroll support, inventory purchases and/or utility expenses.

Funding Eligibility Requirements

Loan applicants must meet all of the following requirements in order to be considered eligible to receive loan funding:

- Loan applicant must be a business that was or becomes operational (as evidenced by a Certificate of Occupancy or City of Boynton Beach Business Tax Receipt) prior to September 30, 2020.
- Loan applicant must be the business entity (or d/b/a) named on the corporate documents, and the application must be executed by the principal/owner(s) named on the corporate documents.
- Must be a for-profit, privately held business or sole proprietor with no more than 50 employees. NOTE: Sole proprietors cannot use more than \$5,000 of the loan towards payroll expenses
- Must be located within the BBCRA area (see attached map). Businesses operating out of the Boynton Harbor Marina are eligible.
- Must be able to provide proof that the business is properly licensed by all necessary levels of government and professional associations or agencies (including copies of City and County licenses).
- If any individual is the Principal/Owner for more than one eligible business, the Principal/owner may only sign the application on behalf of one business. (Note: this means that if one or more eligible businesses have a Principal/Owner in common, only one of those businesses may apply for the Program, even if the business(es) has(have) more than one Principal/Owner).

Ineligible Businesses

The following businesses are considered ineligible for assistance under the BBCRA Small Business Disaster Relief Forgivable Loan Program:

Initials _____

- Firearm Sales/Shooting Ranges
- Religion-Affiliated Retail Stores
- Non-Profit Organizations
- Adult Gambling Arcades
- Check Cashing Stores
- Adult Entertainment
- Medical Research Centers/Housing
- Massage/Personal Services
- Vapor Cigarette, E Cigarette Stores
- Convenience Stores
- Churches/places of worships
- Alcohol and/or Drug Rehabilitation Centers/Housing
- Home-based business or business registered with a residential address
- Any other use that the BBCRA staff or BBCRA Board determine will not support the redevelopment of the BBCRA area

Loan Terms and Conditions

The maximum amount of loan to any one business under this program is \$10,000. Loan applicants may apply multiple times if loaned less than the maximum amount, but no loan applicant will receive more than the maximum amount in total. If the maximum amount of funding is later increased, loan applicants that had been loaned \$10,000 may reapply for additional funding until the new maximum is reached.

Loans shall be interest-free, and the loan amount shall be due to repaid to the BBCRA one year from the date of the loan. Loan applicants will be required to sign a promissory note to ensure compliance with the loan and program terms and conditions (see attached sample).

However, if the loan applicant provides evidence acceptable to the BBCRA of an amount equivalent to the loan, or any part thereof, has been paid by the loan applicant to employees in the form of payroll, to inventory providers, or to utility providers, that amount may be forgiven, in which case the loan applicant would not be required to repay such amount to the BBCRA. Loan funds may not be used towards bonuses. Sole proprietors cannot use more than \$5,000 of the loan towards payroll expenses. Evidence to support loan and promissory note forgiveness includes but is not limited to: invoices, receipts, paystubs, utility bills or other acceptable evidence of payment or expenses associated with the loan request. Loan applicants may redact sensitive information such as employee names, addresses, identification numbers, etc. No cash payments will be accepted as evidence in support of a request for loan forgiveness. Loan applicants may request loan forgiveness at any time between BBCRA loan check date and the loan repayment date by submitting a request and the required evidence to the BBCRA up to three weeks before the loan repayment date. All evidence must be submitted to the BBCRA three weeks prior to the loan repayment date electronically to Bonnie Nicklien, Administrative

Initials _____

Services and Grants Manager, at nicklienb@bbfl.us or by mailing a hard copy to 710 North Federal Highway, Boynton Beach, FL 33435, attention to Bonnie Nicklien. The BBCRA will review the evidence and determine whether the loan is eligible to be forgiven.

The BBCRA has sole discretion to determine what evidence is acceptable and to ask for more information or different evidence to support any loan application or any request for loan forgiveness. The BBCRA will notify the loan applicant the determination as to whether the loan is deemed forgiven within 30 days of receipt of the evidence supporting the request for forgiveness. The loan may be prepaid, in whole or in part, without penalty, at any time prior to the date on which repayment is due.

