## NFIB UPDATE

Weekly Briefing for Small Business

Matt Evans, CPA, CMA, CFM Beth Milito and Holly Wade, NFIB December 2, 2020 – PPP Loan Forgiveness: Step by Step with a CPA



## DISCLAIMER

- The materials and information provided in this webinar and on NFIB's website are for informational purposes only and not for the purpose of providing legal or tax advice. You should contact your attorney and/or tax professional to obtain advice with respect to any particular issue or problem.
- This is based on information available by 12/2/20.



## Agenda

Covid-19 Small Business Resources

Matt Evans, CPA, CMA, CFM

≻Q&A

## **NFIB Webinars**

### December 16: End-of-Year Covid-19 Wrap-Up Q&A with Beth Milito & Holly Wade

Join Beth and Holly as they answer questions about:

- PPP forgiveness, including the latest from banks on the timing of application and acceptance;
- Covid-19 updates and compliance resources for small business owners;
- Congressional outlook for 2021, including 2<sup>nd</sup> PPP and extended Covid-paid leave; and
- CDC updates and state mandates pertaining to Covid-19 and vaccine distribution.

### Send questions to info@nfib.org



### COVID-19 Resources

- PPP Loan Forgiveness Form 3508S Application Instructions
- PPP Loan Forgiveness Form 3508S Application

- PPP Loan Forgiveness Form 3508EZ Application Instructions
- PPP Loan Forgiveness Form 3508EZ Application
- PPP Loan Forgiveness Form 3508 Application Instructions
- PPP Loan Forgiveness Form 3508

- AICPA PPP Loan Forgiveness Calculator (updated 11/16/20)
- NFIB Coronavirus Resources (including webinar recordings)
- NFIB FFCRA Tax Credit Tip Sheet
- NFIB Covid-19 in the Workplace Tip Sheet



## **Economic Injury Disaster Loan**

## **\*\*SBA STILL ACCEPTING EIDL APPLICATIONS\*\***

The SBA's EIDLs provide working capital to help small businesses survive until normal operations resume after a disaster.

- Payroll costs, including benefits,
- Fixed debts (mortgage, rent, lease),
- Accounts payable,
- Other bills.

\*\*Apply for an EIDL <u>here</u>.\*\*



## **Covid-19 in the Workplace Tip Sheet**

NFIB has put together a <u>NEW tip sheet</u> to help employers navigate Covid-19 workplace issues:

- 1. Can I require employees with Covid-19 symptoms to stay home?
- 2. What should I do if an employee came to work and later tested positive?
- 3. Should I require a doctor's note or positive test result?
- 4. When can I allow a sick employee to return to work?
- 5. Can I require employees to be rested for Covid-19?





## **Covid-19 Paid Leave**

- The "Families First Coronavirus Response Act," (FFCRA) requires businesses with fewer than 500 employees to provide emergency paid sick leave and family leave.
- Employers receive a dollar-for-dollar credit for wages paid. Can take the credit under the FFCRA and get a PPP loan, but cannot count the same wages for both programs.
- FFCRA Poster (MANDATORY!!)
- Law expires 12/31/20.

NFIB



- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
   % for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,010 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at % for qualifying reason I below for up to \$250 dely and \$12,000 total.
- A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to wor over that particit.

#### • ELIGIBLE EMPLOYEES

In general, employees of philobe sector employees with Sever than 550 employees, and comain public sector employees, an eligible for up to be several of labor particity and shall beneve request may be eligible so up to an additional 30 everation of philobe philobe long into 66 and 97 of the labore encoded may be eligible for up to an additional 30 everation of partially pair do cannot for an emicical labore to reason 65 below.

#### QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to work, because the employee.

<ol> <li>Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li> </ol>	<ol> <li>is caring for his or her child whose school or place of care is closed (or child care provider is</li> </ol>
2. has been advised by a health care provider to	unavailable) due to COVID-19 related reasons; or
self-quarantine related to COVID-19;	6. is experiencing any other substantially-similar
<ol> <li>is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li> </ol>	condition specified by the U.S. Department of Health and Human Services.
<ol> <li>Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2).</li> </ol>	

#### ENFORCEMENT

The USL Department of Labor's Wage and Hour Division (MHD) has the actionity to investigate and enforce compliance with the FFCRA. Employees may not discharge, disclafera, or otherwise discriminate against any employee who buildly taking paid is kinen or engenetided funnity and neutral lower entities the FFCRA. Near comparison to institute a prostending under or related to this Art. Employees in violation of the provisions of the FFCRA will be subject to panafas

## **Covid-19 Paid Leave Summary**

	What employers does this apply to?	What is the required duration of leave?	What are qualifying reasons for taking leave?	What is the required wage replacement?*
Paid sick leave (PSL) Takes effect: April 1, 2020 Expires: December 31, 2020	<ul> <li>Private sector employers that have fewer than 500 employees</li> <li>An employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee</li> <li>*Small businesses with less than 50 employees may be exempted from providing paid leave for child care, if leave requirements would burden the business too much*</li> </ul>	<ul> <li>Two weeks of paid sick leave for full-time employees that meet leave eligibility requirements</li> <li>Part-time employee leave is based on the average hours they work</li> </ul>	<ol> <li>Government mandated COVID-19 quarantine or isolation order</li> <li>Health care provider advised self quarantine</li> <li>Experiencing symptoms &amp; seeking diagnosis</li> <li>Caring for quarantined individuals</li> <li>Caring for children who are at home due to COVID-19*</li> <li>Experiencing a similar condition as defined by HHS</li> </ol>	<ul> <li>If home due to reasons 1-3: Regular rate of pay, capped at \$511 daily and \$5,110 in the aggregate</li> <li>If home due to reasons 4-6: 2/3 of regular rate of pay, capped at \$200 daily and \$2,000 in the aggregate per employee</li> </ul>
Emergency Family and medical leave (EFML) Takes effect: April 1, 2020 Expires: December 31, 2020	<ul> <li>Private sector employers that have fewer than 500 employees</li> <li>An employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee</li> <li>Small businesses with less than 50 employees may be exempted if leave requirements would burden the business too much</li> </ul>	<ul> <li>Ten weeks of paid family and medical leave for full- time employees that have been with the company for at least a month</li> <li>Part-time employees are "eligible for leave for the number of hours that the employee is normally scheduled to work over that period"</li> </ul>	<ul> <li>Unable to work or telework because caring for child under 18 at home due to COVID-19 school/child-care closure</li> </ul>	<ul> <li>At least 2/3 of regular rate of pay, capped at \$200 daily and \$10,000 in the aggregate per employee</li> </ul>



## How to Claim Covid-19 Paid Leave Credit

- Employers that pay FFCRA leave wages can retain an amount of all federal employment taxes equal to the amount of the FFCRA leave wages paid, plus the qualified health plan expenses and the amount of the employer's share of Medicare tax imposed on those wages, rather than depositing them with the IRS.
- Employers can retain: federal income taxes withheld from employees, the employees' share of social security and Medicare taxes, and the employer's share of social security and Medicare taxes with respect to all employees.
- If the federal employment taxes yet to be deposited are not sufficient to cover the cost of qualified FFCRA leave wages, plus the qualified health plan expenses and the amount of the employer's share of Medicare tax imposed on those wages, the employer will be able file a request for an advance payment from the IRS using form 7200, Advance of Employer Credits due to COVID-19.
- Employers must retain records and documentation related to and supporting each employee's leave to substantiate the claim for the credits, as well retaining the Forms 941, Employer's Quarterly Federal Tax Return, and 7200, Advance of Employer Credits Due To COVID-19, and any other applicable filings made to the IRS requesting the credit.
- For more detail on the refundable tax credits and the procedures to receive payment of the advance credit, see <u>How to Claim the Credits</u>.



## **FFCRA Tax Credit Example**

The FFCRA credit reduces the amount of payroll taxes owed by the business, including employee income tax withholdings.

<u>Example</u>: Holly's Auto Shop pays \$5,000 of FFCRA sick leave to an employee. That business receives a \$5,000 tax credit for those wages paid.

- Employer has \$6,000 payroll tax deposit requirement. The business is only required to deposit \$1,000.
- Employer has \$4,000 payroll tax deposit requirement. The business can apply for a fast refund on <u>IRS Form 7200</u> of \$1,000



# PPP Loan Forgiveness Using Forms 3508-S and 3508-EZ

Presented by: Matt Evans Date: December 2, 2020



FOR THE LIFE OF YOUR BUSINESS

## About the Presenter



Matt Evans, CPA, CMA, CFM is a retired professional with 25+ years' experience as an accountant, controller, business analyst and project manager. As a SCORE Mentor, Matt provides practical advice to small businesses in areas such as strategic planning, product development, marketing, and financial planning.

