# PPP Forgiveness Step-by-Step: 3508S

Updated March 24, 2021

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### Which form should I use?

- 1. If your loan is \$150,000 or less, you should use Form 3508S and follow our PPP Forgiveness Step-by-Step for Form 3508S.
- 2. If your loan is **greater than \$150,000** and both **(a) & (b)** below are true, you should use **Form 3508EZ** and follow our PPP Forgiveness Step-by-Step for Form 3508EZ.
  - a) You did **not** reduce annual salary or hourly wages of any employee by more than 25% during your Covered Period, as compared to the most recent full quarter before your Covered Period.
    - e.g. if you received your funds July 12, 2020, then the most recent full quarter before your Covered Period was April 1 June 30, 2020.
    - Ignore owner-employees.
    - Ignore any employee who received salary/wages at an annualized rate of pay of more than \$100,000 in any pay period in 2019.

### AND

- b) Either of the following statements i. or ii. are true:
  - You did **not** reduce the number of employees or the average paid hours of employees between January 1, 2020 and the end of your Covered Period.
    - Ignore owner-employees.
    - Ignore reductions due to an inability to rehire individuals who
      were employees on February 15, 2020 if you were unable to hire
      similarly qualified employees for unfilled positions on or before
      December 31, 2020 (or if your PPP loan was made in 2021, on or
      before the last day of your Covered Period).
    - Ignore reductions in an employee's hours that you offered to restore and the employee refused.

### OR

- ii. You were unable to operate during your Covered Period at the same level of business activity as before February 15, 2020, due to compliance with requirements established or guidance issued between March 1, 2020 and the last day of your Covered Period by the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the Occupational Safety and Health Administration, or by your State or local government, related to the maintenance of standards of sanitation, social distancing, or any other work or customer safety requirement related to COVID-19.
- 3. If **neither #1 nor #2 apply** to you, you must use the full **Form 3508**. Reach out to your assigned Loan Officer for guidance if using this form. If you do not yet have an assigned Loan Officer, please email lending@bcloftexas.org.

## Step one: Gather documentation before beginning your application

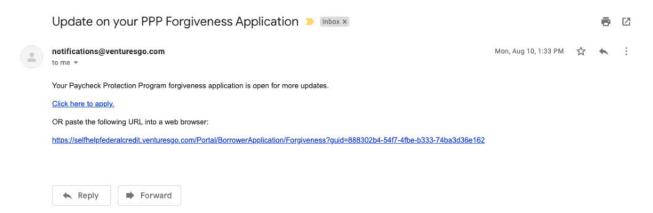
Please refer to **Appendix A** of this guidance for documentation requirements.

## Step two: Logging into the online portal

### Receive your unique link

You will receive an email from **notifications@venturesgo.com** with a link to access your PPP Forgiveness Application. To protect your information, this link is unique to your PPP loan. Please check your spam folder for this link if you do not receive it within about an hour of our notification that we are sending your link.

To do: Click on the unique access link to go to your online forgiveness application.



**IMPORTANT NOTE:** You will need to use this link every time you log into your forgiveness portal, so make sure you save this email, or bookmark the online portal. You will be able to save your application without submitting it. You do not have to complete the entire application in one sitting. To save your application and return to finish it later, you will click "Finish Later" on the last tab of the online portal.

### Log into online portal

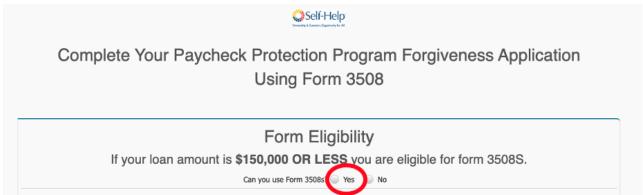


**To do:** To access your forgiveness application, you will need to enter your SBA PPP loan number, and either the business Tax ID or the last 4 digits of the social security number (SSN) of one of the owners on file.

- 1. Your loan number is the "SBA PPP Loan Number" at the top of your **signed PPP loan note**.
- 2. Enter either your business **Tax ID** <u>or</u> the last 4 digits of the owner's **SSN**. Your business Tax ID is either your Employer Identification Number (EIN) or, for sole proprietors or single-member limited liability companies, may be your SSN.

