



## Gateway Area Development District APPLICATION FOR FINANCIAL ASSISTANCE

Complete all portions of the application and attach any required exhibits. Include the \$100 non-refundable application fee upon submission.  
*If you are completing this form in MS Word, press the Tab or Arrow keys to proceed from one field to the next.*

Contact Person		Phone Number	Fax Number	Email Address	
Name of Applicant Business				Fed. Tax I.D. No. or SSN	
Mailing Address of Business				KY Employer I.D. No.	
City	County	State	Zip	Type of Ownership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Sub S Corporation <input type="checkbox"/> Corporation If Corporation, state incorporated in: ___	
Type of Business			Date Business Established		
Bank of Business Account and Address		Bank Contact Person	Bank Phone Number		
Affiliated Companies		Function of Affiliate(s)			

Amount of Loan Requested (Omit Cents)	Rate Requested %	Term Requested Months	Purpose of Loan
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SOURCES OF PROJECT FUNDING <small>List below all sources of funding for the entire project – 100% of project funding must be shown. Use separate sheet if necessary.</small>					
Source	Amount	% Of Total	Collateralized By	Term (Months)	Rate of Interest
Gateway Area Development District					%
Bank 1 (specify)					%
Bank 2 (specify)					%
Other (specify)					%
Owner's Equity			Will any of the collateral listed for the loan from the GADD be subject to subordinate or superior liens? If yes, provide details on a separate sheet. Label it Exhibit # 3. <input type="checkbox"/> Yes <input type="checkbox"/> No		
Total Project Funding		<b>100%</b>			

**PROJECT BUDGET** Provide a budget breakdown including all financial sources from page 1 of this application. Use separate sheet if necessary. Label it Exhibit # 15

Expenditure Category	GADD	Bank 1	Bank 2	Other	Owner	TOTALS
Land Acquisition						
Building Purchase						
Architectural/Engineering						
Equipment						
Supplies						
Contractual						
Construction/Repair/Renovation						
Site Improvements						
Legal						
Working Capital						
Other						
<b>TOTALS</b>						

Have any of the above expenditures already been made by the applicant? If yes, provide invoices and other documentation as applicable.  Yes  No

Have any of the above expenditures been incurred but not yet paid by the applicant? If yes provide purchase orders and other documentation as applicable.  Yes  No

Will any of the funds to be borrowed from the GADD be used to repay or refinance an existing mortgage or outstanding loan?  Yes  No

**BUSINESS INDEBTEDNESS** Furnish the following information on all outstanding installment debts, contracts, notes, and mortgages payable. Indicate by an asterisk (\*) items to be paid by loan proceeds and reasons for paying them. (Present balance should agree with the latest balance sheet submitted). Use separate sheet if necessary. Label it Exhibit # 4.

Creditor Name and Address	Original Amount	Original Date	Present Balance	Rate of Interest	Maturity Date	Monthly Payment	Collateral/Security
	\$		\$	%		\$	
	\$		\$	%		\$	

**PROJECT SITE INFORMATION** Please provide the following information about the proposed project location. Use a separate sheet if necessary. Label it Exhibit # 15.

Street Address	City	County
Indicate approximate size (in acres) of the project site.	Indicate in detail the present use of the project site.	
If the applicant <u>IS</u> the current owner of the project site, answer the questions to the right.	Date of Purchase	Mortgage Holder
	Purchase Price	Mortgage Balance
If the applicant <u>IS NOT</u> the current owner of the project site Answer the questions to the right, if you answer "Yes" to any of the questions, provide details on a separate sheet.	Indicate the present owner of the project site: _____	
	Do you have an option to purchase the project site and/or any of the buildings on the site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Have you entered into a contract to purchase the site or any buildings upon the site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Annual Lease Amount (if applicable)	Expiration Date of Lease (if applicable)	

**BUILDINGS** If no buildings will be acquired, constructed, or expanded as part of this project check here:  Use separate sheet if necessary. Label it Exhibit # 15.

