

### **OMB Approval No. 1559-0014**

### **Paperwork Burden Statement:**

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid Office of Management and Budget (OMB) Approval Number. This form's Approval Number is 1559-0014. Public reporting burden for this collection of information is estimated to average four hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Community Development Financial Institutions Fund, 1500 Pennsylvania Ave, NW, Washington, DC 20220.

### Freedom of Information Act (FOIA) Statement:

The CDFI Fund does not publish proprietary or confidential information submitted by CDFI's as a general practice. However, any information submitted by CDFI's in the Annual Certification and Data Collection Report (ACR) or other reports made in connection with ACR (e.g., ACR Summary Report) is subject to the Freedom of Information Act (FOIA) (5 U.S.C. 552) and other federal laws and regulations. Any information contained in this collection, including any attachments or supplements hereto, is subject to disclosure to law enforcement agencies for law enforcement purposes. In general, FOIA makes federal agency records available to the public, unless the information requested is exempt from disclosure. Trade secrets and commercial or financial information submitted by CDFI's may be exempt from disclosure pursuant to the FOIA. CDFI's should consult their legal counsel for further guidance on this matter.

The CDFI Fund reserves the right to publish responses to select questions provided during the reporting process. This information may include, but may not be limited to organization name, date Certified, financial institution type, organization's address and organization's website.

### **Table of Contents**

1. In	ntroduction	8
1.1	CDFI Fund Mission	9
1.2	What is a CDE?	9
1.3	CDE Certification Criteria	9
1.4	CDFIs and SSBICs	10
1.5	Objective	10
2. A	Applying for Certification	12
2.1	Application Types in AMIS	13
2.2	Timing and Deadlines	14
3. C	DE-Cert-NotCertified	15
3.1	Basic Information – Applicant CDE Section	18
3.2	Legal Entity Section	25
3.3	Primary Mission Section	30
3.4	Boards Section	33
3.5	Service Areas Section	41
3.6	Subsidiaries Section	44
3.7	Attestation and Submission Section	49
4. C	DE-Cert-Certified	52
4.1	Basic Information – Applicant CDE Section	55
4.2	Subsidiaries Section	59
4.3	Attestation and Submission Section	65
5. C	DE-CDFI-Certified	68
5.1	Basic Information – Applicant CDE Section	71
5.2	Boards Section	76
5.3	Service Areas Section	84
5.4	Attestation and Submission Section	87
6. G	Glossary	90
7. C	Contact and Resources	95
7 1	OCPF Helndesk	96

7.2	IT Helpdesk	96
7.3	Material Resources	96

### **Table of Figures**

Figure 1: Apply for CDE Certification Button (CDE-Cert-NotCertified)	17
Figure 2: CDE-Cert-NotCertified Application	17
Figure 3: CDE-Cert-NotCertified Application, Applicant Information Subsection	20
Figure 4: CDE-Cert-NotCertified Application, Applicant Information Subsection (Continued)	22
Figure 5: CDE-Cert-NotCertified Application, Applicant Address Subsection	23
Figure 6: CDE-Cert-NotCertified Application, Market Served Subsection	24
Figure 7: CDE-Cert-NotCertified Application, Legal Entity Subsection	26
Figure 8: CDE-Cert-NotCertified Application, Legal Entity Subsection (if Question 1 is Yes)	27
Figure 9: CDE-Cert-NotCertified Application, Legal Entity Subsection (if Question 1 is No)	27
Figure 10: CDE-Cert-NotCertified Application, CDE & LLC Subsection	28
Figure 11: CDE-Cert-NotCertified Application, CDE & LLC Subsection (if Question 1 is No)	28
Figure 12: CDE-Cert-NotCertified Application, CDE & LLC Subsection (if Question 1 is Yes)	29
Figure 13: CDE-Cert-NotCertified Application, Primary Mission Subsection	32
Figure 14: Organization Record - New Org Board Button	36
Figure 15: New Org Board Creation Popup	37
Figure 16: New Org Board - Board Type Field	37
Figure 17: Newly Created Organization Board on the Related List	37
Figure 18: CDE Organization Board Detail Page	38
Figure 19: Related List - Organization Board Members	38
Figure 20: CDE Board Member Types	39
Figure 21: CDE-Cert-NotCertified Application, Boards Subsection	40
Figure 22: CDE-Cert-NotCertified Application, Boards Subsection (Showing Add Additional)	40
Figure 23: CDE-Cert-NotCertified, Creating a New Service Area Record	41
Figure 24: CDE-Cert-NotCertified, New Service Area Creation Pop-Up	41
Figure 25: CDE-Cert-NotCertified Application, Service Areas Subsection	42
Figure 26: CDE-Cert-NotCertified Application, Service Areas Subsection (Showing Question 1 is No.	-
Figure 27: CDE-Cert-NotCertified Application, Service Areas Subsection (Showing Question 1 is Of	
Figure 28: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection	44
$Figure\ 29:\ CDE-Cert-NotCertified\ Application,\ Subsidiary\ Applicants\ Included?\ Subsection\ (Yes)\dots$	45
Figure 30: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection (No)	45

Figure 31: CDE-Cert-NotCertified Application, Add Subsidiary CDE Subsection	47
Figure 32: CDE-Cert-NotCertified Application, Add Subsidiary CDE Subsection (Continued)	48
Figure 33: CDE-Cert-NotCertified Application, Add Subsidiary CDE Subsection (Add Row)	48
Figure 34: CDE-Cert-NotCertified Application, Attestation and Submission Subsection	50
Figure 35: CDE-Cert-NotCertified Application, Attestation and Submission Subsection (Attestation Checked)	50
Figure 36: CDE-Cert-NotCertified Application, Confirmation of Submission Popup	50
Figure 37: Apply for CDE Certification Button (CDE-Cert-Certified)	53
Figure 38: CDE-Cert-Certified Application	54
Figure 39: CDE-Cert-Certified Application, Applicant Information Subsection	56
Figure 40: CDE-Cert-Certified Application, Applicant Address Subsection	58
Figure 41: CDE-Cert-Certified Application, Subsidiary Applicants Included? Subsection	59
Figure 42: CDE-Cert-Certified Application, Subsidiary Applicants Included? Subsection (Yes)	60
Figure 43: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection (No)	60
Figure 44: CDE-Cert-Certified Application, Add Subsidiary CDE Subsection	62
Figure 45: CDE-Cert-Certified Application, Add Subsidiary CDE Subsection (Continued)	63
Figure 46: CDE-Cert-Certified Application, Add Subsidiary CDE Subsection (Add Row)	64
Figure 47: CDE-Cert-Certified Application, Attestation and Submission Subsection	66
Figure 48: CDE-Cert-Certified Application, Attestation and Submission Subsection (Attestation Chec	•
Figure 49: CDE-Cert-Certified Application, Confirmation of Submission Popup	
Figure 50: Apply for CDE Certification Button (CDE-CDFI-Certified)	
Figure 51: CDE-CDFI-Certified Application	
Figure 52: CDE-CDFI-Certified Application, Applicant Information Subsection	
Figure 53: CDE-CDFI-Certified Application, Applicant Address Subsection	
Figure 54: Organization Record - New Org Board Button	
Figure 55: New Org Board Creation Popup	80
Figure 56: New Org Board - Board Type Field	80
Figure 57: Newly Created Organization Board on the Related List	80
Figure 58: CDE Organization Board Detail Page	81
Figure 59: Related List - Organization Board Members	81
Figure 60: CDE Board Member Types	82
Figure 61: CDE-CDFI-Certified Application, Boards Subsection	83
Figure 62: CDE-CDFI-Certified Application, Boards Subsection (Showing Add Additional)	83

Figure 63: CDE-CDFI-Certified, Creating a New Service Area Record	34
Figure 64: CDE-CDFI-Certified, New Service Area Creation Pop-Up	34
Figure 65: CDE-CDFI-Certified Application, Service Areas Subsection	35
Figure 66: CDE-CDFI-Certified Application, Service Areas Subsection (Showing Question 1 is National) 8	36
Figure 67: CDE-CDFI-Certified Application, Service Areas Subsection (Showing Question 1 is Other) $8$	36
Figure 68: CDE-CDFI-Certified Application, Attestation and Submission Subsection	38
Figure 69: CDE-CDFI-Certified Application, Attestation and Submission Subsection (Attestation Checked	-
3	50
Figure 70: CDE-CDFI-Certified Application, Confirmation of Submission Popup	38

## INTRODUCTION

**Introduction** 

**CDFI** Mission

What is a CDE?

**CDE Certification Criteria** 

**CDFIs and SSBICs** 

**Objective** 

### 1. Introduction

Entities seeking <u>Community Development Entity (CDE)</u> Certification must submit a **CDE Certification Application** to the <u>Community Development Financial Institutions Fund (CDFI Fund)</u> through the <u>Awards Management Information System (AMIS)</u>.

This certification is required to apply for participation for a New Markets Tax Credit Program (NMTC Program) Allocation, but it does not guarantee an Allocation of tax credits. Entities can participate in the program as an investor, Qualified Active Low-Income Community Business (QALICB), or project sponsor without being certified as a CDE. To begin the CDE Certification Application process, the entity **must** first have an AMIS account.

### **Important**

To begin the Application process, the organization must have an active AMIS account. For guidance on creating an account, refer to the AE101: Getting Started – Navigating AMIS (for CDFI Fund External Users) training manual.

### 1.1 CDFI Fund Mission

The mission of the CDFI Fund is to expand economic opportunities for underserved people and communities by supporting the growth and capacity of a national network of community development lenders, investors, and financial service providers.

### 1.2 What is a CDE?

A CDE, is a domestic corporation or partnership that serves as an intermediary for providing loans, investments, or financial counseling in <a href="Low-Income Communities">Low-Income Communities</a> (LICs). CDE Certification is required for entities to apply for NMTC Allocations. Certified CDEs may also participate in the NMTC program by receiving investments or loans from CDEs with Allocations, or by selling qualifying loans to them.

To be certified as a CDE, an <u>Applicant CDE</u> must submit a CDE Certification Application and demonstrate that it meets the CDFI Fund's three **CDE Certification criteria** outlined below.

### 1.3 CDE Certification Criteria

To qualify for CDE Certification, an Applicant CDE (and any Subsidiary entity it seeks to certify) must meet the following three criteria:

### 1. Legal Entity Requirements

An entity must:

- Be a legal entity as of the date the CDE Certification Application is submitted.
- Have organizing documents, such as Articles of Incorporation, filed with a government agency responsible for the registration or oversight of entities operating within a certain jurisdiction or industry, such as:
- ° The State in which it was legally established,
- ° A tribal government, or
- A federal regulator.

**Note**: If the entity under review was not legally established by the date the CDE Certification Application was signed by the <u>Authorized Representative</u>, it is not considered to be a legal entity and will not meet the Legal Entity requirement.

### 2. Primary Mission Test

The entity must demonstrate that it has a **binding or governing leadership-approved Primary Mission** of serving or providing capital to LICs or LIPs, with approval documented by incorporators, the Governing Board, the owner, the managing member, or other governing leadership.

### 3. Accountability Test

The entity must:

- ° Demonstrate accountability to LIC residents through their representation on <u>Governing Boards</u> or Advisory Boards in AMIS.
- ° Ensure that at least 20% of board members represent LICs, either as:
  - Residents, or
  - Individuals whose work/activities make them accountable to such residents.

### **Additional Guidance:**

- ° CDEs serving multiple areas can establish **local Advisory Boards** for each community.
- For limited partnerships, the test can be satisfied through representation on the managing partner's board.
- Alternative engagement methods, such as focus groups, do not satisfy this statutory requirement.

