

## **Illinois Back to Business New Business Grant Program Applicant Certifications**

In connection with the Back to Business New Business Grant Program (the “B2B NewBiz Program”) administered by B.S.D. Capital, Inc. dba Lendistry (“Lendistry”), on behalf of the Illinois Department of Commerce and Economic Opportunity (the “Department”), the Department’s designated intermediary under the B2B NewBiz Program, the undersigned, constituting an authorized representative of the below-referenced applicant business (the “Applicant”), acknowledges and agrees on behalf of the Applicant that the Department and Lendistry each may rely on the below certifications in determining the Applicant’s eligibility for receipt of a grant under the B2B NewBiz Program. This attestation is for application purposes only. Eligibility for the B2B NewBiz Program does not guarantee grant funding from the B2B NewBiz Program.

Please initial next to each of the provisions below. If the Applicant does not attest to each provision below, then the application for the B2B NewBiz Program shall be considered incomplete and, therefore, shall not be considered for grant funding.

\_\_\_\_\_ 1. The Applicant acknowledges and agrees that if (i) any of the following certifications are untrue, (ii) the Applicant knowingly makes any false or misleading statement or material omission in the information or materials required or requested from the Applicant, or (iii) the Applicant uses any funds for any unauthorized purpose, the Department and/or Lendistry may require the repayment of funds and/or subject the Applicant to other legal and/or equitable remedies.

\_\_\_\_\_ 2. The undersigned signatory is a duly authorized representative of the Applicant, meaning the undersigned satisfies the following criteria: (i) is an individual no less than eighteen (18) years old; (ii) is one of the following: (a) if the Applicant is a for-profit business, an individual with at least ten percent (10%) of the ownership interest in the Applicant business or a duly appointed officer of the corporation as registered with the Illinois Secretary of State; or (b) if the Applicant is a non-profit organization, a duly appointed officer or director of the organization as registered with the Illinois Secretary of State; and (iii) has full authority to make the certifications referenced herein on the Applicant’s behalf.

\_\_\_\_\_ 3. The Applicant meets all B2B NewBiz Program eligibility requirements, including that Applicant began operations between January 1, 2020, and December 31, 2021, inclusive.

\_\_\_\_\_ 4. The Applicant is either (i) an independently owned and operated for-profit corporation or limited liability corporation, partnership, or sole proprietorship authorized to conduct business in the State of Illinois; or (ii) a nonprofit operating in Illinois and registered with the Internal Revenue Service as a 501(c) organization.

\_\_\_\_\_ 5. The Applicant either: (i) operates in a priority industry, as defined in B2B NewBiz Program guidelines, and incurred (a) operating expenses during a period of business closure, (b) COVID-related expenses, and/or (c) decline in revenue due to COVID, in excess of the amount of grant funds Applicant would be awarded if otherwise eligible for a grant under the B2B NewBiz Program; or (ii) was founded and is currently majority owned by an individual or individuals that became eligible for and received unemployment insurance benefits—including from Pandemic Unemployment Assistance—between March 13, 2020, and the date the business began operations.

\_\_\_\_\_ 6. The Applicant had between \$25,000 and \$20 million in gross operating revenue in calendar year 2021, or a pro-rated amount if operations began starting in 2021.

\_\_\_\_\_ 7. The Applicant is not in one or more of the following categories of businesses that are ineligible for the B2B NewBiz Program:

- A. independent contractors or freelance workers that do not operate a sole proprietorship;
- B. recipients of an Illinois Business Interruption Grant (BIG), Back to Business (B2B) Grant issued prior to 2023, Shuttered Venue Operators Grant (SVOG), or Restaurant Revitalization Fund Grant (RRF);
- C. businesses that primarily provide child care that have received and/or are registered for Child Care Restoration Grants;
- D. businesses primarily engaged in administration of COVID-19 tests or COVID-19 vaccine distribution;
- E. private clubs or businesses that limits membership for reasons other than capacity;
- F. businesses primarily engaged in speculative activities that develop profits from fluctuations in price rather than through normal course of trade;
- G. businesses that earns more than a quarter of its annual net revenue from lending activities, unless the business is a non-bank or non-bank holding company certified as a Community Development Financial Institution (CDFI);
- H. businesses that derives at least 33% of its gross annual revenue from legal gambling activities;
- I. businesses engaged in pyramid sales, where a participant's primary incentive is based on the sales made by an ever-increasing number of participants;
- J. businesses engaged in activities that are prohibited by federal law or applicable law in the jurisdiction where the business is located or conducted (including the production, servicing, or distribution of otherwise legal products that are to be used in connection with an illegal activity, such as selling drug paraphernalia or operating a motel that knowingly permits illegal prostitution);
- K. businesses principally engaged in teaching, instructing, counseling, or indoctrinating religion or religious beliefs, whether in a religious or secular setting;
- L. government-owned business entities (except for businesses owned or controlled by a Native American tribe);
- M. businesses primarily engaged in political or lobbying activities;
- N. businesses that manufactures or sells at wholesale, tobacco products, liquor or that manufactures or sells firearms at wholesale or retail;
- O. night clubs or strip clubs;
- P. pawn shops;
- Q. liquor stores;
- R. establishments similar to any enumerated above; or
- S. businesses in which a majority owner has a financial or familial connection to a director, principal shareholder or leadership member of the Department or Department's administrative partner under the B2B NewBiz Program.

\_\_\_\_\_ 8. Any and all information provided by or on behalf of the Applicant, including without limitation the information contained in the Applicant’s grant application submitted for the B2B NewBiz Program and any and all information provided in support of Applicant’s grant application under the B2B NewBiz Program is true and accurate in all material respects.

\_\_\_\_\_ 9. The Applicant has no lawsuits, claims, suits, proceedings or investigations pending, to the knowledge of the Applicant and its authorized representative, threatened against or affecting the Applicant (or its officers and directors) in respect of the assets of the Applicant nor, to the knowledge of the Applicant and its authorized representative, is there any basis for any of the same, and there is no lawsuit, suit or proceeding pending in which the Applicant is the plaintiff or claimant which relates to the Applicant or its assets.

\_\_\_\_\_ 10. The Applicant has no action, suit or proceeding pending or, to the knowledge of the Applicant or its authorized representative, threatened which questions the legality or propriety of the transactions contemplated by this certification agreement in its entirety.

\_\_\_\_\_ 11. The Applicant is not aware of nor has it received any notice of any investigation conducted or charges, complaints or actions brought by the State of Illinois or any governmental body within the State of Illinois regarding the business or its officers and directors.

\_\_\_\_\_ 12. Neither the Applicant nor its owners with at least 10% equity within the Applicant, officers, or directors have received any notice that it or any of its officers or directors is the subject of any criminal investigations or charges.

\_\_\_\_\_ 13. The Applicant has complied with all relevant laws, regulations, and executive orders from the State and federal government, including the social distancing guidelines as promulgated by the Executive Orders of the Illinois Governor.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Applicant Business Name

\_\_\_\_\_  
EIN/SSN/ITIN

\_\_\_\_\_  
Applicant Business Address