Acquisition	Construction	Expansion	# of Buildings	Current Sq. Ft.	New Sq. Ft.	Principal Use of New Square Footage
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

**MACHINERY & EQUIPMENT** If no machinery or equipment will be acquired or repaired as part of this project check here:  If you answer "Yes" to any of the questions in this section or if a separate sheet is required. Label it Exhibit # 8.

Description (Include Quantity, Make, and Model)	Purchase Price	Vendor	Principal use of the Equipment

Has any of the above equipment been ordered? If yes, include copies of purchase orders.  Yes  No

Has any of the above equipment been purchased? If yes, include copies of invoices.  Yes  No

**PROFESSIONAL RESOURCES** Provide the name, business name, address, and telephone number of each accountant, attorney, banker, or other professional resource available to the applicant. Use separate sheet if necessary.

Name, Business Name	Complete Mailing Address and/or Email Address	Phone and/or Fax Number

**EMPLOYMENT PROJECTIONS** Provide the number of full-time and the number of seasonal/part-time employees with their full-time equivalents (FTE) currently employed by the applicant and the number anticipated to be employed upon completion of the project.

	Full-Time (FT)	Part-Time (PT)	Full-Time Equivalents (FTE) of Part-Time*
Currently Employed at the Project Site			
New Jobs to be Created at the Project Site			

\*Please use the following formulas to calculate Full-Time Equivalents (FTE): 1) Total Part-Time hours for one week / Standard Full-Time hours for one week = FTE percentage; and 2) Number of Part-Time employees multiplied by FTE Percentage = FTE. If another formula is used to calculate Full Time Equivalents, please provide an explanation of the formula used.

**JOB DESCRIPTIONS** Provide the number of jobs for each job category listed along with a description of position(s) within the category. Use separate sheet if necessary.

Job Category	Number of Jobs		Average Hourly Wage	Average Annual Wage	Avg. Hrs per Week	Avg. Wks per Year	Position Title(s) & Description(s)
	Current	Projected					
Skilled							
Semi-Skilled							
Unskilled							
Managerial							

Are the employees of applicant company presently represented by a union or is it anticipated that they will soon be unionized? If yes, provide details on separate sheet.  Yes  No

<b>OWNERSHIP</b> Proprietor, partners, officers, directors, all holders of outstanding stock – 100% of ownership must be shown. Use separate sheet if necessary. Label it Exhibit # 6.								
Name & Title/Role		Address & Phone		% Owned	Social Security No.	U.S. Citizenship		
1.						<input type="checkbox"/> Yes <input type="checkbox"/> No If no, provide alien registration no:		
<i>Race*</i>		<i>Age *</i>	<i>Veteran Status*</i>		<i>Gender*</i>	<i>Disabled? *</i>	<i>Ethnicity*</i>	
<input type="checkbox"/> Asian <input type="checkbox"/> Black or African-American <input type="checkbox"/> Native American or Alaska Native		<input type="checkbox"/> Native Hawaiian or Pacific Islander <input type="checkbox"/> White/Caucasian <input type="checkbox"/> Other	<input type="checkbox"/> Non-Veteran <input type="checkbox"/> Veteran		<input type="checkbox"/> Vietnam-Era Vet. <input type="checkbox"/> Srvc-Disabled Vet. <input type="checkbox"/> Veteran-Other	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Hispanic Origin <input type="checkbox"/> Not of Hispanic Origin
Name & Title/Role		Address & Phone		% Owned	Social Security No.	U.S. Citizenship		
2.						<input type="checkbox"/> Yes <input type="checkbox"/> No If no, provide alien registration no:		
<i>Race*</i>		<i>Age *</i>	<i>Veteran Status*</i>		<i>Gender*</i>	<i>Disabled? *</i>	<i>Ethnicity*</i>	
<input type="checkbox"/> Asian <input type="checkbox"/> Black or African-American <input type="checkbox"/> Native American or Alaska Native		<input type="checkbox"/> Native Hawaiian or Pacific Islander <input type="checkbox"/> White/Caucasian <input type="checkbox"/> Other	<input type="checkbox"/> Non-Veteran <input type="checkbox"/> Veteran		<input type="checkbox"/> Vietnam-Era Vet. <input type="checkbox"/> Srvc-Disabled Vet. <input type="checkbox"/> Veteran-Other	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Hispanic Origin <input type="checkbox"/> Not of Hispanic Origin
Name & Title/Role		Address & Phone		% Owned	Social Security No.	U.S. Citizenship		
3.						<input type="checkbox"/> Yes <input type="checkbox"/> No If no, provide alien registration no:		
<i>Race*</i>		<i>Age *</i>	<i>Veteran Status*</i>		<i>Gender*</i>	<i>Disabled? *</i>	<i>Ethnicity*</i>	
<input type="checkbox"/> Asian <input type="checkbox"/> Black or African-American <input type="checkbox"/> Native American or Alaska Native		<input type="checkbox"/> Native Hawaiian or Pacific Islander <input type="checkbox"/> White/Caucasian <input type="checkbox"/> Other	<input type="checkbox"/> Non-Veteran <input type="checkbox"/> Veteran		<input type="checkbox"/> Vietnam-Era Vet. <input type="checkbox"/> Srvc-Disabled Vet. <input type="checkbox"/> Veteran-Other	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Hispanic Origin <input type="checkbox"/> Not of Hispanic Origin
<i>*This data is collected for statistical purposes only and to monitor compliance with the Equal Credit Opportunity Act. It has no bearing on the credit decision. Disclosure is voluntary.</i>								
Have any of the parties listed in <b>Ownership</b> ever been charged with and or arrested for and or convicted of any criminal offense other than a minor motor vehicle violation, been in receivership or adjudicated a bankruptcy, been denied a business related license or had it revoked by any administrative, governmental, or regulatory agency, or are presently involved in any civil or criminal litigation or pending lawsuits? If yes, provide details on a separate sheet. Label it Exhibit # 1. <input type="checkbox"/> Yes <input type="checkbox"/> No								

