

Offices in Washington, DC Maryland Virginia West Virginia

T: 202-310-5500 F: 202-310-5555 carrmaloney.com

## **Small Business Administration's Paycheck Protection Program** By Tina M. Maiolo, Esq.

With support from the Department of Treasury, the Small Business Administration is implementing the Paycheck Protection Program. The Paycheck Protection Program provides small businesses with funds to pay up to 8 weeks of payroll costs including benefits. Funds can also be used to pay interest on mortgages, rent, and utilities. The funds are provided in the form of loans that will be fully forgiven when used for payroll costs, interest on mortgages, rent, and utilities (due to likely high subscription, at least 75% of the forgiven amount must have been used for payroll). Loan payments will also be deferred for six months. No collateral or personal guarantees are required. Neither the government nor lenders will charge small businesses any fees.

Forgiveness is based on the employer maintaining or quickly rehiring employees and maintaining salary levels. Forgiveness will be reduced if full-time headcount declines, or if salaries and wages decrease. All small businesses with 500 or fewer employees—including nonprofits, veterans organizations, tribal concerns, self-employed individuals, sole proprietorships, and independent contractors— are eligible. Businesses with more than 500 employees are eligible in certain industries.

Small businesses and sole proprietorships can start to apply on Friday, April 3, 2020. Starting April 10, 2020, independent contractors and self-employed individuals can apply. Employers are encouraged to apply as quickly as able because there is a funding cap. Eligible employers can apply through any existing SBA 7(a) lender or through any federally insured depository institution, federally insured credit union, and Farm Credit System institution that is participating. All loans will have the same terms regardless of lender or borrower. A list of participating lenders as well as additional information and full terms can be found at <u>www.sba.gov</u>.