CDE Certification Application Blackout Frequently Asked Questions

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1. Why is there a pause in the acceptance of new CDE Certification Applications?

The CDE Certification Application "blackout" period will allow the CDFI Fund to review and plan for possible policy and system improvements that will streamline the CDE Certification Application process.

2. When will the CDFI Fund reopen CDE Certification for new Applications?

Certification as a CDE is required to apply for tax credit allocation authority under the New Markets Tax Credit Program (NMTC Program). The CDFI Fund will resume accepting new CDE Certification Application submissions with enough notice for interested organizations to apply for CDE Certification in advance of the next NMTC Program Application round.

3. I'm a currently certified CDE. Is there any impact on me?

The blackout period is only for processing new CDE Certification Applications for organizations that are not currently certified CDEs. The CDFI Fund will still accept and process applications from existing CDEs to add a Subsidiary or to amend their Service Area. Currently certified CDEs are also still required to meet any reporting requirements previously communicated to them regarding the New Markets Tax Credit Program, including the Institution Level Report (ILR), Transaction Level Report (TLR), Allocation Tracking and Qualified Equity Investments (QEIs) reporting, QEI Closeout Reports, Material Events, and Compliance with Allocation Agreement Terms.

4. I'm a currently certified CDFI, can I apply for a new CDE Certification?

All applications for initial CDE Certification have been paused, including those from CDFIs seeking initial CDE Certification. The CDFI Fund will consider some exceptions for CDFIs seeking to be certified as a CDE prior to receiving Qualified Low Income Community Investments (QLICIs) from a recent NMTC Allocatee — see question 8 below for more details.

5. Will I be able to amend my approved CDE Service Area and/or add subsidiary-CDEs to my Certification during the blackout period? If so, how do I do so?

Yes, currently certified CDEs will still be able to submit requests to amend their Service Areas or add subsidiary-CDEs. During the blackout period, the AMIS portal will allow currently certified CDEs to amend their approved Service Areas as well as submit an application to certify additional subsidiary CDEs. If you wish to submit one of these types of applications, log on to AMIS and initiate either a CDE-SA Amendment application to modify your approved Service Area or a CDE-Cert-Certified Application to include additional subsidiary CDEs to your organization.

6. What if I have a Material Event during the blackout period?

Material Events reporting, such as changes to your advisory or governing board, changes to your organization key staff/personnel, and/or mergers and acquisitions, will still need to be submitted. More information on Material Events is located on the CDFI Fund's CDE Certification website under Step 2: Compliance and Reporting.

As we process Material Events submissions, currently certified CDEs will only be decertified during the blackout period for the following reasons:

- 1. Deactivation of EIN associated with existing CDE Certification
- 2. Failure to cure deficiencies found as part of a CDE Certification compliance review (e.g., desk audit, site visit)
- 3. Voluntary request to terminate CDE Certification

With the exception of the reasons listed above, your entity will maintain its CDE Certification during the blackout.

7. My organization has received an Allocation from the New Markets Tax Credit Program. Does the pause affect my compliance reports?

The pause does not affect the submission of reports required by the Office of Compliance Monitoring and Evaluation (OCME). Organizations must remain in compliance with all outstanding New Markets Tax Credit Program Allocation reporting requirements, including the Institution Level Report (ILR), Transaction Level Report (TLR), Allocation Tracking and Qualified Equity Investments (QEIs) reporting, QEI Closeout Report, Material Events, and Compliance with Allocation Agreement Terms.

8. If my organization has received an NMTC allocation, will I be able to make Qualified Low-Income Community Investments (QLICIs) in a certified CDFI that has not been formally certified as a CDE during the blackout period?

A certified CDFI must be formally certified as a CDE prior to receiving QLICIs from an NMTC Allocatee as a secondary CDE. The CDFI Fund will consider requests by certified CDFIs to be certified as CDEs on a case-by-case basis during the blackout period. Generally, the CDFI Fund will only consider such requests if the certified CDFI seeking CDE certification will receive QLICIs from an NMTC Allocatee from an allocation awarded from the CY 2022, CY 2023, or CY 2024-2025 NMTC Application Rounds. The certified CDFI seeking CDE certification must identify the NMTC Allocatee that will make the QLICIs and that NMTC Allocatee's Allocation Agreement must have "investments in, or loans, to other CDEs" as an eligible activity in Section 3.2(a) in Schedule 1 of its Allocation Agreement. Certified CDFIs seeking CDE Certification under this exception should notify the CDFI Fund via service request as early as possible to avoid any delays in receiving CDE Certification.

The CDFI Fund will not consider CDE Applications from certified CDFIs (or any other entity) that do not meet the conditions described above during the blackout period.

9. Will the CDE Certification blackout period affect how the CDFI Fund receives or processes Community Development Financial Institutions (CDFI) Certification Applications?

No. The CDFI Fund's Office of Certification Policy and Evaluation will continue to accept and review applications for CDFI Certification throughout the CDE Certification blackout period.

10. How do I submit a new CDE Certification Application before the June 2, 2025, deadline?

Information on submitting a CDE Certification Application can be found on the CDFI Fund website at https://www.cdfifund.gov/programs-training/certification/cde/apply-step.

11. Who do I contact if I have CDE Certification-related questions or issues?

Any questions regarding CDE Certification should be directed to the Office of Certification and Policy Evaluation (OCPE) Help Desk at ocpecert@cdfi.treas.gov or by submitting an AMIS Service Request.

Any questions regarding CDE or NMTC Program compliance requirements should be addressed to the Office of Compliance Monitoring and Evaluation (OCME) by submitting an AMIS Service Request. You may also reach the OCME Helpdesk at ccme@cdfi.treas.gov.

Please do not submit multiple Service Requests seeking responses to the same questions. Due to the volume of incoming Service Requests, responses may be delayed. However, the CDFI Fund is reviewing and responding to all incoming Service Requests in the order in which they are received.

To receive updates on the status of the CDE Certification blackout period as well as other important updates from the CDFI Fund, <u>subscribe here</u>.