

# LENDERS CHECKLIST

## LOAN ASSUMPTION

### TERMS OF SALE:

- \_\_\_\_\_ Lender Credit Memorandum
- \_\_\_\_\_ Escrow Instructions
- \_\_\_\_\_ Copy of Buy/Sell Agreement
- \_\_\_\_\_ Copy of seller carry-back Note
- \_\_\_\_\_ Lease Agreement
- \_\_\_\_\_ Approval of senior lien holder

### PURCHASER: \_\_\_\_\_ 1% Loan Assumption Fee

- \_\_\_\_\_ Personal Financial Statement of borrowers, guarantors and major stockholders (SBA FORM 413 OR 770)
- \_\_\_\_\_ Personal Federal Tax Return (most recent)
- \_\_\_\_\_ Business Financial Statement (FYE) including Profit and Loss Statement (two years)
- \_\_\_\_\_ Interim Business Financial Statement (if FYE is more than 90 days old)
- \_\_\_\_\_ Business Federal Tax Returns (two years)
- \_\_\_\_\_ Statement of Personal History (SBA Form 912)
- \_\_\_\_\_ Statement Required by Laws and Executive Orders (SBA Form 1261)
- \_\_\_\_\_ Environmental Questionnaire and Disclosure Statement. If questionnaire reveals possible pollution problems, a phase 1 report will be required as a minimum. If the business is on the "List of Frequently Polluting Industries", a Phase 1 report is mandatory.
- \_\_\_\_\_ Current or most recent real estate appraisal (additional collateral or on commercial real estate being sold)
- \_\_\_\_\_ Landlord Waiver (if no RE collateral)
- \_\_\_\_\_ Credit reports on all assumptors
- \_\_\_\_\_ Copy of Corporate Charter or Partnership Agreement

\_\_\_\_\_ Copy of Resolution by Board of Directors authorizing purchase and assumption of the SBA Loan (SBA Form 160)

\_\_\_\_\_ Other \_\_\_\_\_

**SELLER:**

\_\_\_\_\_ Business Financial Statements (FYE) including Profits and Loss Statements

\_\_\_\_\_ Interim Business Financial Statements (if FYE is more than 90 Days old)

\_\_\_\_\_ Business Federal Tax Returns (two years)

\_\_\_\_\_ Current Personal Financial Statement of borrowers and guarantors

\_\_\_\_\_ Personal Federal Tax Returns (one year)

\_\_\_\_\_ Written consent from all guarantors/ co-obligors to this action/request

\_\_\_\_\_ Current or most recent RE appraisal

\_\_\_\_\_ Assignment of Lease (seller retains RE and leases back to assumptors)

\_\_\_\_\_ Guaranty release requested (explain fully)

\_\_\_\_\_ SBA form 1614, submitted in advance of request

ALL DOCUMENTS MUST BE SIGNED AND DATED

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_