## CERTIFICATION OF APPLICATION & CREDIT AUTHORIZATION

Certification: I/We hereby represent and certify that the foregoing information and the information contained within the attached exhibits, to the best of my knowledge, is (a) true, complete and accurately and fairly describes the proposed project for which financial assistance is sought; and (b) does not contain any information for which an entity competing with the applicant may claim a proprietary; and (c) that I authorize the Gateway Area Development District or its attorney to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness; and (d) that I understand that non-confidential information may be subject to public disclosure pursuant to the Federal Freedom of Information Act; and (e) that I agree to pay for or reimburse GADD and/or its attorneys for the cost of any surveys, title or mortgage examinations, appraisals, credit reports, etc., performed by non-GADD personnel at the loan closing provided I have given my consent; and (f) that I have read and received a copy of the "STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER" which was attached to this application and my signature represents my agreement to comply with the approval of my loan request and to comply, whenever applicable, with the hazard insurance, lead-based paint, civil rights or other limitations in this notice.

I/We further understand that completed applications for financing are reviewed and considered on a first-come, first-served basis and that approved financing is subject to the availability of funds.

I hereby authorize the Gateway Area Development District and/or its attorney(s) to conduct credit investigation and verifications and to obtain credit bureau reports (including consumer and/or business credit reports) on the undersigned and any other entity of which I am a principal.

In addition and notwithstanding anything to the contrary, I also expressly authorize the release of any financial/organizational information or data from third party sources (Banks, Financial Institutions, Insurance Companies, Attorneys, Accountants, Credit Unions, etc...) to the Gateway Area Development District upon its written or verbal request.

Each Proprietor, each General Partner, each Limited Partner, each Member or Stockholder, each Guarantor, and the spouse, when applicable, of each of these must sign. Each person should sign only once.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name & Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name & Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name & Title

**THE FOLLOWING EXHIBITS MUST BE COMPLETED WHERE APPLICABLE. ALL QUESTIONS ANSWERED ARE MADE A PART OF THE APPLICATION. ALL EXHIBITS SHOULD BE SIGNED AND DATED.**

For all loans from Gateway Area Development District please submit one original copy of the application and all Exhibits along with a **\$100 non-refundable application fee** to: GADD; 110 Lake Park Dr.; Morehead, KY 40351; or Fax: (606) 780-0111.