All loan checks from the BBCRA to the successful loan applicant will be made out to the applicant business entity.

The types of businesses eligible to receive funding include, but are not limited to:

- Restaurants
- Bakeries
- Insurance Offices
- Gourmet Food Markets
- Home Décor/Design businesses– home furnishings, art galleries, kitchen wares
- Bed and Breakfasts
- Marketing Offices
- Fitness Facilities – yoga, dance exercise, martial arts, etc.
- Specialty Retail Businesses – stationary, gifts, sporting goods
- Boutiques – clothing, shoes & accessories
- Accounting Offices
- Real Estate Offices
- Tattoo Parlor/Body Piercing/Body Art Shops
- Law Offices
- Hair/Nail Salons
- Take Out Restaurants
- Florists
- Medical Offices
- Other commercial businesses

Application Process

Applications can be downloaded from the BBCRA website at www.boyntonbeachcra.com or obtained by mail. Loan applicants may call (561) 600-9090 to request a mailed application. All loan applicants are required to speak with BBCRA staff in order to determine eligibility before submitting an application. Applications will not be considered until all required documentation is submitted to the BBCRA office by sending the application electronically to Bonnie Nicklien at nicklienb@bbfl.us or by mailing a hard copy to 710 North Federal Highway, Boynton Beach, FL 33435, attention to Bonnie Nicklien. Loan applicants are **STRONGLY** encouraged to submit applications electronically.

Initials _____

Application to this program is not a guarantee of funding. Funding is at the sole discretion of the BBCRA Executive Director, within parameters set by the BBCRA Board, and subject to available funds from the BBCRA budget. Loan applicants will be notified of loan approval in writing by email.

Loan funding must be used for payment of utility bills, employee payroll (excluding bonuses), or inventory.

Loan applicants must submit an application with all materials to the BBCRA for review and approval by the BBCRA Executive Director (or designee). Applications will be considered on a first-come, first-serve basis. Applications are not considered submitted until all materials have been submitted. **Application packets must include:**

1. Copy of the corporate documents for the applying business entity.
2. Copy of City of Boynton Beach and Palm Beach County licenses (Business Tax Receipts).
3. Documentation to support the loan applicant's request for funding payroll, inventory, and/or utility expenses. Examples include, but are not limited to: invoices, receipts, paystubs, utility bills or other acceptable evidence of payment or expenses associated with the loan request. Loan applicants may redact sensitive information such as employee names, addresses, identification numbers, etc.
4. Completed and signed application (attached).
5. W9 Form and BBCRA Vendor Application Form (attached).
6. Other proof as necessary to evidence compliance with the Funding Eligibility Requirements.

SUBMISSION OF AN APPLICATION IS NOT A GUARANTEE OF FUNDING

It is the responsibility of the loan applicant to READ AND UNDERSTAND all aspects of the Program and this application.

NOTICE TO THIRD PARTIES: The loan application and loan do not create any rights for any third parties. Nor shall issuance of a loan result in any obligation on the part of the BBCRA to any third party. The BBCRA is not required to verify that entities that have contracted with the loan applicant have been paid in full, or that such entities have paid any subcontractors in full.

Initials _____



LOAN APPLICANT INFORMATION

BUSINESS INFORMATION:

Business Name (d/b/a if applicable):

Current Business Address:

Fed ID#: _____

Business Phone Number: _____ Cell: _____

Website: _____

Type of Business: _____

Number of Employees: _____ Hours of Operation: _____

List of expenses seeking loan funding for:

Requested loan amount: _____

Please estimate the total loss (physical and economic) to your business due to this emergency/disaster:

How many employees (Full Time and Part Time) did you have prior to the disaster: _____



LOAN APPLICANT INFORMATION

Have you or will you lay off or furlough employees as a result of this emergency/disaster?