Note: If you have difficulty accessing your application in our online portal, please contact us at <a href="mailto:lending@bcloftexas.org">lending@bcloftexas.org</a>. Once you have accessed your forgiveness application and have begun entering information, a Forgiveness Loan Officer will be assigned to your loan and will reach out to you via email. At that point, you should direct any questions to your Loan Officer instead of the post-closing mailbox; your Loan Officer will work with you to help you maximize forgiveness on your loan.

Form tab – 3508S selection



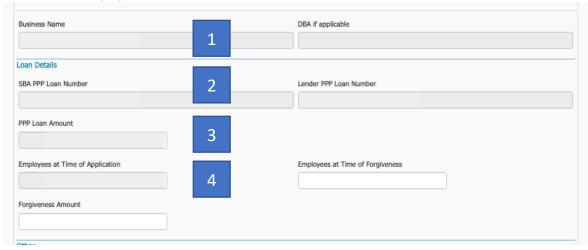
When you log in, this is the first page you will see.

**To do:** Select "Yes" – Borrowers with loans of \$150,000 or less will use this form. After you have made your selection, click next.

## Step three: General tab

**Note:** When you access your forgiveness application and begin entering information, **a Forgiveness Loan Officer will be assigned to your loan and will reach out to you via email**. You should direct any questions to your Loan Officer; they will work with you to help you maximize forgiveness on your loan.

### Confirm auto-populated information



Information in the greyed-out boxes should appear automatically, including:

- 1. Your business name
- 2. Your SBA PPP Loan Number (this is located at the top of your **signed PPP loan note**); you do not need to confirm the Lender PPP Loan Number
- 3. Your loan amount (this is located at the top of your signed PPP loan note)
- 4. Number of employees at time of PPP loan application (Note: This is from your original PPP loan application, based on your number of employees at that time, and does <u>not</u> impact your forgiveness request if you were required to maintain employee numbers, that information is collected in a separate section)

**To do:** Confirm these entries are correct. If anything needs to be changed, reach out to your Loan Officer.

### Enter general information

Employees at Time of Application	Employees at Time of Forgiveness
Forgiveness Amount 2	
Other	
Covered Period Start Date	Covered Period End Date
MM/DD/YYYY 🖫	MM/DD/YYYY 🖫
Excess of \$2 Million	
Loan Excess of \$2 Million?	
Borrower, together with affiliates, if applicable	
Payroll	
Payroll Costs	
Amount of loan spent on payroll costs	
Amount of loan spent on payroli costs	

### **To do:** Enter the following information:

- 1. **Employees at Time of Forgiveness**: this is the total number of employees as of the date of your forgiveness request, and this answer should not be converted to full-time equivalents (*e.g.* if you have 10 full-time and 5 part-time employees, you will enter 15). This does <u>not</u> impact your forgiveness request if you were required to maintain employee numbers, that information is collected in a separate section.
- 2. **Forgiveness Amount**: this is the amount of PPP loan funds you are requesting SBA to forgive.
  - If your PPP loan was \$50,000 or less, this is the total amount you were able to use for eligible Payroll Costs and Nonpayroll Costs. In most cases, this will be the total amount of your PPP loan. This amount cannot exceed the total amount of your PPP loan.
  - If your PPP loan was **over \$50,000**, this is the total amount you were able to use for eligible Payroll Costs and Nonpayroll Costs, <u>less</u> any amount you are required to deduct due to a reduction in any employee's salary/wages by more than 25% or a reduction in your total full-time equivalent (FTE) employees (if no reduction exceptions apply). This amount cannot exceed the total amount of your PPP loan.
- 3. **Covered Period Start Date**: This is the date you received your PPP loan funds (the date the funds were wired to your bank account).
- **4. Covered Period End Date**: You may choose any Covered Period End Date between 8 and 24 weeks after your Covered Period Start Date.
  - For example, if your PPP loan proceeds were wired into your account on April 20, 2020, the first day of your Covered Period is April 20, 2020. You may select any date between June 14, 2020 (8 weeks) and October 4, 2020 (24 weeks) for your Covered Period End Date.