### About SCORE – Service Corp Of Retired Executives:

- Free Service to Small Business Owners
- Extension of the Small Business Administration
- Over 10,000 Mentors nation-wide
- Visit <u>www.score.org</u> to learn more

Book a Zoom Session Online with Matt Evans:

https://score-silver-springlibrary.as.me/schedule.php



## Webinar Agenda

- 1. Form 3508 S (Self Employed)
- 2. Form 3508 EZ (Over \$ 50,000 Loan Amount)
- 3. When to File
- 4. Links to Forms and Instructions
- 5. PPP 2.0



Two Forms Cover 70%+ of all PPP Loans Issued

Loan Size	Loan Count	Net Dollars	% of Count
\$50K and Under	3,574,110	\$62,742,565,653	68.6%
>\$50K - \$100K	683,785	\$48,676,961,052	13.1%
>\$100K - \$150K	294,557	\$36,058,010,813	5.7%
>\$150K - \$350K	377,797	\$84,782,932,509	7.2%
>\$350K - \$1M	199,679	\$113,558,427,234	3.8%
>\$1M - \$2M	53,218	\$73,887,171,387	1.0%
>\$2M - \$5M	24,248	\$72,184,996,045	0.5%
>\$5M	4,734	\$33,121,136,431	0.1%



## PPP Loan Forgiveness – Three Forms

- 1. Three Forms: 1) Form 3508-S (\$ 50,000 or less), 2) Form 3508-EZ (Over \$ 50,000 and did not reduce payroll by more than 25%) and 3) Form 3508 (Over \$ 2 Million or reduced payroll by more than 25%)
- 2. If Self Employed, provide the bank with a copy of your final IRS Schedule C for 2019
- 3. If you have employees, provide the bank with **payroll reports**. For all expenses, it will help to validate your payments by providing **bank statements**. Tax related documents such as Quarterly 941 Reports can also support your payroll.
- 4. Include documentation that your business was operational as of February 15, 2020 evidence of expenses paid, lease agreement dated before 2-15-2020
- 5. Documentation shall be maintained for a period of six (6) years from the date of loan forgiveness.

NOTE: According to the Consumer Bankers Association, banks estimate that as many as 80% of forgiveness applications that have been submitted by small businesses are requiring additional follow-ups to reconcile errors or find missing information.

**KEY POINT**: Form + Schedule C\* (Self Employed) / Payroll Reports\* / Bank Statements\* / Tax Documents\* = Complete Package for PPP Loan Forgiveness \* third party independent documents are important



## Borrower vs. Bank - Responsibilities

### Borrower

"Providing an accurate calculation of payroll costs is the responsibility of the borrower, and the borrower attests to the accuracy of those calculations on the Borrower Application Form."

"A payroll statement or similar documentation from the pay period that covered February 15, 2020 must be provided to establish you were in operation on February 15, 2020."

"You must provide a 2020 invoice, bank statement, or book of record to establish you were in operation on or around February 15, 2020."

### Bank

"Lenders are expected to perform a good faith review, in a reasonable time, of the borrower's calculations and supporting documents concerning average monthly payroll cost. For example, minimal review of calculations based on a payroll report by a recognized third-party payroll processor would be reasonable. In addition, as the PPP Interim Final Rule indicates, lenders may rely on borrower representations, including with respect to amounts required to be excluded from payroll costs."



## Form 3508-S: \$ 50,000 or Less

# Almost every self employed person should be able to use Form 3508-S. If you have employees (payroll), you are exempt from payroll reductions



Paycheck Protection Program PPP Loan Forgiveness Application Form 3508S OMB Control No. 3245-0407 Expiration Date: 10/31/2020

### PPP LOAN FORGIVENESS APPLICATION FORM 35088 INSTRUCTIONS FOR BORROWERS

You (the Borrower) can apply for forgiveness of your Paycheck Protection Program (PPP) loan using this SBA Form 3508S only if the total PPP loan amount you received from your Lender was \$50,000 or less. However, a borrower that, together with its affiliates (see <u>85 FR 20817</u> (April 15, 2020) regarding application of SBA's affiliation rules and the exemption of otherwise qualified faith-based organizations from SBA's affiliation rules), received PPP loans totaling \$2 million or more cannot use this form. If you are not eligible to use this form, you must apply for forgiveness of your PPP loan using SBA Form 3508 or 3508EZ (or lender's equivalent form).