YES NO

If yes, how many? _____

Do you have business interruption insurance? _____

If applicable, what is the percentage difference of your business revenues during the disaster period compared to the same time of the prior year? _____

In terms of dollar value, how much inventory have you lost or has been spoiled as a result of the disaster? _____



LOAN APPLICANT INFORMATION

PRINCIPAL/OWNER INFORMATION:

(If more than 4 principals/owners additional sheets may be used)

1. Principal/Owner Name: _____
Date of Birth: _____ Email: _____
Residential Address: _____

Cell Phone Number: _____

2. Principal/Owner Name: _____
Date of Birth: _____ Email: _____
Residential Address: _____

Cell Phone Number: _____

3. Principal/Owner Name: _____
Date of Birth: _____ Email: _____
Residential Address: _____

Cell Phone Number: _____

4. Principal/Owner Name: _____
Date of Birth: _____ Email: _____
Residential Address: _____

Cell Phone Number: _____

CERTIFICATION AND WAIVER OF PRIVACY:

For purposes of this certification and waiver of privacy, the term “I” refers to the loan applicant and to all signatories on the Program application individually. By signing and submitting the application to the Program, each signatory represents and confirms that he or she is authorized to sign on behalf of the loan applicant(s).

I, the undersigned loan applicant(s), certify that all information presented in this application, and all of the information furnished in support of the application, is given for the purpose of obtaining a loan under the BBCRA Small Business Disaster Relief Forgivable Loan Program, and it is true and complete to the best of my knowledge and belief.

I further certify that I am aware of the fact that I can be penalized by fine and/or imprisonment for making false statements or presenting false information. I further acknowledge that I have read and understand the terms and conditions set forth and described in the BBCRA Small Business Disaster Relief Forgivable Loan Program.

I understand that this application is not a guarantee of a loan, and that award of loans is at the sole discretion of the Boynton Beach Community Redevelopment Agency Board. I understand that the purpose of the loan is to further the Boynton Beach Community Redevelopment Plan, and that the Boynton Beach Community Redevelopment Agency may decline my application for any legal reason, including the reason that approving the loan will not further the Community Redevelopment Plan. Should my application be approved, I understand that the Boynton Beach Community Redevelopment Agency has the sole discretion to determine whether the Program criteria have been met and whether the loan may be forgiven.

To the maximum extent possible, I hereby waive my rights to privacy and confidentiality for all matters contained in this application, and give my consent to the Boynton Beach Community Redevelopment Agency, its agents and contractors to examine any confidential information given herein. I further grant permission, and authorize any bank, employers or other public or private agency to disclose information deemed necessary to complete this application.

I give permission to the BBCRA or its agents to take photos of myself and business to be used to promote the program.

I understand that if this application and the information furnished in support of the application are found to be incomplete or inaccurate, it will be not processed.



APPLICANT SIGNATURES

LOAN APPLICANT SIGNATURES:

All Principal/Owner(s) eligible to sign on behalf of the loan applicant must sign this application on behalf of the loan applicant. For purposes of this Program, the term "Principal/Owner" means a principal or owner of a business.

1.	Principal/Owner's Signature		Date
	Printed Name		Title
	Witness		Date
2.	Principal/Owner's Signature		Date
	Printed Name		Title
	Witness		Date
3.	Principal/Owner's Signature		Date
	Printed Name		Title
	Witness		Date
4.	Principal/Owner's Signature		Date
	Printed Name		Title
	Witness		Date



SAMPLE PROMISSORY NOTE

April ____, 2020
Boynton Beach, Palm Beach County, Florida

FOR VALUE RECEIVED, the undersigned (“Loan Recipient”) promises to pay to the order of the Boynton Beach Community Redevelopment Agency (“BBCRA”) at 710 North Federal Highway, Boynton Beach, FL 33435 or at such other address as may be indicated in writing, in the manner hereinafter specified, the principal sum of _____ dollars (\$_____) without interest. The said principal shall be payable in lawful money of the United States of America, on _____ (date) and in the following manner:

The sum of _____ representing a payment of principal shall be due and payable one year from the date set forth above (“Repayment Date”).