- You must use your PPP loan for eligible purposes during your Covered Period, so your end date should occur after you have used your PPP funds.
- If you are a business with no employees other than yourself (e.g., a sole proprietor, independent contractor or self-employed individual), and you are using your entire PPP loan for your own payroll costs, then it will take you two and a half months to use your PPP loan (you may not pay yourself a larger amount or at a faster rate than was used to calculate your loan amount).
- Choosing a longer Covered Period may benefit you if:
  - a) you have a loan over \$50,000,
  - b) during your Covered Period you had to reduce any employee's salary/wages by more than 25% or you had to reduce your total full-time equivalent (FTE) employees, and
  - c) no reduction exceptions apply.

Any required forgiveness reductions are deducted from the total amount of documented Payroll Costs and Nonpayroll Costs for your full Covered Period.

- If you received your PPP loan funds in 2020, your Covered Period End Date cannot be later than December 31, 2020, even if December 31, 2020 is less than 24 weeks from your Covered Period Start Date.
- 5. Excess of \$2 Million: Check this box if (i) you are requesting forgiveness for your first PPP loan, and you and your Affiliates collectively received first PPP loans totaling \$2 million or more, or (ii) you are requesting forgiveness for your Second Draw PPP loan, and you and your Affiliates collectively received Second Draw PPP loans totaling \$2 million or more.
  - In general, SBA considers businesses to be Affiliates when one business has the
    power to control the other business, or when the same person has the power to
    control both businesses. To learn more about how SBA defines Affiliates, see
    SBA's Affiliation Guidance at Affiliation Rules for Paycheck Protection Program
    (sba.gov).
- 6. **Payroll:** Enter the amount of your PPP loan proceeds spent on eligible Payroll Costs for your Covered Period. **This must be at least 60% of the Forgiveness Amount you are requesting**; it may be 100% of your loan amount. If you did not use at least 60% of your PPP loan amount for eligible Payroll Costs, SBA will not forgive all of your PPP loan.

### Payroll Cost Eligibility

Eligible Payroll Costs may be included if **paid** during your Covered Period or **incurred** during your Covered Period and paid on or before the next regularly scheduled pay date, even if the next pay date is after your Covered Period. Eligible Payroll Costs must make up at least 60% of the total forgiveness amount (and may make up the entire forgiveness amount). **Please see our PPP section of our website, www.bcloftexas.org/lending/paycheck-protection-program for more detail on eligible Payroll Costs.** 

### Nonpayroll Cost Eligibility

Eligible Nonpayroll Costs may be included if **paid** during your Covered Period or **incurred** during your Covered Period and paid on or before the next regular billing date, even if the billing date is after your Covered Period. Eligible Nonpayroll Costs cannot exceed 40% of the total forgiveness amount. **Please see our PPP section of our website, www.bcloftexas.org/lending/paycheck-protection-program for more detail on eligible Nonpayroll Costs.** 

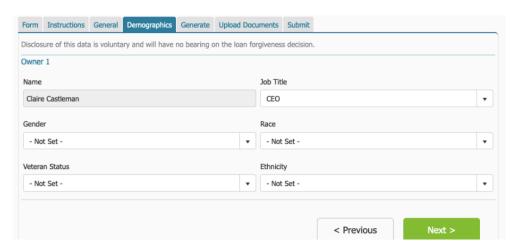
## **IMPORTANT NOTE:** You will have an outstanding loan with BCL of Texas if any of the following apply:

- Your forgiveness amount is less than your total PPP loan amount
- SBA does not approve your full forgiveness amount

Once SBA has processed your forgiveness request, if you have any unforgiven amount, you will receive an amortization schedule and monthly payment amount from BCL of Texas for your repayment of the unforgiven balance of your loan.

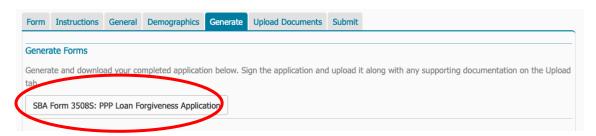
## Step four: Demographics tab

Completion of this tab allows BCL of Texas to learn more about the communities we serve. BCL of Texas does not discriminate in its employment or activities, and we actively partner with others to end discrimination on the basis of race, religion, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression (including transgender status), age, sexual orientation, military and veteran status, class or family status. In addition, completing demographic data provides valuable information about who is able to access SBA programs, and can help to improve access to SBA programs in the future.