SBA Form 3508S requires fewer calculations and less documentation for eligible borrowers. Borrowers that use SBA Form 3508S are exempt from reductions in loan forgiveness amounts based on reductions in full-time equivalent (FTE) employees or in salaries or wages. SBA Form 3508S also does not require borrowers to show the calculations used to determine their loan forgiveness amount. However, SBA may request information and documents to review those calculations as part of its loan review process.

Complete this SBA Form 3508S in accordance with the instructions below, and **submit it to your Lender** (or the Lender that is servicing your loan). Borrowers may also complete this application electronically through their Lender.



## Form 3508-S – Very Simple and Fast

- Report the Loan Amount
- Report when funds were deposited to your account
- If you had employees, Head Count when you applied for the loan and when you applied for forgiveness
- Report EIDL Grant Amount But let the SBA deduct the amount for your final forgiveness

SBA PPP Loan Number:	Lender PPP Loan Number:
PPP Loan Amount: \$14,000.00	PPP Loan Disbursement Date: 8-6-2020
Employees at Time of Loan Application:	0 Employees at Time of Forgiveness Application: 0
EIDL Advance Amount: \$1,000.00	EIDL Application Number:
Forgiveness Amount: \$14,000.00	The Bank or the Borrower can ignore any calculations associated with the EIDL Loan Advance – SBA will validate and make this adjustment when it pays the Bank



## Form 3508-S Certifications

# When you sign and submit Form 3508-S, you agree that you have taken into account the following:

- If funds were used for payroll, then payroll is 60% or more of how the PPP Loan was used. NOTE: Most self employed people simply pay themselves a check – Owner Withdrawal payments over the 24 weeks.
- 2. The PPP Loan money was used for: Payroll, Rent, Utilities or Mortgage Interest
- 3. The self employed owner was not paid more than \$20,833 during the 168 day loan coverage period (\$100,000 / 12 x 2.5 = \$20,833)
- 4. For purposes of including non-payroll expenses, such expenses were incurred before February 15, 2020 by the business and paid in the name of the business
- 5. If you had someone on payroll, they were not paid (gross pay) more than \$46,154 (\$ 100,000 / 52 x 24 weeks) during the loan coverage period



## Self Employed – IRS Schedule C for 2019

Make sure you have a copy of your <u>final</u> Schedule C that you filed with the IRS for 2019 – this supports both the Loan and Forgiveness Amounts

If your PPP Loan was based on a "Preliminary" Schedule C, you may have to adjust the loan and forgiveness amount per the Final Schedule C filed with the IRS

Self Employed are NOT employees. There is no payroll. They simply take out a withdrawal of funds to cover their own personal expenses

Self Employed:

- Files IRS Schedule C with Tax Return
- Sole Proprietorship
- Single Member LLC
- Independent Contractor
- Farming Entity (IRS Schedule F)

Not Self Employed:

- S Corp (Employee) IRS Form 1120S
- C Corp (Employee) IRS Form 1120
- Partnership (Distribution) IRS Form 1065

See IRS Publication 334 for more information on Self Employed and Calculating Profits



## Form 3508 EZ: Over \$ 50,000

The Borrower is a self-employed individual, independent contractor, or sole proprietor who had no employees at the time of the PPP loan application and did not include any employee salaries in the computation of average monthly payroll in the Borrower Application Form (SBA Form 2483).
 Use Form 3508-S

The Borrower did not reduce annual salary or hourly wages of any employee by more than 25 percent during the Covered Period or the Alternative Payroll Covered Period (as defined below) compared to the period between January 1, 2020 and March 31, 2020 (for purposes of this statement, "employees" means only those employees that did not receive, during any single period during 2019, wages or salary at an annualized rate of pay in an amount more than \$100,000);

### AND

The Borrower did not reduce the number of employees or the average paid hours of employees between January 1, 2020 and the end of the Covered Period. (Ignore reductions that arose from an inability to reline individuals who were employees on February 15, 2020 if the Borrower was unable to hire similarly qualified employees for unfilled positions on or before December 31, 2020. Also ignore reductions in an employee's hours that the Borrower offered to restore and the employee refused. See <u>85 FR 33004</u>, 33007 (June 1, 2020) for more details.