If, prior to the Repayment Date, the Loan Recipient provides evidence acceptable to the BBCRA that an amount equivalent to the principal or any part thereof has been paid by the Loan Recipient towards payroll for employees (excluding bonuses), utility providers, or inventory providers, the BBCRA, in its sole discretion, may forgive that amount, in which case the Loan Recipient shall not be required to pay such amount to the BBCRA. Evidence may be provided at any time prior to the Repayment Date, and may be provided on an ongoing basis as such evidence becomes available. Loan Recipient must abide by all terms and conditions of the **Boynton Beach Community Redevelopment Agency Small Business Disaster Relief Forgivable Loan Program** in order to be eligible for the loan forgiveness described in this paragraph.

This note may be prepaid, in whole or in part, without penalty, at any time prior to maturity.

If payment due under this note is not paid within 10 days of the Repayment Date, a late charge of 5% of the payment due shall be added to the principle. In the event of default in the payment of this note, and if the same is placed in the hands of any attorney for collection, the undersigned hereby agrees to pay all costs of collection, including a reasonable attorneys' fee. This note shall be construed and enforced according to the laws of the State of Florida and nothing in this note shall be deemed to waive any rights of the BBCRA thereunder.



SAMPLE PROMISSORY NOTE

Makers waive demand, presentment for payment, protest, and notice of nonpayment and dishonor.

(Loan Recipient Name, including d/b/a)

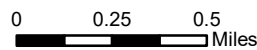
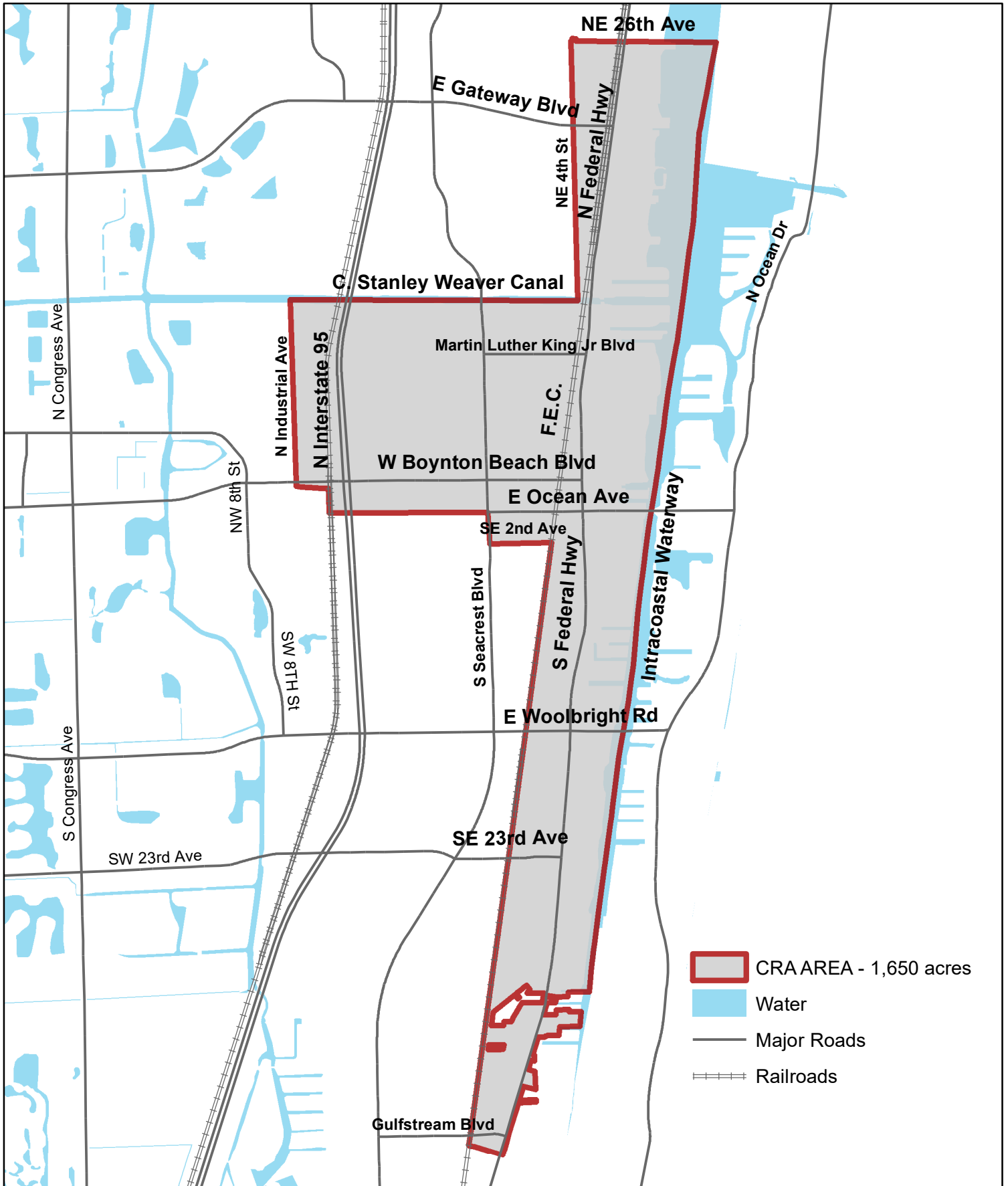
(Authorized Signature)