### 1.4 CDFIs and SSBICs

Entities that are **currently certified by the CDFI Fund** as <u>Community Development Financial Institutions</u> (<u>CDFIs</u>) and entities that have been designated by the Small Business Administration (SBA) as <u>Specialized Small Business Investment Companies (SSBICs)</u> are presumed to **automatically meet** the **CDE Certification criteria**.

However, these entities must still:

• Submit the required CDE Certification information, such as CDE Certification Organization Board records in AMIS, for the CDE-CDFI-Certified Application.

### Special Instructions for SSBICs

For SSBICs seeking CDE Certification, submit a Service Request in AMIS or email ocpecert@cdfi.treas.gov.

### 1.5 Objective

This training manual provides **step-by-step instructions** for completing and submitting a CDE Certification Application in AMIS. It also provides background information and clarifies submission types based on an entity's certification status.

### **Information Boxes and Hyperlinks**

This guidance document uses colored information boxes and hyperlinks to highlight key guidance and improve navigation:

- Yellow information boxes Highlight important information, cautions, or warnings that require special attention when completing the Application.
- **Blue callout boxes** Provide tips, reminders, or helpful suggestions to assist with understanding requirements or completing steps efficiently.
- Slate gray hyperlinks Link directly to glossary entries for defined terms. Hover over the link to view a brief description in a ScreenTip; click the link to open the full glossary definition.
- Capitalized terms Refer to definitions provided in the Glossary (Section 6). Unless otherwise noted, all such terms carry the specific meanings assigned there.

These tools are provided for reference only and do not replace required Application responses or attachments in AMIS.

### APPLYING FOR CDE CERTIFICATION

**Application Types** 

**Timing and Deadlines** 

### 2. Applying for CDE Certification

Once an Applicant CDE has an active AMIS account, it must complete and submit a **CDE Certification Application** through the system. AMIS will automatically determine which version of the Application to launch based on the organization's current certification status with the CDFI Fund.

### **Applicant CDEs may apply:**

- On behalf of themselves only, or
- On behalf of themselves and one or more Subsidiary entities.

### Each entity included in the Application must:

- Be a legally established domestic corporation or partnership.
- Have a valid Employer Identification Number (EIN).

**Note:** Subsidiaries and Affiliates of certified entities are not automatically certified as CDEs. The parent entity must submit a CDE Certification Application to include them.

### 2.1 Application Types in AMIS

AMIS will automatically route the Applicant CDE to complete one of the following CDE Certification Application types:

Application Type	Description
CDE-Cert-NotCertified	For organizations not yet certified by the CDFI Fund or designated as a SSBIC by the SBA. This includes two variations:  • Type A: Applying on behalf of themselves only  • Type B: Applying on behalf of themselves and one or more Subsidiaries
CDE-Cert-Certified	For organizations that are already CDE Certified and are applying to certify additional Subsidiaries.  • Type C: Applying to add one or more subsidiaries
CDE-CDFI-Certified	For currently Certified CDFIs seeking initial CDE Certification
CDE-SA Amendment	For amendments to an existing CDE's certified Service Area (SA).  Refer to the CDE Certification Service Area Amendment Guidance for instructions.

**Note:** If the organization is both CDE and CDFI certified, AMIS will not launch a new CDE Certification Application unless it is for Subsidiary CDE Certification.

### 2.2 Timing and Deadlines

Applicants may submit a CDE Certification Application through AMIS at any time, unless otherwise directed by the CDFI Fund. However, to be eligible to apply for a NMTC Allocation in a given round, a CDE must be certified as of the publication date of the applicable NMTC Notice of Allocation Availability (NOAA) in the Federal Register.

The application process begins with organizations setting up a profile and submitting their Application in AMIS. Once an Application has been reviewed and completed, a determination letter is generated and sent via AMIS. These letters communicate the decision rendered on the Application. Approval letters include the Applicant CDE(s) control number(s) for reference, the Subsidiary name, approved Service Area(s), and CDE Certification status. Denial letters provide a brief explanation of the reason for denial. Applicant CDEs are encouraged to submit a Service Request in AMIS if they need additional information or clarification.

**Note:** It is important that Applicant CDEs keep their contact information current in AMIS, as this is the primary way the CDFI Fund communicates updates and decisions regarding Applications.

# CDE-CERT-NOTCERTIFIED

### **Basic Information – Applicant CDE**

**Legal Entity** 

**Primary Mission** 

**Boards** 

**Service Areas** 

**Subsidiaries** 

**Attestation and Submission** 

### 3. CDE-Cert-NotCertified

Applicant CDEs that are not currently certified as a CDE and are seeking initial certification will receive the **CDE-Cert-NotCertified**, which is the **full version** of the CDE Certification Application.

These Applicant CDEs must provide complete organizational information, demonstrate that they meet the CDE Certification requirements, and complete attestation.

- Basic Information Applicant CDE
- Legal Entity
- Primary Mission
- Boards
- Service Areas
- Subsidiaries
- Attestation and Submission

### Note!

AMIS will **automatically** initiate the **CDE-Cert-NotCertified** Application if:

- Type A: An Applicant CDE is applying for initial CDE Certification only on behalf of itself, or
- Type B: An Applicant CDE is applying for initial CDE Certification on behalf of itself and one or more Subsidiary entities.

### **CDE-Cert-NotCertified Application Section Summary**

Application Section	Required Actions	Requirements
Basic Information – Applicant CDE	<ul> <li>Review Name, Address, and EIN</li> <li>Enter Basic Information</li> </ul>	<ul> <li>Auto populated from Applicant CDE's AMIS account</li> <li>Official IRS EIN letter</li> </ul>
Legal Entity	<ul> <li>Confirm legal status as a domestic corporation or partnership with EIN</li> </ul>	<ul> <li>Articles of Incorporation,</li> <li>Certificate of Formation,</li> <li>Organization Certificate</li> <li>Official IRS EIN letter</li> </ul>
Primary Mission	<ul> <li>Enter Primary Mission statement</li> <li>Select/upload supporting governing document</li> </ul>	<ul> <li>Board-approved resolution/Mission statement</li> <li>Articles of incorporation</li> <li>Annual report with letter</li> </ul>
Boards	<ul> <li>List Organization Board members</li> <li>Identify LIC representation information</li> <li>Select board type (Governing or Advisory)</li> </ul>	<ul> <li>Organization Board record in AMIS</li> <li>Address, FIPS Code, Employer Information</li> <li>Additional information required for Advisory Boards. See 3.4 Boards Section</li> </ul>
Service Areas	<ul><li>Select Service Area (national, state, etc.)</li><li>Provide rationale</li></ul>	<ul> <li>None unless unusual geographic justification is required</li> </ul>

Application Section	Required Actions	Requirements
Subsidiaries	<ul><li>List Subsidiary name/EIN</li><li>Verify each meets all certification tests</li></ul>	<ul><li>Subsidiary formation documents</li><li>Mission documents</li><li>Board rosters</li></ul>
Attestation and Submission	<ul> <li>Authorized Representative checks attestation box and submits</li> </ul>	None – electronic attestation only

### **Procedures**

### To complete the Application:

- 1. From the Organization Detail page, navigate to the Program Profiles related list.
- 2. Click the **Program Profile Name** associated with the *CDE-CERT* Program Profile. This will open the **CDE-CERT Program Profile Detail** page.
- 3. Click the Apply for CDE Certification button.



Figure 1: Apply for CDE Certification Button (CDE-Cert-NotCertified)

4. AMIS will redirect you to the CDE-Cert-NotCertified Certification Application.

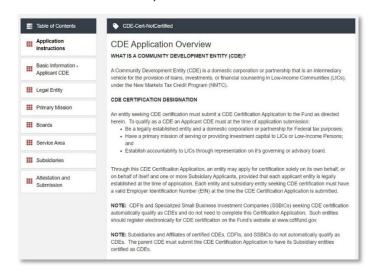


Figure 2: CDE-Cert-NotCertified Application

### Tip

If you do not see the Apply for CDE Certification button, verify that your Program Profile is correctly associated with the CDE-CERT program and that you have proper AMIS permissions.

### 3.1 Basic Information – Applicant CDE Section

The Basic Information section collects foundational details about the Applicant CDE. This includes the organization's legal status, mailing address, and the types of geographic markets it serves. All information in this section must be accurate and consistent with the Applicant CDE's AMIS Organization Record and official documentation.

### **What This Section Covers**

The Basic Information – Applicant CDE section includes three required subsections. Together, they establish the Applicant CDE's legal identity, point of contact, and the general scope of its service activities. Each subsection must be completed and saved before the Application can proceed.

- <u>Applicant Information:</u> Collects key organizational details such as the Applicant CDE's legal name, EIN, entity structure, products and services offered, and designated contacts. This information must align with the Applicant CDE's AMIS Organization Record and official documentation.
- Applicant Address: Displays the mailing address for the Applicant CDE as recorded in AMIS. If
  updates are needed, they must be made in the Organization Detail page and cannot be edited
  directly within the Application.
- Market Served: Requires the Applicant CDE only to estimate the percentage of its total activities
  provided to Major Urban Areas, Minor Urban Areas, and Rural Areas (defined as Non-Metropolitan
  Counties). These entries must total exactly 100%, even if one or more categories do not apply.

### 3.1.1 Applicant Information Subsection

The **Applicant Information Subsection** collects key identifying details about the Applicant CDE, including:

- Name of Applicant
- Employer Identification Number (EIN)
- EIN Documentation (uploaded file evidencing a valid EIN)
- Structure of the Applicant CDE
- Products and Services offered or to be offered
- Authorized Representative for the Application
- Point(s) of Contact for the Application
- Real Estate Financing (if applicable)
- Structure for Applicant CDE Controlling Entity (if applicable)

These fields must be accurate and align with the organization's AMIS profile and official documentation.

**Note:** Some fields, such as Name of Applicant and EIN, are auto filled from the AMIS Organization Record and cannot be edited directly in the Application. If incorrect, the Applicant CDE must submit a Service Request in AMIS to update the record.

### **Why This Section Matters**

This subsection confirms and verifies the Applicant CDE's legal status and structure, identifies who is authorized to certify and submit the Application, and outlines the services the Applicant CDE offers. Inaccuracies here can lead to submission blocks or delays in processing.

### **Procedures**

Complete the following fields in the Applicant Information Subsection to ensure the Application meets the CDFI Fund's requirements. Review each field carefully for accuracy, and follow the instructions provided to upload documentation or initiate changes where required.

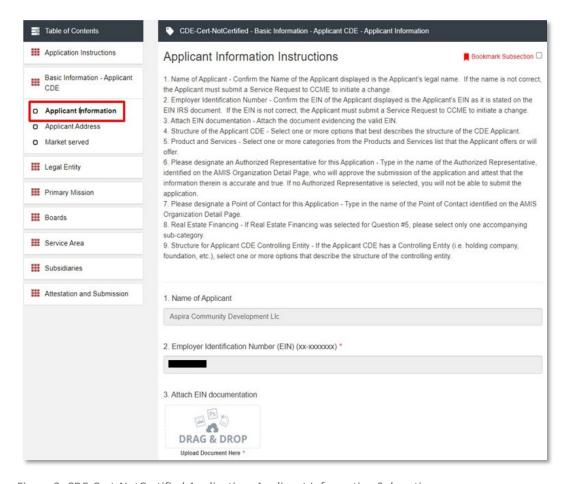


Figure 3: CDE-Cert-NotCertified Application, Applicant Information Subsection

### 1. Name of Applicant

Confirm the Name of the Applicant displayed is the Applicant CDE's legal name.

If the name is not correct, the Applicant CDE must submit a Service Request in AMIS to initiate a change.

### 2. Employer Identification Number (EIN)

Confirm the <u>EIN</u> of the Applicant displayed is the Applicant CDE's EIN as it is stated on the EIN IRS document.