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The Borrower did not reduce annual salary or hourly wages of any employee by more than 25 percent during the Covered Period or the Alternative Payroll Covered Period (as defined below) compared to the period between January 1, 2020 and March 31, 2020 (for purposes of this statement, "employees" means only those employees that did not receive, during any single period during 2019, wages or salary at an annualized rate of pay in an amount more than \$100,000);

The Borrower was unable to operate during the Covered Period at the same level of business activity as before February 15, 2020, due to compliance with requirements established or guidance issued between March 1, 2020 and December 31, 2020 by the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, or the Occupational Safety and Health Administration, related to the maintenance of standards of sanitation, social distancing, or any other work or customer safety requirement related to COVID-19.



## Form EZ: Know Your Dates and Qualified Expenses

	6/18/2020	< Enter date funds d								
_	12/3/2020	< End Date for Loan	nd Date for Loan Coverage Period 168 < 24 weeks							
	9/29/2021	< Must have bank fo	rgive loan	by this date	300	< 10 month	s x 30 days	;		
\$ 🛉	14,000.00	< Loan Amount		Back Date >	-90	210				
				Need to Sub	mit by this I	Date >	7/1	/2021		
		Type Expense shoul	be Expense should be:							
		1. Payroll - All Comp	ensation P	aid + 3 Burde	ns (Health/I	Retirement	/State Une	mpl)		
		2. Rent or Lease Pay	ments on a	an agreement	t that was in	effect on 2	-15-2020			
		3. Interest on a Mort	gage that v	was in effect	as of 2-15-20	020				
		4. Utilities (electric,	gas, water	) that was in (	effect as of 2	2-15-2020				
		Utilities c	an include	internet acce	ess and gas i	n vehicle				
		All Utilitie	All Utilities must be in the name of the business -							
		You CANN	NOT include	e home office	e deduction	since this				
		is not an a	actual paid	expense in t	he name of	the busines	S			

- Know your loan coverage period
- Know your drop dead date for obtaining forgiveness
- Depending upon how you spent the money, you may need to understand the four qualifying expenses to ensure you got it right

Back Date this at least 90 days since the Bank has 60 days to process your PPP Loan Forgiveness Application and the SBA has up to 90 days to approve the PPP forgiveness and pay the bank



# Reconciling Payroll and the Loan Amount

		Total	(	Gross (1)		Total	U.S.	То	otal Final	Fi	nal Base
<u>Employee</u>		<u>Payroll</u>		<u>Pay</u>	<u>Be</u>	enefits (2)	Resident (3)	Pa	<u>yroll Amt</u>	F	Pay Amt
John Doe	\$	64,200	\$	53,165	\$	11,035	Y	\$	64,200	\$	53,165
Karen Dillion	\$	162,400	\$	139,510	\$	22,890	Y	\$	122,890	\$	100,000
Harvey Johns	\$	83,200	\$	69,710	\$	13,490	Y	\$	83,200	\$	69,710
Som Jarata	\$	46,300	\$	40,995	\$	5,305	N	\$	-	\$	-
Steve Harper	\$	94,800	\$	82,140	\$	12,660	Y	\$	94,800	\$	82,140
Sal Norton	\$	26,700	\$	23,504	\$	3,196	Y	\$	26,700	\$	23,504
Jane Smith	\$	54,100	\$	44,577	\$	9,523	Ν	\$	-	\$	-
Bill Johnson	\$	126,100	\$	107,330	\$	18,770	Y	\$	118,770	\$	100,000
							Total	\$	510,560		
(1): Covers all pay i	ncludi	ng Vac, Sick, B	onus,	Hazard, etc.			Months in Yr		12		
(3): Exclude employ	/ee wł	no is not a					Avg Monthly	\$	42,547		
resident of the Unit	ted Sta	ates					Multiplier		2.5		
							Loan Amount	\$	106,367		
You can also ca	lcula	te the Loan	Am	ount by tak	ing 2	months of					
your Monthly A	vera	ge Payroll f	or th	ie previous	year	and add 2	5%				
You should con	ne ba	ick to the sa	me	amount - se	ee ex	ample belo	ow:				
(2) Benefit Struct	ture f	or John Doe			Num	nber of Mo	nths Allowed		2		
Health Insur		5,150			Tota	I Payroll Al	lowed	\$	85,093		
Retirement		2,680			Add	25% to To	tal		1.25		
State Empl Tax		3,205					Loan Amount	\$	106,367		
Total		11,035									