- Each person listed in the Ownership section of this application should complete GADD Form SPH (Statement of Personal History) and provide details of any arrests, convictions, bankruptcies, or pending lawsuits; include dates, location, fines, sentences, whether a misdemeanor or felony, dates of parole/probation, settlement details, and any other pertinent information. Label it **Exhibit # 1**
- Furnish a signed current personal balance sheet (GADD Form PFS may be used for this purpose) for each stockholder partner, officer, and owner. Include the assets and liabilities of the spouse and any close relatives living in the household. Label it **Exhibit # 2**.
- Please provide an itemized list of collateral that contains serial and identification numbers for all articles that had an original value of greater than \$5,000. Include a legal description of Real Estate offered as collateral. (GADD Form SOC may be used as this list) Label it **Exhibit # 3**.
- Include the financial statements listed below for the last three years; also include current (within 90 days) statements. Label it **Exhibit # 4**.
  - a. Balance Sheet
  - b. Profit and Loss Statement (if not available, explain why and substitute Federal income tax forms)
  - c. Reconciliation of Net Worth.
  - d. Cash Flow Statement
  - e. Aging of Accounts Receivable and Payable (summary)
  - f. Projection of earnings for at least two years where financial statements for the last three years are unavailable or when GADD requests them. PROVIDE AN EXPLANATION OF THE ASSUMPTIONS USED FOR THE PROJECTIONS.
- Provide a formal business plan that includes a brief history and a comprehensive overview of the applicant business, a list of the applicant's major competitors and customers, and a paragraph describing the expected benefits it will receive from the loan. Label it **Exhibit # 5**.
- Provide a resume or brief description similar to a resume of the education, technical and business background for all the people listed under Ownership. Label it **Exhibit # 6**.
- Submit the name, addresses, tax I.D. number (EIN or SSN), and current personal balance sheet(s) of any co-signers and/or guarantors for the loan who are not otherwise affiliated with the business, if applicable. **Exhibit # 7**.
- Include a list of any machinery or equipment or other non-real estate assets to be purchased with loan proceeds and the cost of each item as quoted by the seller along with a letter stating the useful life of each item. Include the seller's name and address, if applicable. **Exhibit # 8**.
- Provide a copy of an appraisal on the building and/or real estate being purchased. Label this **Exhibit # 9**.
- Environmental Questionnaire to determine if a Phase I Environmental Study needs to be completed. If a study has been completed by the bank, please provide a copy. If a study will be done, please provide any information available regarding this study. Label this **Exhibit # 10**.
- Letter(s) of commitment from participating bank(s) showing loan terms and conditions of and each letter should state that the loan would not have been possible without participation from the Gateway Area Development District. Label this **Exhibit # 11**.
- Do you or your spouse or any member of your household, or anyone who owns, manages, or directs your business or their spouses or members of their households 1) work for the Gateway Area Development District, any local government entity within Bath, Menifee, Montgomery, Morgan, or Rowan counties, or the primary participating lender; or 2) is related by blood, marriage, law, or business arrangement to any officer or employee of the GADD or any member of the GADD Board of Directors, or any member of the GADD Loan Review Committee? If so, please provide the name, address, and telephone number of the person(s), a description of the relationship, and the office where employed. Label this **Exhibit # 12**. Yes  No

SUBMIT COMPLETED APPLICATION TO:  
GATEWAY AREA DEVELOPMENT DISTRICT, 110 Lake Park Dr., Morehead, KY 40351. Phone: (606) 780-0090 Fax: (606) 780-0111

## PLEASE READ, DETACH, AND RETAIN FOR YOUR RECORDS

### STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER

#### **Civil Rights Legislation**

All businesses receiving Gateway Area Development District (GADD) financial assistance must agree not to discriminate in any business practice, including employment practices and services to the public, on the basis of race, color, national origin, handicap, age, religion, or sex. This includes making their goods and services available to handicapped clients or customers. All business borrowers will be required to display an "Equal Employment Opportunity Poster".

