

# Coronavirus Relief Resources for US Business Owners

As of March 25, 2020



# Phase III: Coronavirus Aid, Relief and Economic Security Act (the "CARES Act")

Below is a summary of key details related to business owner relief as part of "Phase III." Many details are yet to be finalized.

Type:	Small Business Interruption Loans (i.e., forgivable loans related to COVID-19)	
Eligibility	Businesses & nonprofits except those with Medicaid funds and <ul style="list-style-type: none"> <li>with <b>fewer than 500 employees</b> (subject to the limited exceptions); or</li> <li>that meet the Small Business Administration's ("SBA") industry-based "size standard" requirements for the applicable NAICS code (based either on number of employees or annual receipts)</li> </ul>	Must have been " <b>substantially affected by COVID-19</b> ," which are described as: <ul style="list-style-type: none"> <li>supply chain disruptions</li> <li>staffing challenges;</li> <li>a decrease in sales or customers; or</li> <li>shuttered businesses</li> </ul>
Loan Duration & Amount	With a <b>maximum maturity of 10 years</b> , the amount to be the <b>lesser of (a) \$10 million</b> or (b) <b>2.5 multiplied by the average total monthly payments by the applicant</b> for payroll, mortgage payments, rent payments, and payments on any other debt obligations incurred during the 1 year period before the date on which the loan is made. Note (b) above is different for newer companies or those with seasonal employees	
Allowable Use	<ul style="list-style-type: none"> <li><b>Payroll support</b>, including paid sick, medical, or family leave, and costs related to the continuation of group health care benefits during those periods of leave;</li> <li>Employee <b>salaries</b>;</li> <li><b>Mortgage payments</b>;</li> </ul>	<ul style="list-style-type: none"> <li><b>Rent</b> (including rent under a lease agreement);</li> <li><b>Utilities</b>; and</li> <li>Any <b>other debt obligations</b> that were incurred before the covered period.</li> </ul>
Loan Forgiveness	An eligible recipient shall be <b>eligible for forgiveness of indebtedness in an amount equal to the cost of maintaining payroll continuity and other allowable costs during the covered period (8 weeks from loan origination)</b> . The borrower shall submit to the lender an application, which shall include documentation verifying the number of full-time equivalent employees on payroll and the other costs included in "Allowable Use:" <ul style="list-style-type: none"> <li>payroll tax filings reported to the Internal Revenue Service;</li> </ul>	<ul style="list-style-type: none"> <li>state income, payroll, and unemployment insurance filings;</li> <li>financial statements verifying payment on debt obligations incurred before the covered period; and</li> <li>any other necessary documentation to be determined</li> </ul> The amount of any loan forgiveness will be <b>reduced by any reductions in employee wages</b> (in excess of 25% for any employee) or a <b>reduction in the number of employees</b> during the covered period.
Taxability	Canceled indebtedness under this section shall be <b>excluded from gross income</b>	
Other Terms	Rates, underwriting standards and other terms & conditions are to be determined	



Source: Congress.gov

Neither UBS Financial Services Inc. nor any of its employees provide tax or legal advice. You should consult with your personal tax or legal advisor regarding your personal circumstances.

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Type:	Credit Support for Other Affected Businesses (other than Small Businesses)
Eligibility	<ul style="list-style-type: none"> <li>The Secretary of the Treasury (the "Secretary") is <b>given discretion to determine which businesses will be beneficiaries</b> of the credit support but likely to include businesses that would otherwise not qualify for the Small Business Interruption Loans assistance (e.g., with more than 500 employees)</li> <li>The Secretary will be authorized to <b>make loans, guarantees and other investments</b> (e.g., an equity stake or warrants) in support of eligible businesses as well as states and municipalities not to exceed \$500 billion.</li> </ul>
Loan Amount and Terms	Maturity <b>not to exceed 5 years</b> . The Secretary is given similar discretion on determining the terms related to rates, underwriting and other terms & conditions.
Compensation Limits	<p>Businesses that receive loans or guarantees under this provision will be required to <b>agree to certain caps on compensation and severance payments for employees whose compensation exceeded \$425,000</b> in the 2019 calendar year. Employees with compensation exceed \$425,000 will be capped at the 2019 levels and any severance pay is not to exceed twice the maximum compensation received in 2019.</p> <p><b>These caps will be in place for the period while the loan is outstanding plus an additional 12 months.</b></p>
Buybacks & Dividends	Companies <b>may not conduct stock buybacks nor provide dividends nor capital distributions</b> to investors while the loan is outstanding plus an additional 12 months
Employment Levels	Until September 30, 2020, companies are to <b>maintain levels of employment</b> on March 24, 2020 to extent practical and in no case will it reduce employment by more than 10%