 If the EIN is not correct, the Applicant CDE must submit a Service Request in AMIS to initiate a change.

**Note:** A full registration at SAM.gov is not required for CDE Certification. Applicant CDEs only need a UEI, which can be obtained without completing the full SAM.gov registration process.

### 3. Attach EIN Documentation

Upload a copy of the document that verifies the Applicant CDE's EIN.

### 4. Structure of the Applicant CDE

Select one or more options that best describe the structure of the CDE Applicant.

### 5. Product and Services

Select one or more categories from the Products and Services list that the Applicant CDE offers or will offer.

### **6.** Authorized Representative

Enter the name of the Authorized Representative, identified on the AMIS Organization Detail Page.

- ° This individual will certify the Application and approve its submission.
- ° If no Authorized Representative is selected, you will not be able to submit the Application.

### 7. Point(s) of Contact

Enter the name of the Point of Contact listed on the AMIS Organization Detail Page.

### 8. Real Estate Financing

If "Real Estate Financing" was selected for Question #5, select only one accompanying sub-category.

### 9. Structure of App CDE Controlling Entity

If the Applicant CDE has a Controlling Entity, such as a holding company or foundation, select one or more options that describe the structure of the controlling entity. See <u>Control</u> for definition.

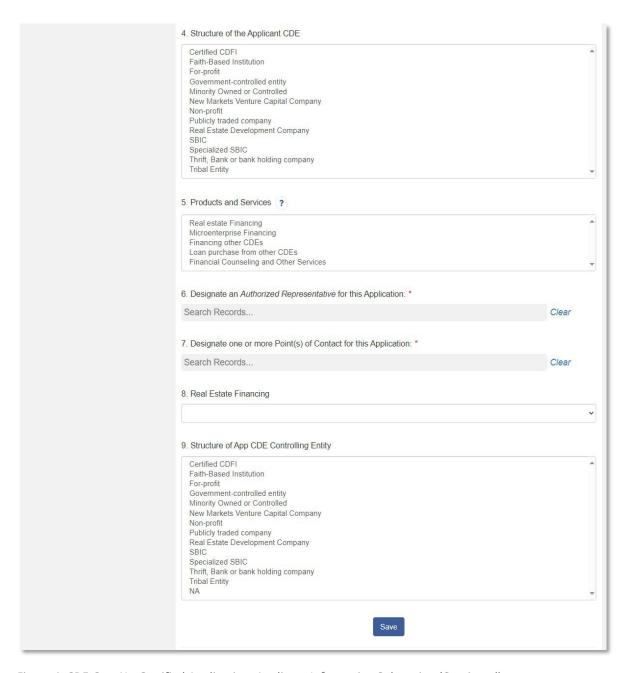


Figure 4: CDE-Cert-NotCertified Application, Applicant Information Subsection (Continued)

- 10. Once the Applicant Information subsection is complete and saved, proceed to the **Applicant**Address and Market Served subsections to finish the Basic Information section.
- 11. Click **Save** to mark the subsection as complete.

### 3.1.2 Applicant Address Subsection

The **Applicant Address** subsection is used to confirm the official **mailing address** of the Applicant CDE as recorded in AMIS.

This address should match the one the organization uses for formal communications with the CDFI Fund.

### **Why This Section Matters:**

The mailing address listed here will be used by the CDFI Fund for official notices and correspondence. It should be regularly monitored and kept up to date.

### **Procedures**

Review the mailing address listed in the **Applicant Address Subsection**. This address is pulled directly from the organization's AMIS profile and cannot be edited within the Application.

If the information is incorrect, follow the steps below to update the address in the Organization Detail page before proceeding.

- 1. Review the mailing address displayed.
  - ° This information is pulled from the AMIS Organization Detail page.
- 2. If the address is incorrect:
  - Return to the Organization Detail page in AMIS to make corrections.
  - ° Changes made there will auto-populate into the Application when refreshed.
- **3.** Click **Save** to mark the subsection as complete.

**Note:** The mailing address field in the Application is not editable directly. All updates must be made in the Organization Record.

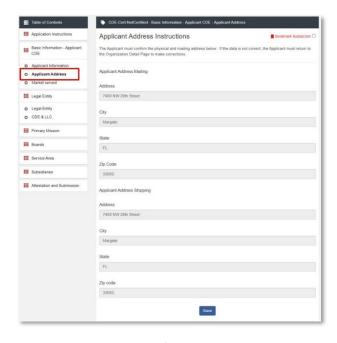


Figure 5: CDE-Cert-NotCertified Application, Applicant Address Subsection

### 3.1.3 Market Served Subsection

This subsection requires the Applicant CDE to estimate the percentage of its total activities that are provided to different types of geographic markets.

### **Why This Section Matters**

The CDFI Fund uses this information to evaluate the Applicant CDE's operational focus and reach. Understanding the Applicant CDE's distribution across **Major Urban**, **Minor Urban**, and **Rural Areas** helps ensure alignment with program goals and informs review of the entity's Service Area claims. Percentages must be accurate, as they directly support other Application components.

### **Procedures**

- 1. Enter the estimated percentage of total activities provided by the Applicant CDE to each of the following market types:
  - (i) Major Urban Areas
  - ° (ii) Minor Urban Areas
  - ° (iii) Rural Areas
- 2. All three fields are required.
  - ° If a market does **not apply**, enter "0".
  - Do not leave any field blank.
- 3. Ensure the total equals exactly 100%.
  - The Application will not allow submission if the total of all three entries does not equal 100.00%.
- 4. Click **Save** to mark the subsection as complete.

**Note:** Decimal values are accepted but must not cause the total to exceed or fall below 100.00%.

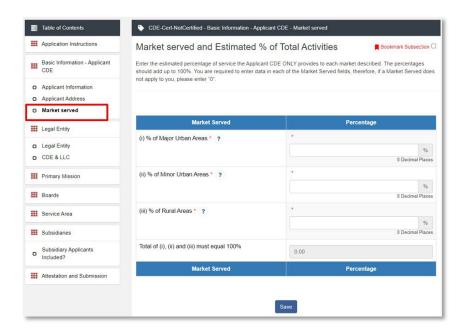


Figure 6: CDE-Cert-NotCertified Application, Market Served Subsection

### 3.2 Legal Entity Section

This section verifies that the Applicant CDE and any Subsidiary Applicants are legally established and eligible to be certified as CDEs. The CDFI Fund will not review or approve an Application unless all entities listed meet the basic legal and tax classification requirements outlined below.

### **Eligibility Requirements**

As of the date the Certification Application is submitted, an Applicant CDE must:

- Be **duly organized and validly existing** under the laws of the state jurisdiction in which it is incorporated or established;
- Be classified as a domestic corporation or partnership for federal tax purposes;
- Be the primary holder of a valid Employer Identification Number (EIN) issued by the IRS; and
- If the Applicant CDE is a bank, thrift, or credit union, it must hold a charter issued by an appropriate federal or state regulatory agency.

### **Automatic CDE Designation**

**CDFIs** certified by the CDFI Fund and **SSBICs** certified by the SBA are automatically deemed to be CDEs.

See <u>CDFIs and SSBICs</u> for more information.

An organization cannot apply for CDE certification if it:

- Is not yet a legal entity,
- · Does not have a valid EIN, or
- Is not classified as a domestic corporation or partnership for federal tax purposes.

**Note:** Applications that fail to meet the Legal Entity requirements will be **declined without substantive review**.

### **Subsidiary Applicants**

An Applicant CDE may include one or more **Subsidiary Applicants** under a single, combined CDE Certification Application. However, each entity seeking CDE Certification must submit:

- Documentation verifying legal entity status; and
- A unique, valid EIN

An Applicant CDE may not apply on behalf of Subsidiary Applicants if those subsidiaries:

- Are not yet legally established,
- Are not domestic corporations or partnerships for federal tax purposes, or
- Do not have a unique EIN.

### **What This Section Covers**

The Legal Entity section is divided into multiple subsections that collectively assess whether the Applicant CDE and any Subsidiary entities meet the structural and governance standards for CDE Certification. These subsections include:

- Legal Entity: Verifies legal formation, EIN ownership, and submission of supporting documentation.
- <u>CDE & LLC:</u> Captures additional information if the Applicant CDE is a Limited Liability Company (LLC), including documentation about managing members and tax classification.

### 3.2.1 Legal Entity Subsection

This subsection confirms that the Applicant CDE (and any Subsidiary Applicants) is legally established and meets the structural and tax classification requirements for CDE Certification.

### **Why This Section Matters**

CDE Certification cannot be granted unless the Applicant CDE is a valid legal entity under the laws of its jurisdiction and is recognized as a domestic corporation or partnership for federal tax purposes. The CDFI Fund uses this section to confirm legal status, federal classification, and eligibility to hold an NMTC Allocation. If the entity fails to meet these criteria, the Application will be **declined without substantive review.** 

### **Procedures**

### 1. Confirm Legal Entity Status

 Answer Yes or No to indicate whether the Applicant CDE is currently established as a legal entity.

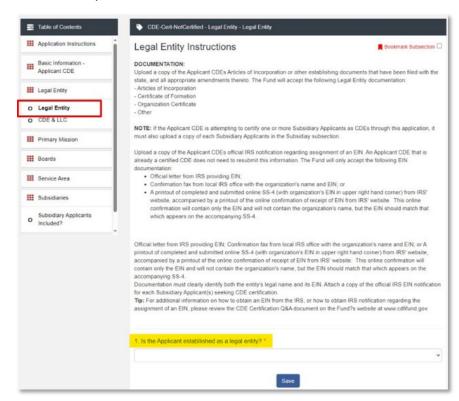


Figure 7: CDE-Cert-NotCertified Application, Legal Entity Subsection

- o If the Applicant CDE answers "Yes" to the question *Is the Applicant established as a legal entity?*, additional fields will be displayed (see Figure 8).
- Selecting "No" will prevent the Application from being submitted and generate an error message (see Figure 9).

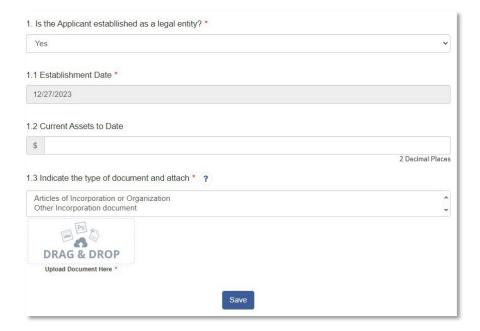


Figure 8: CDE-Cert-NotCertified Application, Legal Entity Subsection (if Question 1 is Yes)

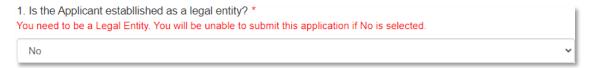


Figure 9: CDE-Cert-NotCertified Application, Legal Entity Subsection (if Question 1 is No)

### 2. Enter the Legal Entity Establishment Date

° Provide the date the entity was legally formed under state or tribal jurisdiction.

### 3. Enter Current Assets to Date

° Enter the Applicant CDE's current assets (to two decimal places), as of the date of Application.

### 4. Upload Legal Entity Documentation

- ° Upload one of the following acceptable documents:
- Articles of Incorporation
- ° Certificate of Formation
- Organization Certificate
- ° Other formal organizing documents filed with a state or tribal authority

**Note:** Documentation must clearly show the entity's legal name and the Employer Identification Number (EIN).

### 5. Indicate the Type of Document

° Select from the dropdown list to indicate which type of organizing document is attached.

**Note:** If the Applicant CDE includes Subsidiary Applicants, each Subsidiary must also upload valid legal documentation in the Subsidiary subsection.