#### **Non-Relocation (13 CFR §§ 316.3)**

GADD financial assistance will not be used to assist employers who transfer jobs from one commuting area to another. A commuting area ("area") is that area defined by the distance people travel to work in the locality of the project receiving GADD financial assistance. The applicant's project location must be within the eligible project area (Bath, Menifee, Montgomery, Morgan, or Rowan counties). The loan will be recalled if the project activity is moved from the area. The non-relocation requirements stated shall not apply to businesses which:

- Relocated to the area prior to the date of the applicant's request for GADD assistance;
- Have moved or will move into the area primarily for reasons which have no connection to the GADD assistance;
- Will expand employment in the area where the project is to be located substantially beyond employment in the area in which the business had originally been located;
- Are relocating from technologically obsolete facilities to be competitive; or
- Are expanding into the new area by adding a branch, affiliate, or subsidiary while maintaining employment levels in the old area or areas

#### **Davis-Bacon Act (40 U.S.C. 276a - 276a-5)**

The Davis-Bacon Act, as amended, requires that each contract over \$2,000 to which the Gateway Area Development District is a party for the construction, alteration, or repair of public buildings or public works shall contain a clause setting forth the minimum wages to be paid to various classes of laborers and mechanics employed under the contract. Under the provisions of the Act, contractors or their subcontractors are to pay workers employed directly upon the site of the work no less than the locally prevailing wages and fringe benefits paid on projects of a similar character.

#### **Freedom of Information Act (5 U.S.C. 552)**

This law provides, with some exceptions, that the GADD must supply information reflected in agency files and records to a person requesting it. Information about approved loans that will be automatically released includes, among other things, statistics on our loan programs (individual borrowers are not identified in the statistics) and other information such as the names of the borrowers (and their officers, directors, stockholders or partners), the collateral pledged to secure the loan, the amount of the loan, its purpose in general terms and the maturity. Proprietary data on a borrower would not routinely be made available to third parties. All requests under this Act are to be addressed to the GADD office and be identified as a Freedom of Information request.

#### **Flood Disaster Protection Act (42 U.S.C. 4011)**

Regulations have been issued by the Federal Insurance Administration (FIA) that prohibits GADD from making certain loans in an FIA designated floodplain unless Federal flood insurance is purchased as a condition of the loan. Failure to maintain the required level of flood insurance makes the applicant ineligible for any future financial assistance from the GADD.

#### **Executive Orders – Floodplain Management and Wetland Protection (42 F.R. 26951 and 42 F.R. 26961)**

The GADD discourages any settlement in or development of a floodplain or a wetland. This statement is to notify all GADD loan applicants that such actions are hazardous to both life and property and should be avoided. The additional cost of flood preventive construction must be considered in addition to the possible loss of all assets and investments in future floods.

#### **Occupational Safety and Health Act (15 U.S.C. 651 et seq.)**

This legislation authorizes the Occupational Safety and Health Administration in the Department of Labor to require businesses to modify facilities and procedures to protect employees or pay penalty fees. In some instances the business can be forced to cease operations or be prevented from starting operations in a new facility. Therefore, in some instances GADD may require additional information from an applicant to determine whether the business will be in compliance with OSHA regulations and allowed to operate its facility after the loan is approved and disbursed. Signing this form as borrower is a certification that the OSA requirements that apply to the borrower's business have been determined and the borrower to the best of its knowledge is in compliance.

#### **Equal Credit Opportunity Act (15 U.S.C. 1691)**

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status or age (provided that the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program, or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is the Federal Trade Commission, Equal Credit Opportunity, Washington, D.C. 20580.

