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March 4, 2021

New Rules for Sole Proprietors

JUST RELEASED ON MARCH 3 SBA has released new rules for gross income that apply to eligibility calculations for Schedule C filers.

> IFR: Paycheck Protection Program – Revisions to Loan Amount Calculation and Eligibility published March 3.

Important Note: Only loans that the SBA accepts going forward from March 3rd will be eligible for the increased amount. Any loans made prior to that point in time must follow the previous rules.

Loan Capping: All Schedule C filers remain capped at a maximum loan amount of \$20,833 based on the requirement under the PPP of average payroll not exceeding \$100,000 per year.

Safe Harbor: If \$150,000 in gross income on Schedule C the borrower will not automatically be qualified for the good faith safe harbor condition, and the borrower may be subject to a review by SBA of its certification.

A new 2483-C for sole proprietors is now released

Independent contractor					DBA or Tradename (if applicable)					Year of Establishment (if applicable)		
Self-employed individual Business Legal Name					NAICS Code					Applicant (including affiliates, if applicable) Meets Size Standard (chec		
										employed location"		employees (or 300 ple) unless "per pplies standards
Business Address (Street, City, State, Zip Code - No P.O. Box addresses allowed)					Business TIN (EIN, SSN, ITIN)				ŋ	Business Phone		
					P	rimary	Con	tact			Email A	ddress
Total Amount of Gross Income (from IRS Form 1040, Schedule C, Line 7)					Tax Year Used for Gross Income					Number of Employees (including owners):		
(Irolin IRS Form 1040, Schedule C, Line 7)					2019 2020					(menuaning	orneraj.	
If you do not have any e	nplovees (ot)	er than ow	ners), comple									
A. Your gross income B. Divide			A by	by 12 (if \$8,333.33, \$				x 2.5 + EIDL (Do Not Include Any EIDL Advance) equals Loan Request Amount:		EIDL uals Loan	s	
If you have employees (o A. Your 2019 or 2020 I Form 1040, Schedule C line 7 amount, minus th sum of line 14, line 19, line 26:	RS , ic \$	S B. Divide			\$8,333.33, \$ Pa				Pay	Average Monthly ayroll for Employees ot including owners)		s
Add B and C:	s					x 2.5 + EIDL (Do Not Include Any Advance) equals Loan Request An						
Purpose of the loan (select all that	proprietor business c	Payroll Costs (including proprietor expenses, equal to business expenses plus owner compensation)			Rent / Mortgage Interest			Utilities			Covered Operations Expenditures	
apply):		Covered Property			Covered Supplier Costs			Covered Work Protection Expense				
List all owners of 20% or	more of the e	guity of the			Owner		fneo	essary.				
Owner Name			Title				% TIN (EIN, SS ITIN)		SN,	N, Add		iress
		_		_			T		_			





SBA Application Processing Updates

New IFR Explained

Interim Final Rule Updates Coming to BFP

Business Loan Program Temporary Changes; Paycheck Protection Program – Revisions to Loan Amount Calculation and Eligibility

- Schedule C filer may elect to calculate the owner compensation share of its payroll costs—that is, the share of its payroll costs that represents compensation of the owner based on either (1) net profit or (2) gross income, as calculated under the rule below.
 - Note: Gross income is the amount the borrower reports on line 7 of Schedule C.
- If a Schedule C filer has no employees, the borrower may elect simply to calculate its loan amount based on either net profit or gross income.
- If a Schedule C filer has employees, the borrower may elect to calculate the owner compensation share of its payroll costs based on either (i) net profit or (ii) gross income minus expenses reported on lines 14 (employee benefit programs), 19 (pension and profit-sharing plans), and 26 (wages (less employment credits)) of IRS Form 1040, Schedule C.

Newly released IFR (issued on 3.3)

SMALL BUSINESS ADMINISTRATION 13 CFR Part 120 [Docket Number SBA-2021-0010] RIN 3245-AH67 Business Loan Program Temporary Changes; Paycheck Protection Program -Revisions to Loan Amount Calculation and Eligibility AGENCY: U.S. Small Business Administration ACTION: Interim final rule SUMMARY: This interim final rule implements changes related to loans made under the Paycheck Protection Program (PPP), which was originally established under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to provide economic relief to small businesses nationwide adversely impacted by the Coronavirus Disease 2019 (COVID-19) On December 27, 2020, the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Economic Aid Act) was enacted, extending the authority to make PPP loans through March 31, 2021, revising certain PPP requirements, and permitting second draw PPI loans. This interim final rule allows individuals who file an IRS Form 1040, Schedule C to calculate their maximum loan amount using gross income, removes the eligibility restriction that prevents businesses with owners who have non-financial fraud felony convictions in the last year from obtaining PPP loans, and removes the eligibility restriction that prevents businesses with owners who are delinquent or in default on their Federal student loans from obtaining PPP loans



Sole Proprietor Updates Coming to BFP



IMPORTANT NOTE: Schedule C rule changes are only applicable for loans submitted from the date of implementation onwards and will not apply retroactively to applications already submitted via the Portal (or by clients directly). Modifications must involve a full withdrawal and subsequent submission of a brand-new loan application to meet the new rules and to leverage the new forms. **Expected Processing Time: 2-3 weeks.**

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Work In Progress: Schedule C Rules

For Illustrative Purposes Only	You're Applying for the Paycheck Protection Program 5% complete Eligibility Business info Ownership Gov't Declarations Sign
Special Conditions (Optional) you can only select one option This business is a sole proprietorship and will use gross income instead of This business is a farm or ranch according to the Economic Aid Act	f net profit ? NEW OPTION we can use the right eligibility checks for your possible speeds up your processing time. Was your business in operation on February 15, 2020? Yes No
Daycoll Details The Paycheck Protection Program is open to businesses that meet the SBA's small business criteria and who need the funding to keep their employees on payroll during the COVID-19 pandemic. The details you provide here are used to verify your eligibility for the program according to government rules. Inter values based on the full time period of your choosing: Choose Choose <t< th=""><th>our busin hs r busines USING GROSS INCOME TO CALCULATE ELIGIBLE AMOUNT By continuing you confirm that this business is a sole proprietorship that files IRS Form 1040 Schedule C. Please know that SBA rules state that borrowers who elect to use gross income to calculate their loan amount and who reported more than \$150,000 in gross income on their Schedule C are not covered by the ordinary safe harbor condition and may be subject to a review by SBA of their certification that the loan is necessary to continue business operations. Image: Ima</th></t<>	our busin hs r busines USING GROSS INCOME TO CALCULATE ELIGIBLE AMOUNT By continuing you confirm that this business is a sole proprietorship that files IRS Form 1040 Schedule C. Please know that SBA rules state that borrowers who elect to use gross income to calculate their loan amount and who reported more than \$150,000 in gross income on their Schedule C are not covered by the ordinary safe harbor condition and may be subject to a review by SBA of their certification that the loan is necessary to continue business operations. Image: Ima

Work In Progress: Other Key Changes

Business Loan Program Temporary Changes; Paycheck Protection Program – Further Rules Changes Under New IFR

- Changes to Government Required Declarations and
 Borrower Certifications
- E-Signature for Newly Released Versions of SBA 2483 and SBA 2483-SD (in addition to new Schedule C version)
- PPP Forgiveness Rules Changes that are to be implemented based on the new IFR conditions

Implementation Process

New Features Cannot Be Immediately Launched

Development of new features requires engineering time and thorough testing to ensure reliability and usability.

Expect some processing delays relating to the SBA API as it must be updated following the release of the IFR