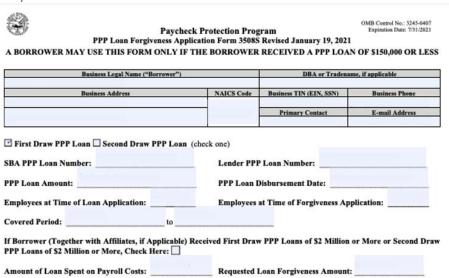
To do: Enter demographic information. Although demographic information is optional, we request you complete this information.

## Step five: Generate tab



**To do**: Click on **SBA Form 3508S: PPP Loan Forgiveness Application** to generate a version of your application to print and sign. You can either print the document and **sign it in ink**, or you can save the application as a PDF and **sign it with your PDF software**.

### Check your information



**To do**: Check all of the information entered to ensure it is correct.

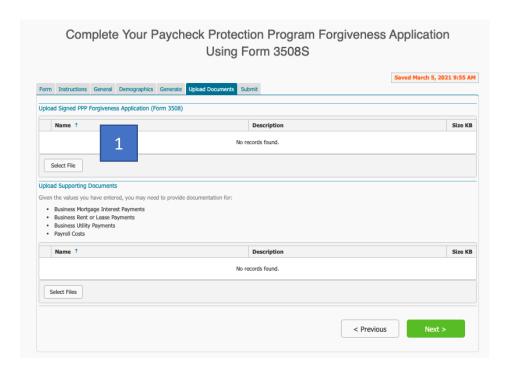
### Sign and Initial

By Signing Below, You Make the Following Representations and Certifications on Behalf of the Borrower: he Authorized Representative of the Borrower certifies to all of the below by initialing next to each one. The Borrower has complied with all requirements in the Paycheck Protection Program Rules (Sections 7(a)(36), (7)(a)(37), and 7A of the Small Business Act, the PPP interim final rules, and guidance issued by SBA through the date of this application), including the rules related to: eligible uses of PPP loan proceeds; the amount of PPP loan proceeds that must be used for payroll costs; the calculation and documentation of the Borrower's revenue reduction (if applicable); and the calculation of the Borrower's Requested Loan Forgiveness Amount.
 Information regarding these requirements may be found in the Form 3508S Instructions and the Paycheck Protection Program Rules The information provided in this application is true and correct in all material respects. I understand that knowingly making a false statement to obtain forgiveness of an SBA-guaranteed loan is punishable under the law, including 18 U.S.C. 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 U.S.C. 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a Federally insured institution, under 18 U.S.C. 1014 by imprisonment of not more than thirty years and/or a fine of not more than \$1,000,000. Following submission of this forgiveness application, the Borrower must retain all records necessary to prove compliance with Paycheck Protection Program Rules for four years for employment records and for three years for all other records. SBA may request additional information for the purposes of evaluating the Borrower's eligibility for the PPP loan and for loan forgiveness, and the Borrower's failure to provide information requested by SBA may result in a determination that the Borrower was ineligible for the PPP loan or in a denial of the Borrower's loan forgiveness application. The Borrower's eligibility for loan forgiveness will be evaluated in accordance with the Paycheck Protection Program Rules. SBA may direct a lender to disapprove the Borrower's loan forgiveness application if SBA determines that the Borrower was ineligible for the PPP loan. Signature of Authorized Representative of Borrower Print Name Title SBA Form 3508S (01/21)

### To do: Initial and sign the 3508S application form.

- 1. Review and certify the accuracy of each of the 2 representations by initialing in both of the blanks provided.
- 2. Sign and date the form and print your name and title.

## Step six: Upload Documents tab



To do: Upload and attach your signed application.

- 1. Click "Select File" and select your signed 3508S application form.
  - a. If you have printed a hard copy to sign, you will need an electronic copy to upload. You can scan your printed copy, or use a PDF converter app like Office Lens (or similar) to make a PDF from a picture.
  - b. Please upload all pages of your application form, even if they are blank.