### Just a reminder about payroll:

Payroll Cost = All Compensation Paid (base pay, sick pay, bonus pay, severance pay, etc.) + Three Burdens: Employer Portion of Health + Employer Portion of Retirement + State Unemployment

Gross Pay for the entire year cannot be greater than \$ 100,000 for the year or **\$ 46,154** for the loan coverage period (\$ 100,000 / 52 x 24 weeks)



## Form 3508-EZ: Fairly Straight Forward / Simple

# For small business owners who have employees / payroll and your loan amount is over \$ 50,000 – Use Form 3508-EZ

SBA PPP Loan N	umber:		Lender PPP	Loan Numł	ber:		
PPP Loan Amou	nt:\$ 78,600		PPP Loan Di	sbursement	t Date:7/2	27/2020	
Employees at Tin	ne of Loan Application: _	11 (1)	Employees at	t Time of Fo	orgiveness Appli	ication:8 (1)	
EIDL Advance A	mount: \$ 9,000		EIDL Applic	ation Numl	ber:		
Payroll Schedule:	The frequency with which	n payroll is pa	id to employees	s is:			
□ Weekly	Biweekly (every other	week)	□ Twice a m	ionth	□ Monthly	□ Other	
Covered Period:	7/27/2020	to1	/11/2021	<b>—</b>	Add 168 da	iys to the start da	ate
Alternative Payro	oll Covered Period, if appl	icable:		to			

If Borrower (together with affiliates, if applicable) received PPP loans in excess of \$2 million, check here:  $\Box$ 

(1): Number of people getting an actual payroll check including the owner. Full Time = 1.0 | Parttime = .5 Must count for the full week (40 hours) that includes these two cut off dates



## Form 3508-EZ continued (Calculate Forgiveness)

#### **Forgiveness Amount Calculation:** Make sure this Need to provide bank with Payroll and Nonpayroll Costs amount is 60% or a Payroll Report that \$68,240 Line 1. Payroll Costs: more of the total breaks this down. reported on Line 6 Line 2. Business Mortgage Interest Payments: Include Bank Statements \$ 11,110 Line 3. Business Rent or Lease Payments: to show all payments made Line 4. Business Utility Payments: Including a Detail Schedule Make sure Potential Forgiveness Amounts that breaks down total amount Line 5 Amount \$79,350 Line 5. Add the amounts on lines 1, 2, 3, and 4: spent can help (next slide) is Equal to or \$78,600 Greater than Line 6. PPP Loan Amount: Line 6 \$ 113,733 Line 7. Payroll Cost 60% Requirement (divide Line 1 by 0.60): **Forgiveness Amount** \$78,600 Line 8. Forgiveness Amount (enter the smallest of Lines 5, 6, and 7): NOTE: The SBA will deduct \$ 9,000 from Line 8 when paying the bank – final forgiveness = \$ 69,600

The \$ 9,000 becomes a 5 year loan at 1% interest with no fees or pre-payment penalties