**6.** Click **Save** to mark the subsection as complete.

### 3.2.2 CDE & LLC Subsection

This subsection determines whether the Applicant CDE is an LLC, which affects how it must be classified for federal tax purposes to remain eligible for CDE Certification.

### **Why This Section Matters**

Only entities treated as **domestic corporations or partnerships** for federal income tax purposes are eligible for CDE Certification. If the Applicant CDE is an LLC, additional questions will be displayed to confirm the entity's structure and tax classification.

### **Procedures**

### 1. Indicate LLC Status

Select Yes or No in response to Is the Applicant CDE a Limited Liability corporation (LLC)?

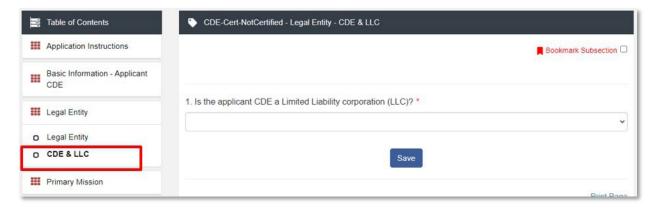


Figure 10: CDE-Cert-NotCertified Application, CDE & LLC Subsection

° If the Applicant CDE answers "**No**", no additional fields will appear, and the subsection can be marked complete.

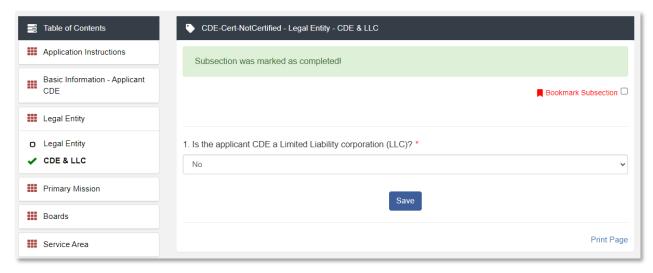


Figure 11: CDE-Cert-NotCertified Application, CDE & LLC Subsection (if Question 1 is No)

- $^{\circ}$   $\,$  If the Applicant CDE answers "Yes", complete the following additional fields:
  - Does the LLC have more than one (1) member?
  - Is the LLC Treated as Corporation or Partnership for Tax Purposes?

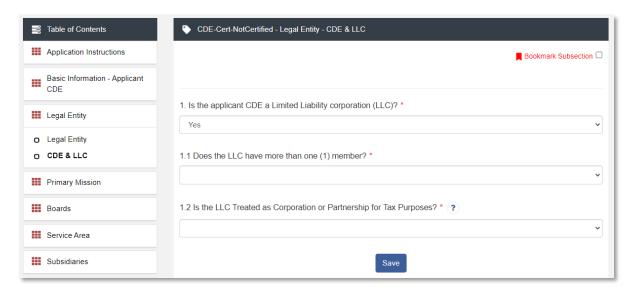


Figure 12: CDE-Cert-NotCertified Application, CDE & LLC Subsection (if Question 1 is Yes)

2. Click **Save** to mark the subsection as complete.

### 3.3 Primary Mission Section

### **Primary Mission Elements**

A CDE must demonstrate that:

- Its Primary Mission is to serve, or provide investment capital for, LICs, or LIPs; and
- Its activities, such as providing investment capital, are directed to LICs or LIPs.

### **Demonstrating Primary Mission**

An Applicant CDE may meet the Primary Mission requirement by providing documentation that clearly supports its mission to serve LICs and LIPs.

Acceptable documentation includes, but is not limited to:

- A signed or filed Articles of Incorporation or Articles of Organization
- A signed Partnership Agreement
- A Board Resolution
- An Annual Report accompanied by a letter from the Board Chairperson
- Other similar board-approved documents, such as a onepage narrative explicitly describing how the organization's activities and products support the Primary Mission certification criteria.
- A Primary Mission statement must include an explicit reference to **LICs, LIPs,** or an alternate, clearly acceptable description.

### **Meeting the Primary Mission Test**

An Applicant CDE may meet the Primary Mission Test in one of two ways:

- Directly, by serving LICs or LIPs, such as by providing investment capital to individuals, businesses, or organizations located in LICs or to LIPs; or
- Indirectly, by supporting other entities that in turn provide services in LICs or to LIPs, such as by providing investment capital to a nonprofit in a LIC that provides social services to LIPs.

The Applicant CDE must demonstrate that its activities are currently directed (or will be directed) to:

- LIPs
- Individuals, businesses, or organizations that serve LIPs
- Residents or businesses located in LICs.

### **Unacceptable Documentation**

The CDFI Fund will not accept:

- Pamphlets
- Brochures, or
- Other marketing materials to document primary mission.

### **Examples of Qualifying Activities**

- Lending to LIPs or residents of LICs
- Investing in or lending to businesses located in LICs or owned by LIPs, or both
- Providing loans for commercial properties located in LICs
- Supporting CDEs, CDFIs, or similar organizations that promote community development in LICs or for the benefit of LIPs.

**Note:** An Applicant CDE that is an **Insured Depository Institution** or **Insured Credit Union** may demonstrate a qualifying mission through a designation by a regulatory agency, such as a **Low-Income Designated Credit Union** or other community development designation.

### **CDFI Fund Discretion**

The CDFI Fund reserves the right to modify or revise the requirements of the Primary Mission Test if it determines, in its sole discretion, that an Applicant CDE has otherwise demonstrated compliance with the intent and purpose of  $\underline{\text{IRC}}$   $\underline{\$45D(c)(1)(A)}$ .

### 3.3.1 Primary Mission Subsection

### **Why This Section Matters**

The Primary Mission subsection helps the CDFI Fund determine whether the Applicant CDE is fundamentally focused on serving LICs or LIPs—a core requirement for CDE Certification. Without clear evidence of a qualifying mission, the Application cannot proceed. The documentation provided here must explicitly support this mission and align with the information entered in the Application.

### **Procedures**

Upload a copy of a board-approved document from the Applicant CDE that demonstrates a Primary Mission of serving **LICs** or **LIPs.** See <u>Demonstrating Primary Mission</u> for acceptable documentation.

**Note:** If the Articles of Incorporation or Organization were uploaded in the Legal Entity section and clearly demonstrate the Applicant CDE's Primary Mission, it is not necessary to upload the document again here.

### 1. Enter the Primary Mission Statement

Enter the Applicant CDE's Primary Mission exactly as it appears in the organizing document.

### 2. Select and Upload Supporting Documentation

From the dropdown list, select the **type of document** being submitted that supports the stated Primary Mission and **upload the corresponding file.** 

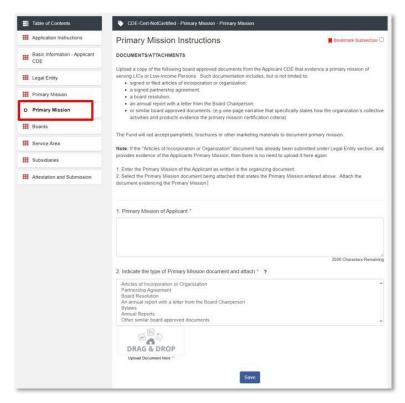


Figure 13: CDE-Cert-NotCertified Application, Primary Mission Subsection

3. Click **Save** to mark the subsection as complete.

### 3.4 Boards Section

### Why This Section Matters

To meet the <u>Accountability Test</u> requirements, an Applicant CDE must demonstrate that it maintains ongoing accountability to residents of the LICs it intends to serve. This section outlines the governance structures and board composition requirements used to evaluate compliance with this statutory criterion.

### **Accountability Requirements**

An Applicant CDE will be determined to meet the accountability requirement if it has:

- At least two Governing or Advisory Board members; and
- At least 20% of the members of its Governing Board or each Advisory Board are representative of LICs in the selected Service Area(s).

**Note:** An entity may meet this requirement through either its Governing Board or its Advisory Board(s), but not through alternative means such as community meetings or focus groups.<sup>1</sup>

### Maintaining Accountability Through Advisory Board(s)

If the Applicant CDE intends to meet the Accountability Test through Advisory Board(s), include a **brief narrative** addressing all of the following:

- How the Advisory Board members are selected;
- How frequently the Advisory Board meets (boards must meet at least annually to qualify);
- How feedback is solicited from residents of LICs, and how often that feedback is (or will be) collected, such as through semi-annual community meetings or annual surveys; and
- How that feedback is (or will be) used to inform Governing Board decisions, such as by having an advisory member sit on the Governing Board, requiring Advisory Board reports to the Governing Board, or requiring Advisory Board approval for Governing Board consideration.

**Note:** A Subsidiary may meet its Accountability Test via the Governing or Advisory Board of the Applicant CDE. Similarly, an Applicant CDE may meet its Accountability Test via the Governing Board of its controlling entity

<sup>&</sup>lt;sup>1</sup> IRC §45D(c)(1)(B) requires that accountability be demonstrated through representation on a **governing or Advisory Board**, not through indirect means such as focus groups or surveys. See <u>Glossary</u> for the full statutory language.

### Who Qualifies as a Representative of a LIC or LIP?

For CDE Certification purposes, Accountability to the LIC or LIP can be demonstrated in any of the following ways:

LIC/LIP Representative	Source of Accountability	Requirements
Resident of a LIC	Lives in a qualified LIC census tract within the proposed Service Area	<ul> <li>Provide verifiable address or FIPS code, or both.</li> </ul>
Small business owner in a LIC	Operates a business located in and serving LIC residents	<ul> <li>Provide verifiable address or FIPS code, or both.</li> <li>Business must not engage in ineligible activities, such as golf courses, liquor stores, massage parlors, gambling, etc.; products or services must be accessible to LIC residents; must primarily hire or serve LIC residents.</li> </ul>
Religious leader in a LIC	A leader of a faith-based organization whose physical building is based in the LIC	<ul> <li>Provide verifiable address or FIPS code, or both.</li> </ul>
Elected official	Constituency includes or is primarily composed of LIC residents (≥50% of the tracts qualify as LIC or ≥50% of the residents live in a qualified LIC)	<ul> <li>Must demonstrate that at least half of constituency is LIC-based;</li> </ul>
Employee/board member of a charitable or community-based organization	Organization's mission and activities are directed primarily to LICs	<ul> <li>Mission statement must confirm majority of activities serve LICs; Service Area should overlap Applicant CDE's Service Area; must not be an entity affiliated with the Applicant CDE</li> </ul>
Employee/board member of a credit union or Certified CDFI/CDE	Organization accountable through mission and lending/services to LICs	<ul> <li>Automatically presumed to qualify if a currently certified CDFI but must continue to demonstrate accountability to LICs.</li> </ul>

LIC/LIP Representative	Source of Accountability	Requirements
Employee of Government agency serving LICs	Works for an agency or department that primarily serves LICs	<ul> <li>Agency must have mission to serve LICs (not just incidental service); government entities without LIC-serving mission do not qualify.</li> </ul>

**Note:** If a board member does not meet any of these criteria, they must be marked as "Not an LIC Representative."

If the Applicant CDE relies on **Advisory Boards** to meet the requirement:

- Each Advisory Board(s) must include at least 20% representative members, and
- The Applicant CDE must demonstrate that the Advisory Board's input is meaningfully considered by the Governing body.

### Statewide, Multi-State, or National Service Areas

If the Applicant CDE designates a **statewide**, **multi-state**, **or national** service area, they must demonstrate that at least 20% of its board members (Governing or Advisory) are representative of a **cross-section** of LICs in the applicable geography.

This may require the CDE to:

- Establish multiple Advisory Boards, or
- Appoint board members affiliated with state-wide organizations or nationwide organizations that
  represent LIC interests, such as a state-wide non-profit or a national community development
  organization.