**Please see Appendix A** for supporting documents you should upload here, and for a list of documents you must keep.

## Step seven: Submit tab



Once you have uploaded your application and all your supporting documentation, move to the **Submit** tab. You can either submit your forgiveness request or save it and finish later.

If you hit Finish Later, you will have to use your unique access link that was emailed to you to access your application when you are ready to continue.

### How long until you must submit your application?

- You should submit your forgiveness application within ten months + 24 weeks from date you received your PPP loan funds (about 15.5 months).
- If you received your PPP funds in 2020, your Covered Period cannot extend past December 31, 2020, so you should submit by October 31, 2021.
- If you miss your ten-month window, you are required to begin making payments on your PPP loan. You still have the right to apply for forgiveness, however, at any time prior to your PPP loan maturity date.

### What happens once you hit submit:

- 1. BCL of Texas will review your forgiveness application and contact you to obtain any required supporting documents before we submit it to SBA.
- 2. We will notify you when we have submitted your forgiveness application to SBA.
- 3. SBA has up to 90 days to process your forgiveness request or notify us that it is under review. SBA may choose to review a PPP loan for any reason prior to, during, or after the forgiveness process. If SBA notifies us prior to the date it receives your forgiveness application that your loan is under review, we must wait until SBA notifies us in writing that the review is complete before we submit your forgiveness application. We will not know if your loan has been 100% forgiven until SBA has reviewed and fully processed your forgiveness request. We will notify you when SBA remits the forgiveness amount to us. If SBA forgives less than your full PPP loan amount, we will provide you with an amortization schedule and monthly payment amount for your repayment of the unforgiven balance of your loan.

If you have any questions about your application during or after submission, please contact your Loan Officer.

## Appendix A: Documentation Requirements

When you submit your forgiveness request to us, your Forgiveness Loan Officer will review your file and provide you with a list of the documentation you are required to submit to support your request.

Whether or not you are required to submit documentation with your request, SBA requires you to keep all employment records/payroll documentation relating to your PPP loan and forgiveness request for four years after your forgiveness application has been submitted, and to keep all other documentation relating to your PPP loan and forgiveness request for three years after your forgiveness application has been submitted. SBA has the right to review your loan at any time either before, during, or after forgiveness, and you will be required to submit these records to SBA upon request. Review our PPP FAQ in the Tools & Resources section of our website for additional information.

### **PAYROLL COSTS DOCUMENTATION:**

**Payroll Costs Documentation for Employees:** For loans up to \$150,000, you **generally** do not have to submit employee Payroll Costs documentation with your forgiveness request, but you should **keep the following documentation** covering (i) the period that was used to determine your loan amount (typically this is either calendar year 2019 or calendar year 2020), and (ii) your Covered Period.

- <u>Cash compensation for employees</u>:
  - Third-party payroll service provider report that is clearly identified as a report from a recognized third-party payroll service provider (e.g., ADP, Gusto, Paychex, etc.), that contains equivalent information as your IRS Form 941s reported (or to be reported) to the IRS and your State quarterly employee wage reporting & unemployment insurance filings reported (or to be reported) to the State; or
  - All of the following:
    - Bank account statements (or a third-party payroll service provider report) showing the amount of cash compensation paid to employees;
    - Copies of your IRS Form 941s reported (or to be reported) to the IRS;
    - Copies of your State quarterly employee wage reporting & unemployment insurance filings reported (or to be reported) to the State.
- <u>Benefits</u>: If your forgiveness request includes employer contributions to employee group health, life, disability, vision or dental insurance, or employer contributions to employee retirement plans, a third-party payroll report, payment receipts, cancelled checks, or account statements showing the amount paid.

**Payroll Costs Documentation for Owners:** For loans up to \$150,000, self-employed borrowers (Schedule C filers, Schedule F filers and partnerships) are **required to submit** owner Payroll Costs documentation at forgiveness. In general, other borrowers do not have to submit Payroll Costs documentation with your forgiveness request, but you should **keep documentation** covering (i) the period that was used to determine your loan amount (typically this is either calendar year 2019 or calendar year 2020), and (ii) your Covered Period.