# Reconcile the Form to Supporting Documents

			Туре		Ref
Date	Paid to	Description	Expense	Amount	Stmt
8/21/2020	Bi Weekly Payroll	Period 8/2 - 8/15	Payroll Paid	\$6,189.00	PR-1
9/4/2020	Bi Weekly Payroll	Period 8/16 - 8/29	Payroll Paid	\$6,220.00	PR-2
9/18/2020	Bi Weekly Payroll	Period 8/30 - 9/12	Payroll Paid	\$6,205.00	PR-3
10/2/2020	Bi Weekly Payroll	Period 9/13 - 9/26	Payroll Paid	\$6,195.00	PR-4
10/16/2020	Bi Weekly Payroll	Period 9/27 - 10/10	Payroll Paid	\$6,215.00	PR-5
10/30/2020	Bi Weekly Payroll	Period 10/11 - 10/24	Payroll Paid	\$6,188.00	PR-6
11/13/2020	Bi Weekly Payroll	Period 10/25 - 11/7	Payroll Paid	\$6,225.00	PR-7
11/27/2020	Bi Weekly Payroll	Period 11/8 - 11/21	Payroll Paid	\$6,209.00	PR-8
12/11/2020	Bi Weekly Payroll	Period 11/22 - 12/5	Payroll Paid	\$6,188.00	PR-9
12/25/2020	Bi Weekly Payroll	Period 12/6 - 12/19	Payroll Paid	\$6,230.00	PR-10
1/8/2021	Bi Weekly Payroll	Period 12/20 - 1/2/2021	Payroll Paid	\$6,176.00	PR-11
		Sub Total - Gross Wages P	aid	\$68,240.00	
9/3/2020	Southland Realty	Lease payment - Aug	Rent	\$2,230.00	BS-1-1
10/4/2020	Southland Realty	Lease payment - Sept	Rent	\$2,230.00	BS-2-1
11/4/2020	Southland Realty	Lease payment - Oct	Rent	\$2,230.00	BS-3-1
12/3/2020	Southland Realty	Lease payment - Nov	Rent	\$2,230.00	BS-4-1
1/4/2021	Southland Realty	Lease payment - Dec	Rent	\$2,190.00	BS-5-1 룾
		Sub Total - Rent		\$11,110.00	
		Total Expenses Paid		\$79,350.00	

Within your documentation, include a Detail Schedule of your expenses by the four major categories

Then cross-reference each line item back to payroll reports or bank statements which confirms the expense was paid using PPP funds

PR = Payroll Report – Shows Gross Pay Amounts (covered by PPP Loan) less withholdings = Net Pay Check (shows up on Bank Statements)

BS = Bank Statement



## **Reconciling Payroll Burden Payments**

If you want to use PPP funds to cover the three burdens associated with payroll, you may need to add these types of line items to your detail schedule:

Paid to	Date	Check No.	Amount	Service Period	Al	ocated Amt	Benefit Type
Blue Cross Blue Shield	3/22/2020	1172	\$ 965.00	April 1 - 30, 2020	\$	965.00	Health Insurance
Blue Cross Blue Shield	4/26/2020	1189	\$ 965.00	May 1 - 31, 2020	\$	965.00	Health Insurance
Blue Cross Blue Shield	5/25/2020	1209	\$ 985.00	June 1 - 30, 2020	\$	985.00	Health Insurance
		Total	\$ 2,915.00		\$	2,915.00	
				Employer Portion		60%	
				Employer Contribution	\$	1,749	
Aetna Life	3/28/2020	1174	\$ 550.00	April period	\$	550.00	Retirement Fund
Aetna Life	4/29/2020	1193	\$ 575.00	May period	\$	575.00	Retirement Fund
Aetna Life	5/30/2020	1213	\$ 580.00	June period	\$	580.00	Retirement Fund
		Total	\$ 1,705.00		\$	1,705.00	
				Employer Portion		100%	
				Employer Contribution	\$	1,705.00	
State of Virginia	7/13/2020	1259	\$ 2,840.00	2nd Q 2020 = 91 days	\$	1,747.69	State Unemployment
State of Maryland	7/14/2020	1260	\$ 4,412.00	2nd Q 2020 = 91 days	\$	2,715.08	State Unemployment
		Total	\$ 7,252.00		\$	4,462.77	
				Employer Portion		100%	
				Employer Contribution	\$	4,462.77	



## Reductions in Payroll – Leverage the Exemptions

If you have reductions in payroll, you can ignore the reductions under certain circumstances and thereby, still use Form 3508-EZ for PPP Loan Forgiveness:

Borrower may exclude any reduction in FTE employees if the borrower is able to document in good faith the following: (1) an inability to rehire individuals who were employees of the borrower on February 15, 2020 and (2) an inability to hire similarly qualified individuals for unfilled positions on or before December 31, 2020 h. Will a borrower's loan forgiveness amount be reduced if an employee is fired for cause, voluntarily resigns, or voluntarily requests a schedule reduction? No. When an employee of the borrower is fired for cause, voluntarily resigns, or voluntarily requests a reduced schedule during the covered period or the alternative payroll covered period (FTE reduction event), the borrower may count such employee at the same full-time equivalency level before the FTE reduction event when calculating the section 1106(d)(2) FTE employee reduction penalty. The Administrator and the Secretary have decided to exempt such employees from the calculation of the FTE reduction penalty.