### **Multiple Geographic Areas**

A CDE is not limited in the number of LICs or geographic areas it may serve. However, it must demonstrate accountability to each LIC or area it serves.

### **CDFI Fund Discretion**

The CDFI Fund reserves the right to modify or revise the requirements of the Accountability Test if it determines, in its sole discretion, that an Applicant CDE has otherwise demonstrated compliance with the intent and purpose of  $\underline{\text{IRC}}$   $\underline{\$45D(c)(1)(B)}$ .

### 3.4.1 Boards Subsection

To complete this subsection, the Applicant CDE must first create and complete **Organization Board records** in their **Organization Detail** page.

**Note:** An Applicant CDE must create Organization Board records in AMIS before selecting them within the CDE Certification Application.

### **Procedures**

### **Creating a New Organization Board Record in AMIS**

Follow the steps below to create and populate a new Organization Board record.

### **Board Naming Convention**

To allow for future changes to your Organization Board, the CDFI Fund recommends avoiding generic names for board records, such as "Advisory Board."

Use the following naming convention:

[Organization Name]\_[Board Type] (Month Year of Creation)

Example: ACME CDE\_AdvBd (Apr 2024)

- 1. Exit the template Application and navigate to the Applicant CDE's Organization Detail page.
  - From the Organizations tab, select the hyperlink for the Applicant CDE's organization from the Recently Viewed list.
  - Alternatively, use the global search bar at the top of the page to search for the organization by name.
- 2. Click the **New Org Board** button.

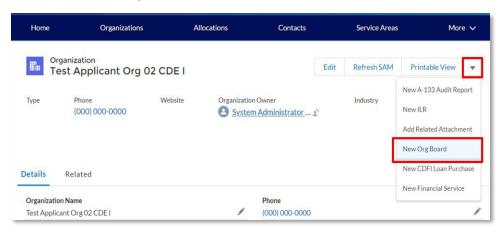


Figure 14: Organization Record - New Org Board Button

- 3. In the **New Org Board** creation popup:
  - Enter the Board Name.
  - Select **CDE Certification** from the board **Purpose** drop-down menu.

**Note:** AMIS lists multiple options under the Purpose field. However, for this purpose you must only select "CDE Certification"

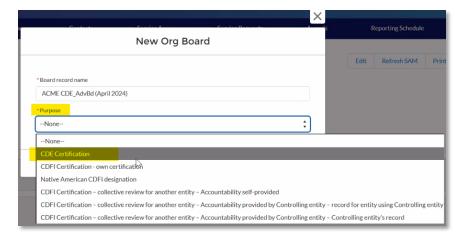


Figure 15: New Org Board Creation Popup

- 4. Click Next.
- 5. Select the **Board Type** (Governing or Advisory) and click **Next**.

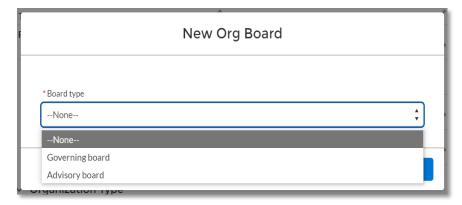


Figure 16: New Org Board - Board Type Field

**6.** The new Board record will appear on the **Organization's Board Related List**.



Figure 17: Newly Created Organization Board on the Related List

7. Click on the newly created Board record to open the **Organization Board Detail** page.

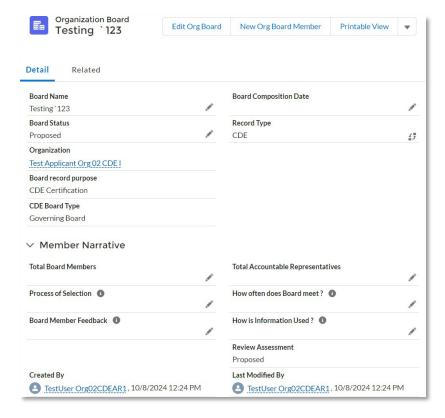


Figure 18: CDE Organization Board Detail Page

- **8.** Complete the **Member Narrative** section, including:
  - ° Total number of board members
  - ° Total number of accountable representatives
  - Frequency of board meetings
  - How the board is selected
  - ° How LIC feedback is gathered and used

**Note:** These entries support the Accountability Test requirements

### **Adding Board Members in AMIS**

- 1. To create Organization Board Members:
  - on the Related Tab, click New on the Organization Board Members Related List.



Figure 19: Related List - Organization Board Members

2. Select the **Board Member Type** and click **Next**.

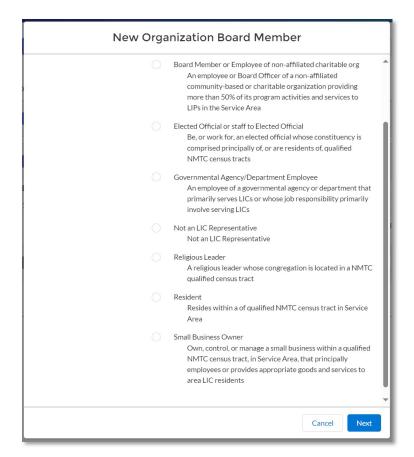




Figure 20: CDE Board Member Types

3. Based on the **Board Member Type** selected, complete the required questions. Repeat this step to add additional Board Members by clicking **New** again on the **Organization Board Members** related list.

#### Selecting a Board in the CDE Certification Application

Once the Organization Board(s) has been created and populated in AMIS, follow these steps to link them to the CDE Certification Application:

- 1. Launch the CDE Certification Application from the Applicant's Program Profile.
- 2. Navigate to the Boards section and open the **Boards subsection**.
- 3. In Select Organization Boards from AMIS field:
  - Search for and select the appropriate board from the list of Organization Board records linked to the Applicant's Organization Detail page.

**Note:** Only boards that have been created in the Organization Detail Page in AMIS will appear in this dropdown list.

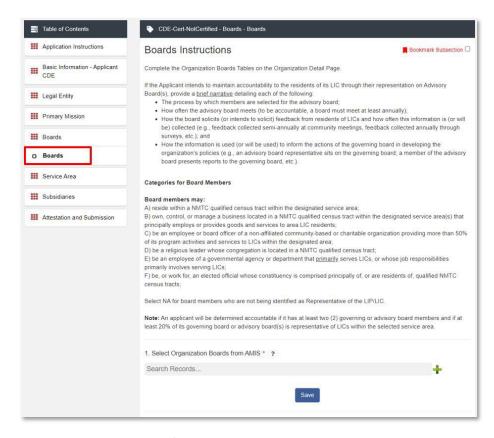


Figure 21: CDE-Cert-NotCertified Application, Boards Subsection

**4.** Click **Save** to mark the subsection as complete.

### **Add Additional Multiple Boards**

Applicant CDEs may add or remove multiple boards by clicking the green plus sign icon (+) to add a board or the red minus sign icon (-) to remove one, next to the Search Records field.



Figure 22: CDE-Cert-NotCertified Application, Boards Subsection (Showing Add Additional)

### 3.5 Service Areas Section

## **Why This Section Matters**

To meet the Accountability Test requirements, the Applicant CDE must demonstrate that it maintains accountability to the LICs it serves. This section is used to identify the geographic area the entity serves or intends to serve and ensures that LIC representation is appropriately aligned with that geography.

Before moving forward with selecting your proposed Service Area, the Applicant CDE will need to create a Service Area record in AMIS. This process takes place outside of the Application but is a required step to complete the Service Areas Section.

### **Creating a Service Area Record in AMIS**

Follow the steps below to create a Service Area record.

- 1. Exit the template Application and navigate to the Applicant CDE's Organization Detail page.
  - From the Related tab, scroll down to select the New button for the Applicant CDE's organization from the Service Areas list.



Figure 23: CDE-Cert-NotCertified, Creating a New Service Area Record

- 2. In the **New** creation pop-up:
  - Enter the Proposed Service Area
  - Confirm your Entity Name.
- 3. Select Save.

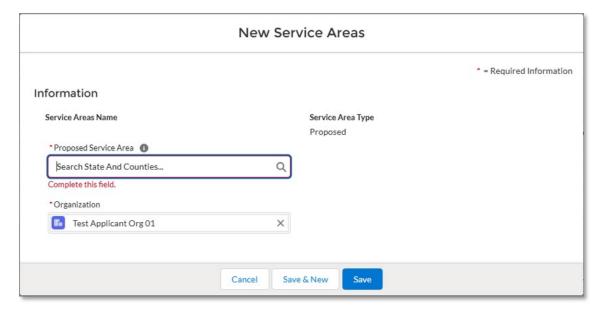


Figure 24: CDE-Cert-NotCertified, New Service Area Creation Pop-Up

### 3.5.1 Service Areas Subsection

Each entity seeking CDE certification under this Application must:

- Identify the Service Area that it serves or intends to serve, and
- Demonstrate that its accountability to the LICs aligns with the designated Service Area.

**Note:** The Applicant CDE must identify a geography it currently serves or intends to serve. To be certified for the proposed Service Area, the Applicant CDE must demonstrate accountability to the LICs within that geography.

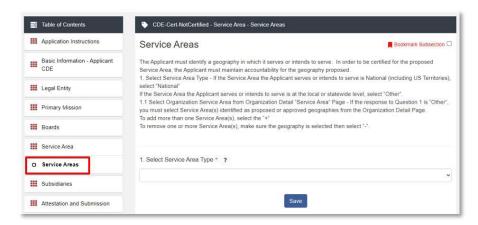


Figure 25: CDE-Cert-NotCertified Application, Service Areas Subsection

### **Procedures**

### 1. Select Service Area Type

If the Service Area is National (including US Territories), select "National".

**Note:** Selecting "National" allows the Applicant CDE to proceed with the Application without additional questions.

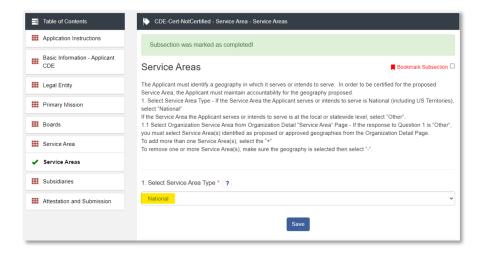


Figure 26: CDE-Cert-NotCertified Application, Service Areas Subsection (Showing Question 1 is National)

of the Service Area is **local or statewide**, select "Other".

**Note:** Selecting "Other", will prompt additional questions in the Application.

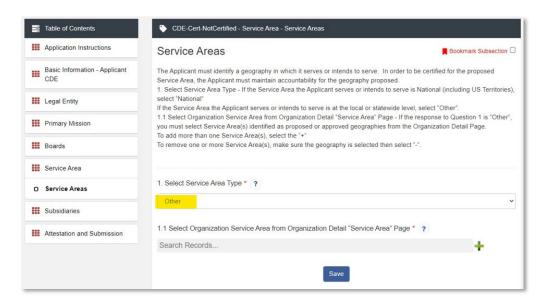


Figure 27: CDE-Cert-NotCertified Application, Service Areas Subsection (Showing Question 1 is Other)

- 2. Select Organization Service Area from the "Service Area" Page in Organization Detail
  If the response to Question 1 is "Other":
  - ° From the Organization Detail page, select the Service Area(s) marked as *Proposed* or *Approved* geographies.
    - To add additional Service Areas, click the green plus sign (+).
    - To remove a Service Area, select the geography and click the red minus button (-).
- 3. Click **Save** to mark the subsection as complete.

### 3.6 Subsidiaries Section

### Why This Section Matters

An Applicant CDE may seek CDE Certification on behalf of one or more Subsidiary entities. Each Subsidiary CDE must independently meet all CDE Certification criteria at the time of submission. This section outlines the requirements and procedural steps for including Subsidiary CDEs in the Application.