**Environmental Protection** (13 CFR §§ 316.1)

The GADD will administer its loan programs in a manner that will result in effective enforcement of the Clean Air Act, the Federal Water Pollution Act and other environmental protection legislation. To ensure proper compliance the GADD requires applicants to comply with the following:

1. The National Environmental Policy Act of 1969 (42 U.S.C. S 4321 et. seq.) and 24 CFR Part 58, and in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 468), Executive Order 11593, and the Preservation of Archeological and Historical Data Act of 1974, by:
  - a. Consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the proposed activity; and
  - b. Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.
2. Clean Air Act, Pub. L. 88-206 as amended, 42 U.S.C. 7401 et. seq.;
3. Clean Water Act (Federal Water Pollution Control Act), c. 758, 62 Stat. 1152 as amended, 33 U.S.C. 1251 et. seq.;
4. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), Pub. L. 96-510, as amended, 42 U.S.C. 9601 et. seq. and the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99-499, as amended;
5. Resource Conservation and Recovery Act of 1976, Pub.L. 94-580 as amended, 42 U.S.C. 6901 et seq.;
6. Historical and Archeological Data Preservation Act, Pub. L. 86-523, as amended, 16 U.S.C. Sec. 469a-1 et. seq.;
7. Endangered Species Act of 1973, Pub. L. 93-205, as amended, 16 U.S.C. Sec. 1531 et. seq.;
8. Coastal Zone Management Act of 1972, Pub. L. 92-583, as amended, 16 U.S.C. Sec. 1451 et. seq.;
9. Flood Disaster Protection Act of 1973, Pub. L. 93-234, as amended, 42 U.S.C. Sec. 4002 et seq.;
10. Safe Drinking Water Act of 1974, Pub. L. 92-523, as amended, 42 U.S.C. Sec. 300f-j26;
11. Wild and Scenic Rivers Act, Pub. L. 90-542, as amended, 16 U.S.C. Sec. 1271 et seq.;
12. Environmental Justice in Minority Populations and Low-Income Populations Executive Order 12898 (February 11, 1994);
13. Farmland Protection Policy Act, Pub. L. 97-98, as amended, 7 U.S.C. Sec. 4201 et seq.
14. Section 202(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106) as it relates to the mandatory purchase of flood insurance for identified special flood hazard areas;
15. The Endangered Species Act of 1973, as amended;
16. The Fish and Wildlife Coordination Act of 1958, as amended;
17. The Wild and Scenic Rivers Act of 1968, as amended;
18. The Safe Drinking Water Act of 1974, as amended;
19. The Clean Air Act of 1970, as amended;
20. The Federal Water Pollution Control Act of 1972, as amended;
21. The Clean Water Act of 1977, as amended; and
22. The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and subsequent amendments.

**Debt Collection Act of 1982 Deficit Reduction Act of 1984** (31 U.S.C. 3701 et seq. and other titles)

These laws require GADD to aggressively collect any loan payments that become delinquent. GADD must obtain your taxpayer identification number when you apply for a loan. If you receive a loan, and do not make payments as they come due, GADD may take one or more of the following actions:

- Report the status of your loan(s) to credit bureaus
- Hire a collection agency to collect your loan
- Refer your loan to attorneys for litigation
- Foreclose on collateral or take other action permitted in the loan instruments.

**Lead-Based Paint Poisoning Prevention Act** (42 U.S.C. 4821 et seq.)

Borrowers using GADD funds for the construction or rehabilitation of a residential structure are prohibited from using lead-based paint on all interior surfaces, whether accessible or not, and exterior surfaces, such as stairs, decks, porches, railings, windows and doors, which are readily accessible to children under 7 years of age. A "residential structure" is any home, apartment, hotel, motel, orphanage, boarding school, dormitory, day care center, extended care facility, college or other school housing, hospital, group practice or community facility and all other residential or institutional structures where persons reside.

**Kentucky Open Records Act** (KRS 61.870 – 61.884)

This legislation requires GADD to make information provided by borrowers available for public disclosure to the extent required by law pursuant to any request made pursuant to the Kentucky Open Records Act, Chapter 61 of the Kentucky Revised Statutes. Notwithstanding the above, except as otherwise agreed to be the applicant in writing, no confidential or proprietary information shall be disclosed if properly excluded from disclosure under KRS 61.878 (as determined by the GADD Staff, the Kentucky Attorney General, or court of competent jurisdiction).