## When to file for Forgiveness? Wait until 2021:

- Congress may change the tax treatment of expenses paid using PPP loan money. IRS has ruled you do **not** report either the revenues or expenses associated with your PPP loan when filing your 2020 tax return in 2021. Some businesses are looking to deduct expenses paid on their tax return. Congress may pass legislation allowing expense deduction > <u>https://www.congress.gov/bill/116th-congress/senate-bill/3612</u>
- 2. Congress may enact "Automatic" PPP Loan Forgiveness at a certain amount. Pending Legislation > <u>https://www.congress.gov/bill/116th-congress/senate-bill/4117</u>
- 3. Larger employers with payroll have until 12-31-2020 to restore their FTE (full time equivalent) count or salary which can impact their forgiveness amount

NOTE: If you are currently seeking new loans, you may need to pursue PPP Loan Forgiveness now to remove this liability from your Balance Sheet. This does NOT apply to a business applying for a Main Street Loan, but the minimum loan amount is \$ 100,000 within this program and you must be profitable.



## Long Form 3508 and Questionnaire Form 3509

If you are a business that cannot use either SBA Form 3508-S or 3508-EZ as discussed in this webinar, then you will have to use the long form: 3508 (5 pages)

Loan Amount over \$ 2 Million or Reduced Payroll by More than 25% and did not restore payroll by 12-31-2020

Take the previous SCORE Workshop on PPP Loan Forgiveness that walks through an Excel Workbook on completing the long form: <u>https://washingtondc.score.org/61720-workshop-materials</u>

SBA Form 3509 – Banks or the SBA reserve the right to send applicants a **Loan Necessity Questionnaire** if they believe the applicant has potential issues with their PPP Loan (such as Investment Funds, Loans over \$ 2 million, business has plenty of cash in the bank prior to the loan, etc.)



## Links to Forms and Instructions

https://home.treasury.gov/system/files/136/PPP-Loan-Forgiveness-Application-Form-3508S.pdf

https://home.treasury.gov/system/files/136/PPP-Loan-Forgiveness-Application-Form-3508S-Instructions.pdf

https://home.treasury.gov/system/files/136/PPP-Forgiveness-Application-3508EZ.pdf

https://home.treasury.gov/system/files/136/PPP-Loan-Forgiveness-Application-Form-EZ-Instructions.pdf

https://home.treasury.gov/system/files/136/3245-0407-SBA-Form-3508-PPP-Forgiveness-Application.pdf

https://home.treasury.gov/system/files/136/PPP-Loan-Forgiveness-Application-Instructions\_1\_0.pdf

NOTE: The SBA continues to release forms with new expiration dates in the upper right corner. Before submitting your application, make sure to download the most current forms from sba.gov

Single Best Resource is to download and read the FAQ's and the Interim Final Rules:

https://home.treasury.gov/policy-issues/cares/assistance-for-small-businesses



## Prepare Now for PPP 2.0

- Congress is expected to pass another round of PPP Loans
- Requires you qualify based on a decline in Sales Revenues
- Collect Sales Revenues by Month for all of 2019 and 2020

	Cal	culate Qua					
Month	Sale	es Revenues in 2019	Sa	les Revenues in 2020	Qtr Sales in 2019	Qtr Sales in 2020	% Change
January	\$	16,540	\$	3,670			_
February	\$	17,080	\$	3,970			
March	\$	17,935	\$	4,020	\$ 51,555	\$ 11,660	-77%
April	\$	16,120	\$	3,960			
May	\$	14,440	\$	4,110			
June	\$	13,550	\$	4,640	\$ 44,110	\$ 12,710	-71%
July	\$	12,070	\$	5,357			
August	\$	11,200	\$	5,120			
September	\$	8,120	\$	5,230	\$ 31,390	\$ 15,707	-50%
October	\$	4,320	\$	4,340			
November	\$	4,090	\$	3,205			
December	\$	3,865	\$	3,060	\$ 12,275	\$ 10,605	-14%



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