To be certified, the <u>Subsidiary CDE</u> included in the Application must independently meet all CDE Certification criteria at the time of submission. Specifically, each Subsidiary must:

- Be a legally established entity and a domestic corporation or partnership for federal tax purposes
- Have a Primary Mission of serving, or providing investment capital to, LICs or LIPs, and
- Demonstrate **LIC representation** via its Governing or Advisory Board, aligned with the Service Area it serves or intends to serve.

### 3.6.1 Subsidiary Applicants Included? Subsection

If the Applicant CDE is seeking CDE Certification for one or more Subsidiary entities, this subsection determines whether additional questions must be completed. The Applicant CDE must first confirm whether any Subsidiary CDEs will be included in the Application. Only Subsidiary entities that meet all CDE Certification criteria at the time of submission may be included.

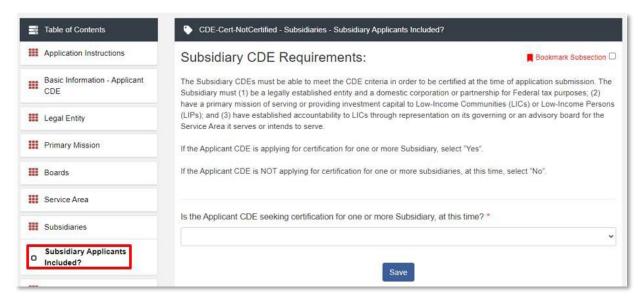


Figure 28: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection

### **Procedures**

- Is the Applicant CDE seeking certification for one or more Subsidiary entities, at this time?
  - o If Yes, select "Yes".

**Note:** Selecting "Yes" and clicking Save will present a new subsection titled "Add Subsidiary CDE," where the Applicant CDE must answer additional questions.

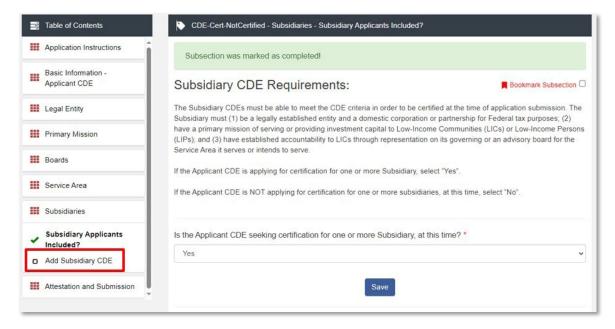


Figure 29: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection (Yes)

of the Applicant CDE is not applying for certification for one or more Subsidiaries at this time, select "No".

**Note:** Selecting "No" allows the Applicant CDE to proceed with the Application without additional questions.

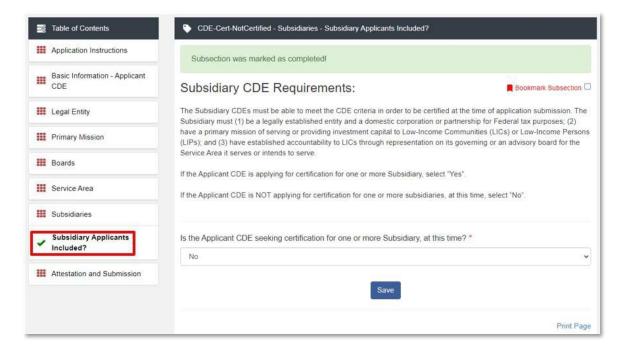


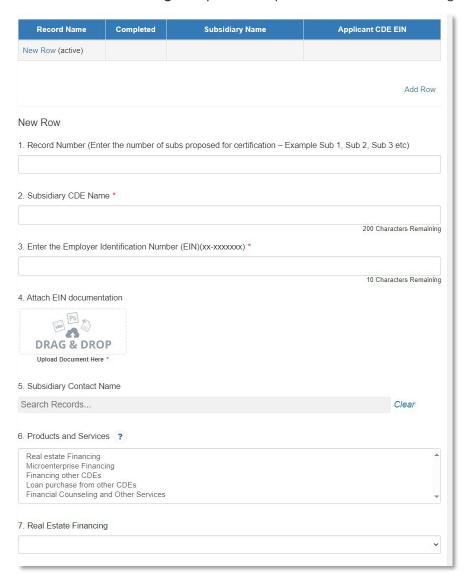
Figure 30: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection (No)

2. Click **Save** to mark the subsection as complete.

#### Add Subsidiary CDE (if applicable)

If "Yes" is selected, complete Questions 1 – 13 for **each** Subsidiary for which the Applicant CDE is seeking CDE certification.

- 1. **Record Number** *Optional*. Used to help the Applicant CDE identify the active record.
- 2. Subsidiary CDE Name Enter the legal name of the Subsidiary CDE, as shown on official legal documents.
- 3. Enter the Employer Identification Number (EIN) Enter the EIN of the Subsidiary, as listed on the IRS documentation.
- 4. Attach EIN documentation Upload the document verifying the Subsidiary's valid EIN.
- **5. Subsidiary Contact Name** Enter the name of the Point of Contact listed in the Subsidiary's AMIS Organization Detail Page.
- **6. Products and Services** Select one or more categories from the Products and Services list that the Subsidiary offers or plans to offer.
- 7. Real Estate Financing Response is required if "Real Estate Financing" was selected in Question #6.



- 8. Type of Entity Select one or more options that describe the Subsidiary's organizational structure.
- 9. Is the Subsidiary established as a legal entity?
  - ° If **Yes**: Answer the additional questions:
    - **Establishment Date** Enter the date the Subsidiary was legally established (as listed on legal documentation).
    - **Current Assets to date** Enter the current value of the Subsidiary's assets.
    - **Legal Documentation** Select and upload the document used to demonstrate the Subsidiary's legal entity status.
  - o If No:
    - The Subsidiary is not eligible for certification and cannot be included in the Application.
- **10. Does the Subsidiary CDE share the same Primary Mission as the Applicant CDE?** Refer to the Program Profile to confirm the Applicant CDE and its Subsidiary share the same Primary Mission.
  - o If Yes: No additional documentation is needed.
  - ° If **No**: Select and upload a document demonstrating the Subsidiary's Primary Mission.
- 11. Is the Subsidiary CDE a domestic corporation or partnership for federal tax purposes?
  - ° If Yes: Proceed with the Application.
  - ° If **No**: The Applicant CDE may not apply on behalf of the Subsidiary.
- 12. Does the Subsidiary CDE share the same Board as the Applicant CDE?
  - o If **Yes**: Proceed with the Application.
  - ° If **No**: Select the appropriate Board(s) from the Boards section of the AMIS Organization Detail Page.

**Note:** If the Applicant CDE does not intend to use the Parent CDE Board as a means of LIC representation for Accountability, the Applicant CDE must create a new Organization Board record within the Parent CDE Org Profile in AMIS (use the suggested naming convention). See <u>Section 3.4</u> for additional details.

- 13. Does the Subsidiary CDE share the same Service Area(s) as the Applicant CDE?
  - o If Yes: Proceed with the Application.
  - If No: Select the applicable Service Area(s) from the Service Area section of the AMIS
     Organization Detail Page.

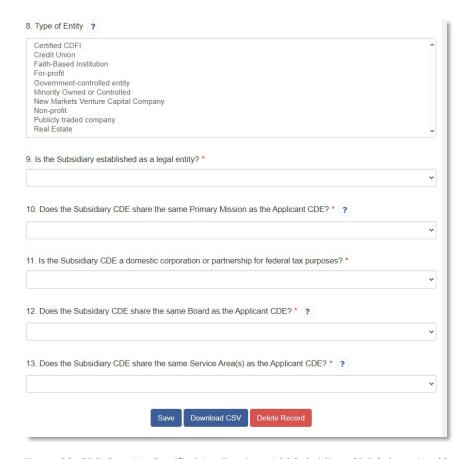


Figure 32: CDE-Cert-NotCertified Application, Add Subsidiary CDE Subsection (Continued)

**14.** Click **Save** to mark the subsection as complete.

### **To Add Additional Subsidiary Records**

After completing and saving the current Subsidiary record, click the **Add Row** button to generate blank fields for entering another Subsidiary.

Record Name	Completed	Subsidiary Name	Applicant CDE EIN
New Row (active)			
			Add Row

Figure 33: CDE-Cert-NotCertified Application, Add Subsidiary CDE Subsection (Add Row)

### 3.7 Attestation and Submission Section

## Why This Section Matters

To complete the CDE Certification Application, the Applicant CDE must attest that the information provided throughout the Application is accurate and complete. This attestation confirms that the Application has been reviewed and approved by an Authorized Representative of the Applicant CDE's Governing body. Once the Application is submitted, no further edits can be made unless requested by the CDFI Fund. Ensuring accurate attestation is essential for maintaining transparency, accountability, and compliance with CDE Certification requirements.

### **Authorized Representatives vs. Application Point of Contact**

Only a designated **Authorized Representative** or **Application Point of Contact**, as identified in the Application, may submit the Application in AMIS.

### Important!

Be aware of the difference between these two roles:

- Authorized Representative May sign and submit the Application.
- Application Point of Contact May submit the Application but cannot sign it.

### Important!

Before submitting the CDE Application, the CDFI Fund recommends that you **closely review all responses** within the Application and related tools. Once submitted, the Application will be **locked**, **and responses cannot be altered**. Before proceeding to the Attestation and Submission section, make sure that the Application is **complete**, **all narratives and data have been entered**, **and that all required attachments have been uploaded and attached** to the Application.

#### **Procedures**

#### **Submitting the Application**

### 1. Verify 100% Completion

Ensure the Progress Bar shows 100% Complete before proceeding.

**Note:** The system will not allow submission unless all required sections are marked as complete.

#### 2. Review the Attestation Statement

On the **Attestation and Submission** page, the Applicant CDE must review the attestation language, which affirms that the Application contents are true, accurate, and complete.

#### 3. Check the Attestation Box

Select the checkbox to confirm the attestation.

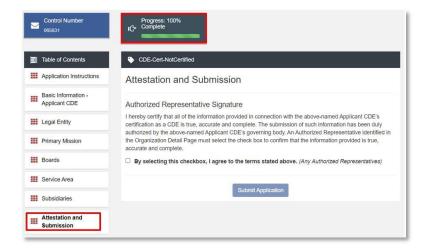


Figure 34: CDE-Cert-NotCertified Application, Attestation and Submission Subsection

### 4. Click Submit Application

- After selecting the checkbox, click **Submit Application**.
- A confirmation dialog will appear.

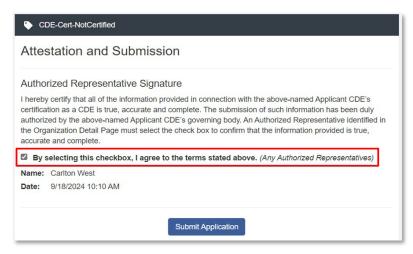


Figure 35: CDE-Cert-NotCertified Application, Attestation and Submission Subsection (Attestation Checked)

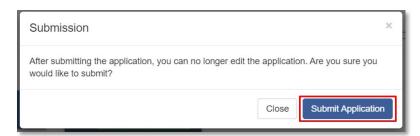


Figure 36: CDE-Cert-NotCertified Application, Confirmation of Submission Popup

### 5. Confirm Submission

° Click **Submit Application** in the confirmation popup to complete the electronic submission.

° After submission, the Application becomes locked for editing.

### 6. Receive Confirmation Email

A confirmation email will be sent to the Applicant CDE's registered email address acknowledging receipt of the CDE Certification Application.