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# SBA Economic Injury Disaster Loan Program

"Phase II" relief for business owners. Please note that this program is different than the program in "Phase III" and that participating in this program may make the borrower ineligible for participating in the "Phase III" program

Loan size:	Up to \$2,000,000
Who is eligible:	Small businesses and non-profits affected by the coronavirus in presidential and <a href="#">SBA-declared disaster areas</a> ( <i>list is updated regularly</i> )
Interest rate:	2.75% for nonprofits 3.75% for small businesses
Term length:	Will vary, but up to 30 years
Usage:	Accounts payable, fixed debts, payroll, and other bills due to the virus
What you'll need to provide	Supporting documentation could include the business's most recent tax returns, a personal financial statement and a schedule of liabilities that lists all your current debts
More information	<a href="https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources">https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources</a>
How to apply	Apply directly to the SBA @ <a href="https://disasterloan.sba.gov/ela/">https://disasterloan.sba.gov/ela/</a> selecting Economic Injury as your reason. Alternatively, call SBA disaster assistance customer service center at 1-800-659-2955 (TTY: 1-800-877-8339) or e-mail <a href="mailto:disastercustomerservice@sba.gov">disastercustomerservice@sba.gov</a> .
Note	These loans are issued by the government and <i>not</i> UBS Financial Services Inc., its affiliates or other banks. While interest rates are low and terms may be favorable, it is possible that the application process may take considerable time as details are not yet finalized. Some business owners may wish to seek traditional SBA "7(a)" loans <sup>1</sup> at higher rates to potentially receive funding faster.



# Additional Relief Programs

Program	Description
Income Tax Filing & Payment	<p>The federal tax return filing deadline is now July 15, 2020 for up to \$10 million*</p> <p>Check your state and local tax agencies as well as several states have aligned their deadlines</p>
State and Local Relief Programs	<p>Several local jurisdictions are supporting small businesses with loans, grants, or deferment of collection of taxes and fees. <a href="#">Forbes</a> and <a href="#">Inc</a> have evolving listings of local programs**</p>
"Phase II" Coronavirus Stimulus: Families First Coronavirus Response Act	<ul style="list-style-type: none"> <li>• Tax credits for businesses with fewer than 500 employees to cover:               <ul style="list-style-type: none"> <li>– Two weeks of paid sick leave for employees who have been quarantined, have a sick family member, or have been affected by school closings.</li> <li>– Up to three months of paid family and medical leave amounting to no less than two-thirds of regular pay for those employees listed above.</li> </ul> </li> <li>• The option for the Labor Department to exempt businesses with fewer than 50 employees from abiding by the paid leave mandate, if the Labor Department decides the new law could pose an existential threat to the company.</li> </ul>
"Phase III" Coronavirus Stimulus	<p><b>More than \$1 Trillion in spending, tax benefits, loans, and other aid to businesses in aggregate; \$2 Trillion in overall relief.</b></p> <p><b>Delay of payment of Employer Payroll Taxes</b></p> <ul style="list-style-type: none"> <li>• Payroll taxes due to the IRS through the end of 2020 can be deferred with 50% of those deferred payments due by December 31, 2021 and the remaining 50% due by December 31, 2022</li> <li>• Taxpayers that had indebtedness forgiven under the CARES Act are excluded from this benefit</li> </ul> <p><b>Changes to Net Operating Loss Rules to use losses today against past profits to claim refunds</b></p> <ul style="list-style-type: none"> <li>• The Act temporarily reverses changes to how net operating losses can be carried back.</li> <li>• Losses from 2018, 2019 and 2020 will be permitted to be carried back for up to five years (or forego the carryback and instead carry the loss forward) for 2019 and 2020 income</li> </ul>

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