(Title)

(Date)

SAMPLE

MAP OF CRA AREA



Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
			-				-		
or									
Employer identification number									
			-						

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	--------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note. ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

Limited Liability Company (LLC). If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

- 1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.
- 2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.
- 3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.
- 4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).
- 5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

*Note. Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



Vendor ID: _____
Office use only

Vendor Application

- Submit a current W-9 with application

The CRA’s Vendor List is updated periodically. An updated W-9 is required whenever there is a change in address, and must be submitted to the CRA Finance Department. Phone number is 561-600-9092 or 561-600-9095.

All the * fields are required

Apply Date* _____ Federal ID#* _____

- Company Type***
- Corporation Individual/Sole Proprietor Joint Venture
- LLC Partnership/Limited Partnership Non Profit*

Company Name* _____

D.B.A _____

Email Address* _____

Address* _____

Suite/Unit# _____ City* _____

State/Province* _____ Zip Code* _____

Phone No _____ Ext. _____ Fax# _____

Contact Person* _____

Title _____ Mobile# _____

Check this box if the Billing Address is same as Company Address. Otherwise please complete the following:

Address* _____

Suite/Unit# _____ City* _____

State/Province* _____ Zip Code* _____

Phone No _____ Ext. _____ Fax# _____

Contact Person* _____

Title _____ Mobile# _____

Principal line of business: _____

PLEASE NOTE: THE STATE OF FLORIDA HAS A BROAD PUBLIC RECORDS LAW. ALL RECORDS OF THE STATE OR POLITICAL SUBDIVISIONS OF THE STATE ARE OPEN FOR PUBLIC INSPECTION AND COPYING, SUBJECT TO CERTAIN STATUTORY EXEMPTIONS. IF YOU CHOOSE TO PROVIDE PERSONAL INFORMATION SUCH AS YOUR NAME, EMAIL ADDRESS, PHONE NUMBER(S), ADDRESS OR ANY OTHER PERSONAL INFORMATION IN THIS CONTACT FORM OR OTHER FORM ON THIS SITE, UNLESS EXEMPTED BY FLORIDA STATUTES, THIS INFORMATION IS A PUBLIC RECORD UNDER FLORIDA’S GOVERNMENT IN THE SUNSHINE LAWS AND IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST. IF YOU DO NOT WANT THIS INFORMATION RELEASED IN RESPONSE TO A PUBLIC RECORDS REQUEST, PLEASE DO NOT SUBMIT THIS INFORMATION. IF YOU HAVE QUESTIONS ABOUT OUR WEBSITE’S PRIVACY POLICIES, PLEASE CONTACT US AT 561-600-9092 or 561-600-9095.