**Basic Information – Applicant CDE** 

**Subsidiaries** 

**Attestation and Submission** 

# 4. CDE-Cert-Certified

Applicant CDEs currently certified as a CDE can initiate the **CDE-Cert-Certified** version of the CDE Certification Application. This shortened version is designed for entities that have already been certified and are seeking to maintain their CDE Certification status.

These Applicants must reconfirm key organizational information, update any changes, and complete attestation.

- Basic Information Applicant CDE
- Subsidiaries
- Attestation and Submission

#### Note!

AMIS will **automatically** initiate the **CDE-Cert-Certified** Application if:

 Type C: An Applicant is already CDE certified and is applying to add one or more subsidiaries.

### **CDE-Cert-Certified Application Section Summary**

Application Section	Required Actions	Requirements
Basic Information - Applicant CDE	<ul><li>Review Name, Address, and EIN</li><li>Enter Basic Information</li></ul>	<ul><li>Auto populated from Applicant's AMIS account</li><li>Official IRS EIN letter</li></ul>
Subsidiaries	<ul><li>List Subsidiary name/EIN</li><li>Verify each Subsidiary meets all CDE Certification tests</li></ul>	<ul><li>Subsidiary formation documents</li><li>Mission documents</li><li>Board rosters</li></ul>
Attestation and Submission	<ul> <li>Authorized Representative checks attestation box and submits</li> </ul>	<ul> <li>None – electronic attestation only</li> </ul>

### **Procedures**

### To complete the Application:

- 1. From the **Organization Detail** page, navigate to the Program Profiles related list.
- 2. Click the **Program Profile Name** for the *CDE-CERT* Program Profile to be forwarded to the **CDE-CERT Program Profile Detail** page.
- 3. Click the Apply for CDE Certification button.



Figure 37: Apply for CDE Certification Button (CDE-Cert-Certified)

**4.** AMIS will direct you to the **CDE-Cert-Certified Certification** Application.

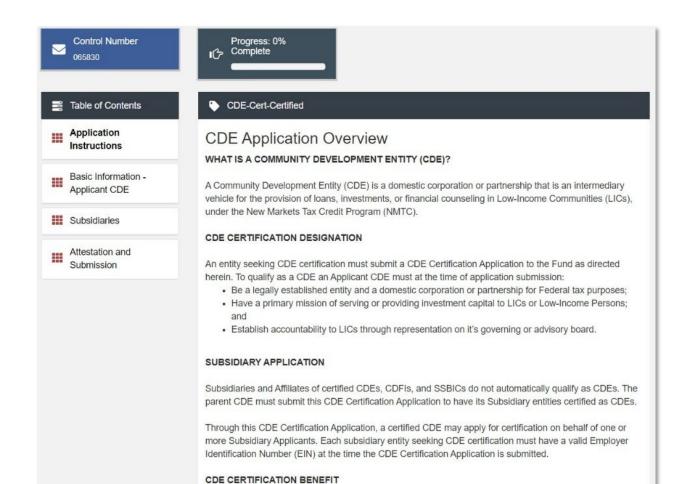


Figure 38: CDE-Cert-Certified Application

#### Tip

Benefits of being certified as a CDE include being able to apply to the CDFI Fund to receive a New Markets Tax Credit (NMTC) allocation to offer its investors in exchange for equity investments in the CDE and/or its subsidiaries; or to receive loans or investments from other CDEs that have received NMTC allocations.

If you **do not** see the **Apply for CDE Certification** button, verify that your Program Profile is correctly associated with the CDE-CERT program and that you have proper AMIS permissions.

# 4.1 Basic Information – Applicant CDE Section

The Basic Information section collects foundational details about the Applicant CDE. This includes the organization's legal status, mailing address, and the types of geographic markets it serves. All information in this section must be accurate and consistent with the Applicant CDE's AMIS Organization Record and official documentation.

### **What This Section Covers**

The Basic Information – Applicant CDE section includes three required subsections. Together, they establish the Applicant CDE's legal identity, point of contact, and the general scope of its service activities. Each subsection must be completed and saved before the Application can proceed.

- <u>Applicant Information:</u> Collects key organizational details such as the Applicant CDE's legal name, EIN, entity structure, products and services offered, and designated contacts. This information must align with the Applicant CDE's AMIS Organization Record and official documentation.
- <u>Applicant Address:</u> Displays the mailing address for the Applicant CDE as recorded in AMIS. If updates are needed, they must be made in the Organization Detail page and cannot be edited directly within the Application.

### 4.1.1 Applicant Information Subsection

The **Applicant Information Subsection** collects key identifying details about the Applicant CDE, including:

- Name of Applicant
- Establishment Date
- Control Number
- Authorized Representative
- Points of Contact

These fields must be accurate and align with the organization's AMIS profile and official documentation.

**Note:** Some fields, such as Name of Applicant and EIN, are auto-filled from the AMIS Organization Record and cannot be edited directly in the Application. If incorrect, the Applicant CDE must submit a Service Request in AMIS to update the record.

### **Why This Section Matters**

This subsection confirms and verifies the Applicant CDE's legal status and structure, identifies the Authorized Representative(s) with authority to submit the Application, and designates Point(s) of Contact for communication purposes. Inaccuracies in these fields can lead to submission blocks or delays in processing.

### **Procedures**

Complete the following fields in the Applicant Information Subsection to ensure the Application meets the CDFI Fund's requirements. Review each field carefully for accuracy, and follow the instructions provided to upload documentation or initiate changes where required.

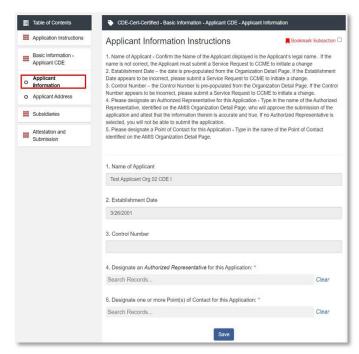


Figure 39: CDE-Cert-Certified Application, Applicant Information Subsection

### 1. Name of Applicant

Confirm the Name of the Applicant displayed is the Applicant CDE's legal name.

° If the name is not correct, the Applicant CDE must submit a Service Request in AMIS to initiate a change.

#### 2. Establishment Date

The date is pre-populated from the Organization Detail Page.

° If the Establishment Date appears to be incorrect, please submit a Service Request in AMIS to initiate a change.

#### 3. Control Number

The Control Number is pre-populated from the Organization Detail Page.

 If the Control Number appears to be incorrect, please submit a Service Request in AMIS to initiate a change.

### 4. Authorized Representative

Enter the name of the Authorized Representative, identified on the AMIS Organization Detail Page.

- ° This individual will certify the Application and approve its submission.
- ° If no Authorized Representative is designated, the Application cannot be submitted.

### 5. Point(s) of Contact

Enter the name of the Point of Contact listed on the AMIS Organization Detail Page.

6. Click **Save** to mark the subsection as complete.

### 4.1.2 Applicant Address Subsection

The Applicant Address Subsection is used to confirm the official mailing and shipping addresses of the Applicant CDE as recorded in AMIS. These addresses should match the ones the organization uses for formal communications with the CDFI Fund.

### Why This Section Matters

The mailing and shipping addresses listed here will be used by the CDFI Fund for official notices, correspondence, and deliveries. They should be regularly monitored and kept up to date.

### **Procedures**

Review the mailing address listed in the **Applicant Address Subsection**. This address is pulled directly from the organization's AMIS profile and cannot be edited within the Application.

If the information is incorrect, follow the steps below to update the address in the Organization Detail page before proceeding.

- 1. Review the Mailing Address displayed in the Mailing Address section.
  - ° This information is pulled from the AMIS Organization Detail page.
- 2. Review the Shipping Address displayed in the Shipping Address section.
  - ° This information is pulled from the AMIS Organization Detail page.
- 3. If either address is incorrect:
  - ° Return to the Organization Detail page in AMIS to make corrections.
  - Changes made there will auto-populate into the Application when refreshed.

**Note:** The mailing and shipping address fields in the Application are not editable directly. All updates must be made in the Organization Record in AMIS.

**4.** Click **Save** to mark the subsection as complete.

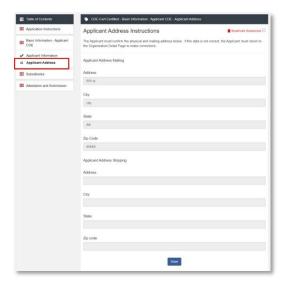


Figure 40: CDE-Cert-Certified Application, Applicant Address Subsection

### 4.2 Subsidiaries Section

### **Why This Section Matters**

An Applicant CDE may seek CDE Certification on behalf of one or more Subsidiary entities. Each Subsidiary CDE must independently meet all CDE Certification criteria at the time of submission. This section outlines the requirements and procedural steps for including Subsidiary CDEs in the Application.

To be certified, the <u>Subsidiary CDE</u> included in the Application must independently meet all CDE Certification criteria at the time of submission. Specifically, each Subsidiary must:

- Be a legally established entity and a domestic corporation or partnership for federal tax purposes
- · Have a Primary Mission of serving, or providing investment capital to, LICs or LIPs, and
- Demonstrate **accountability to LICs** through representation on its Governing or Advisory Board, aligned with the Service Area it serves or intends to serve.

### 4.2.1 Subsidiary Applicants Included? Subsection

If the Applicant CDE is seeking CDE Certification for one or more Subsidiary entities, this subsection determines whether additional questions must be completed. The Applicant CDE must first confirm whether any Subsidiary CDEs will be included in the Application. Only Subsidiary entities that meet all CDE Certification criteria at the time of submission may be included.



Figure 41: CDE-Cert-Certified Application, Subsidiary Applicants Included? Subsection

#### **Procedures**

- 1. Is the Applicant CDE seeking certification for one or more Subsidiary entities, at this time?
  - If Yes. select "Yes."

**Note:** Selecting "Yes" and clicking Save will present a new subsection titled "Add Subsidiary CDE," where the Applicant CDE must answer additional questions.

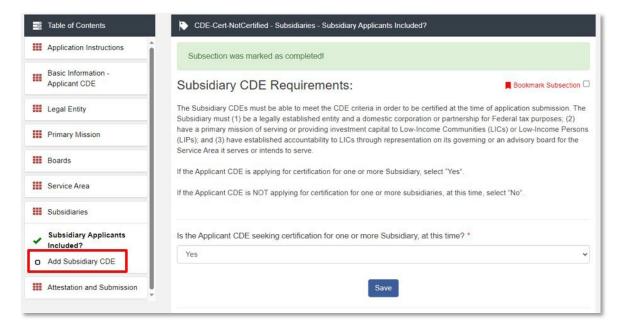


Figure 42: CDE-Cert-Certified Application, Subsidiary Applicants Included? Subsection (Yes)

 If the Applicant CDE is not applying for certification for one or more subsidiaries at this time, select "No."

**Note:** Selecting "No" allows the Applicant CDE to proceed with the Application without additional questions.

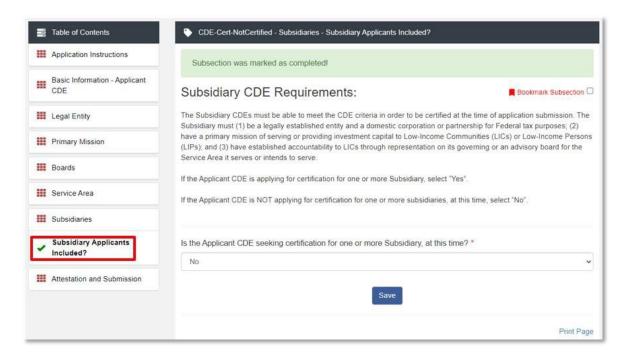


Figure 43: CDE-Cert-NotCertified Application, Subsidiary Applicants Included? Subsection (No)

2. Click **Save** to mark the subsection as complete.

#### **Add Subsidiary CDE (if applicable)**

If "Yes" is selected, complete Questions 1 – 13 for **each** Subsidiary for which the Applicant CDE is seeking CDE certification.