Tax Filing	Owner Payroll Costs Documentation
IRS 1040 Schedule C	Copy of <u>filed</u> IRS 1040 Schedule C for the year that was used to calculate your loan
	amount
IRS 1040 Schedule F	Copy of <u>filed</u> IRS 1040 Schedule F for the year that was used to calculate your loan
	amount
IRS 1065	Copy of <u>filed</u> IRS 1065, including Schedule K-1s, for the year that was used to calculate
	your loan amount
1120-S	Document owner compensation using the same guidelines as for employees (above)
	• Note: employer contributions to owner health plans may <u>not</u> be included as payroll costs
	Note: employer contributions to owner retirement plans may be included up to
	2.5/12 of the 2019 employer retirement contribution
1120	Document owner compensation using the same guidelines as for employees (above)
	Note: employer contributions for owner health insurance may be included
	Note: employer contributions for owner retirement plans may be included up to
	2.5/12 of the 2019 contribution
990	N/A

**NONPAYROLL COSTS DOCUMENTATION:** For loans up to \$150,000, you **generally** do not have to submit Nonpayroll Costs documentation. Whether or not Nonpayroll Costs documentation is required to be submitted, if your forgiveness request includes Nonpayroll Costs, you should **keep the following documentation**:

- Business mortgage (secured debt) interest payments:
  - Copy of lender amortization schedule and receipts or cancelled checks; or
  - Copies of lender account statements for February 2020 and the months payments were made.
- Business rent or lease payments:
  - o Copy of current lease agreement, combined with receipts or cancelled checks; or
  - Copies of lessor account statements for February 2020 and the months payments were made.
- Business utility payments:
  - Copy of invoices for February 2020 and the months payments were made, combined with copies of receipts, cancelled checks or account statements.
- Covered operations expenditures:
  - o Copy of invoices, orders, or purchase orders paid during the Covered Period; and
  - Receipts, cancelled checks, or account statements verifying those eligible payments.

- Covered property damage costs:
  - o Copy of invoices, orders, or purchase orders paid during the Covered Period; and
  - Receipts, cancelled checks, or account statements verifying those eligible payments; and
  - Documentation that the costs were related to property damage and vandalism or looting due to public disturbances that occurred during 2020; and
  - Documentation that such costs were not covered by insurance or other compensation.
- Covered supplier costs:
  - Copy of contracts, orders, or purchase orders in effect at any time before the Covered Period (or, if for perishable goods, at any time during the Covered Period); and
    - Receipts, cancelled checks, or account statements verifying those eligible payments.
- Covered worker protection expenditures:
  - o Copy of invoices, orders, or purchase orders paid during the Covered Period; and
  - Receipts, cancelled checks, or account statements verifying those eligible payments; <u>and</u>
  - Documentation that you used the expenditures to comply with applicable COVID-19 guidance during the Covered Period.

**REVENUE REDUCTION DOCUMENTATION:** If you are applying for forgiveness of a **2**<sup>nd</sup> **Draw PPP loan**, documentation of your 25% or more reduction in gross receipts. You may document this with one of the following:

- Annual IRS income tax filings for 2019 and 2020 (required if your calculation was based on an annual reduction);
- Audited quarterly financial statements for the quarters being compared, identifying the line items that constitute gross receipts;
- Unaudited quarterly financial statements, identifying the line items that constitute gross receipts (sign and date that statements and initial each page); or
- Quarterly or monthly bank statements showing deposits for the quarters being compared, identifying which deposits constitute gross receipts.

OTHER DOCUMENTATION: For loans up to \$150,000, you generally do not have to submit other documentation. BCL of Texas may require other documentation if needed to support your request, and SBA may require additional documentation as part of its review of any PPP loan. Whether or not other documentation is required to be submitted, you should keep all records relating to your PPP loan, including:

- All documentation submitted with your PPP loan application;
- All documentation supporting your certifications as to eligibility for a PPP loan;
- All documentation supporting your forgiveness application;

- All documentation supporting your material compliance with PPP requirements; and
- If requested by SBA, documentation supporting your certification that current economic uncertainty at the time you applied for your PPP loan made the loan request necessary to support your ongoing operations.