- 1. **Record Number** *Optional*. Used to help the Applicant CDE identify the active record.
- 2. **Subsidiary CDE Name** Enter the legal name of the Subsidiary CDE, as shown on official legal documents.
- **3. Enter the Employer Identification Number (EIN)** Enter the EIN of the Subsidiary, as listed on the IRS documentation.
- 4. Attach EIN documentation Upload the document verifying the Subsidiary's valid EIN.
- **5. Subsidiary Contact Name** Enter the name of the Point of Contact listed in the Subsidiary's AMIS Organization Detail Page.
- **6. Products and Services** Select one or more categories from the Products and Services list that the Subsidiary offers or plans to offer.
- 7. **Real Estate Financing** Response is required if "Real Estate Financing" was selected in Question #6.

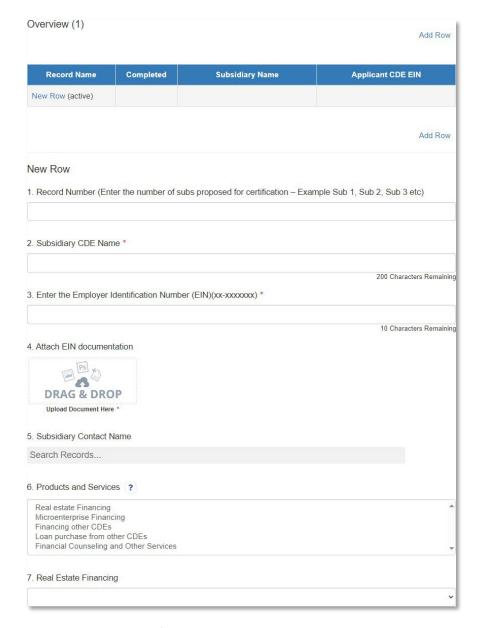


Figure 44: CDE-Cert-Certified Application, Add Subsidiary CDE Subsection

- **8. Type of Entity** Select one or more options that describe the Subsidiary's organizational structure.
- 9. Is the Subsidiary established as a legal entity?
  - o If Yes: Answer the additional questions:
    - **Establishment Date** Enter the date the Subsidiary was legally established (as listed on legal documentation).
    - **Current Assets to date** Enter the current value of the Subsidiary's assets.
    - **Legal Documentation** Select and upload the document used to demonstrate the Subsidiary's legal entity status.
  - o If No:
    - The Subsidiary is not eligible for certification and cannot be included in the Application.

- **10. Does the Subsidiary CDE share the same Primary Mission as the Applicant CDE?** Refer to the Program Profile to confirm the Applicant CDE and its Subsidiary share the same Primary Mission.
  - o If Yes: No additional documentation is needed.
  - If No: Select and upload a document demonstrating the Subsidiary's Primary Mission.

### 11. Is the Subsidiary CDE a domestic corporation or partnership for federal tax purposes?

- o If **Yes**: Proceed with the Application.
- o If **No**: The Applicant CDE may not apply on behalf of the Subsidiary.

### 12. Does the Subsidiary CDE share the same Board as the Applicant CDE?

- ° If Yes: Proceed with the Application.
- If No: Select the appropriate Board(s) from the Boards section of the AMIS Organization Detail Page.

**Note:** If the Applicant CDE does not intend to use the Parent CDE Board as a means of LIC representation for Accountability, the Applicant CDE must create a new Organization Board record within the Parent CDE Org Profile in AMIS (use the suggested naming convention). See <u>Section 3.4</u> for additional details.

### 13. Does the Subsidiary CDE share the same Service Area(s) as the Applicant CDE?

- ° If **Yes**: Proceed with the Application.
- If No: Select the applicable Service Area(s) from the Service Area section of the AMIS
   Organization Detail Page.

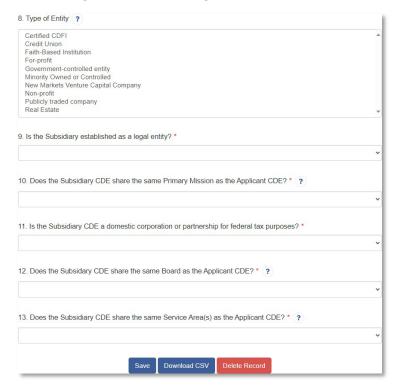


Figure 45: CDE-Cert-Certified Application, Add Subsidiary CDE Subsection (Continued)

14. Click Save to mark the subsection as complete.

### **To Add Additional Subsidiary Records**

After completing and saving the current Subsidiary record, click the **Add Row** button to generate blank fields for entering another Subsidiary.

Record Name	Completed	Subsidiary Name	Applicant CDE EIN
New Row (active)			
			Add Row

Figure 46: CDE-Cert-Certified Application, Add Subsidiary CDE Subsection (Add Row)

### 4.3 Attestation and Submission Section

## Why This Section Matters

To complete the CDE Certification Application, the Applicant CDE must attest that the information provided throughout the Application is accurate and complete. This attestation confirms that the Application has been reviewed and approved by an Authorized Representative of the Applicant CDE's Governing body. Once the Application is submitted, no further edits can be made unless requested by the Fund. Ensuring accurate attestation is essential for maintaining transparency, accountability, and compliance with CDE Certification requirements.

### **Authorized Representatives vs. Application Point of Contact**

Only a designated **Authorized Representative** or **Application Point of Contact**, as identified in the Application, may submit the Application in AMIS.

### Important!

Be aware of the difference between these two roles:

- Authorized Representative May sign and submit the Application.
- Application Point of Contact May submit the Application but cannot sign it.

#### Important!

Before submitting the CDE Application, the CDFI Fund recommends that you **closely review all responses** within the Application and related tools. Once submitted, the Application will be **locked**, **and responses cannot be altered**. Before proceeding to the Attestation and Submission section, make sure that the Application is **complete**, **all narratives and data have been entered**, **and that all required attachments have been uploaded and attached** to the Application.

#### **Procedures**

### **Submitting the Application**

#### 1. Verify 100% Completion

Ensure the Progress Bar shows 100% Complete before proceeding.

**Note**: The system will not allow submission unless all required sections are marked as complete.

#### 2. Review the Attestation Statement

On the **Attestation and Submission** page, the Applicant CDE must review the attestation language, which affirms that the Application contents are true, accurate, and complete.

### 3. Check the Attestation Box

Select the checkbox to confirm the attestation.

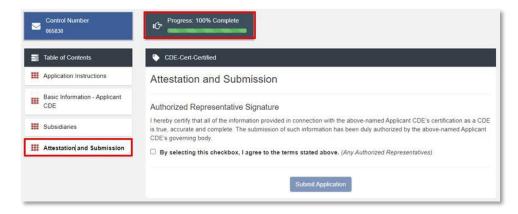


Figure 47: CDE-Cert-Certified Application, Attestation and Submission Subsection

#### 4. Click Submit Application

- After selecting the checkbox, click Submit Application.
- A confirmation dialog will appear.

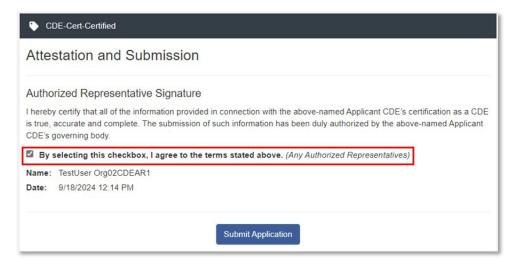


Figure 48: CDE-Cert-Certified Application, Attestation and Submission Subsection (Attestation Checked)



Figure 49: CDE-Cert-Certified Application, Confirmation of Submission Popup

### 5. Confirm Submission

° Click **Submit Application** in the confirmation popup to complete the electronic submission.

° After submission, the Application becomes locked for editing.

### 6. Receive Confirmation Email

A confirmation email will be sent to the Applicant CDE's registered email address acknowledging receipt of the CDE Certification Application.

**Basic Information – Applicant CDE** 

**Boards** 

**Service Areas** 

**Attestation and Submission** 

# 5. CDE-CDFI-Certified

Applicant CDEs currently certified as a CDFI can initiate the **CDE-CDFI-Certified** version of the CDE Certification Application. This shortened version is for entities that are currently CDFI-certified or designated as SSBICs and are seeking initial CDE Certification.

These entities are presumed to meet the CDE Certification requirements; however, they must still create **Organization Board** records in AMIS to meet the Accountability criteria. Applicant CDEs must also reconfirm key organizational information, update any changes, and complete the attestation.

- Basic Information Applicant CDE
- Boards
- Service Areas
- Attestation and Submission

#### Note!

AMIS will automatically initiate the CDE-CDFI-Certified Application if the applicant's organization is already certified as a CDFI or designated as an SSBIC in the AMIS system.

### **CDE-CDFI-Certified Application Section Summary**

Application Section	Required Actions	Requirements
Basic Information – Applicant CDE	<ul><li>Review Name, Address, and EIN</li><li>Enter Basic Information</li></ul>	<ul><li>Auto populated from Applicant CDE's AMIS account</li><li>Official IRS EIN letter</li></ul>
Boards	<ul> <li>List Organization Board members</li> <li>Identify LIC representation information</li> <li>Select board type (Governing or Advisory)</li> </ul>	<ul> <li>Organization Board record in AMIS</li> <li>Address, FIPS Code, Employer Information</li> <li>Additional information required for Advisory Boards. See 2.3.4 Boards Section</li> </ul>
Service Areas	<ul><li>Select Service Area (national, state, etc.)</li><li>Provide rationale</li></ul>	<ul> <li>None unless unusual geographic justification is required</li> </ul>
Attestation and Submission	<ul> <li>Authorized Representative checks attestation box and submits</li> </ul>	None – electronic attestation only

### **Procedures**

#### To complete the Application:

- 1. From the **Organization Detail** page, navigate to the **Program Profiles** related list.
- 2. Click the **Program Profile Name** associated with the *CDE-CERT* Program Profile. This will open the **CDE-CERT Program Profile Detail** page.
- 3. Click the **Apply for CDE Certification** button.

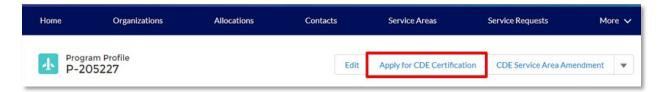


Figure 50: Apply for CDE Certification Button (CDE-CDFI-Certified)

4. AMIS will direct you to the CDE-CDFI-Certified Certification Application.

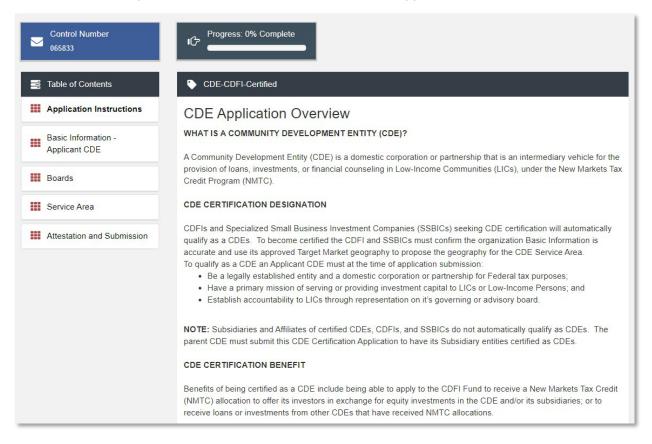


Figure 51: CDE-CDFI-Certified Application

### Tip

If you **do not** see the **Apply for CDE Certification** button, verify that your Program Profile is correctly associated with the CDE-CERT program and that you have proper AMIS permissions.

# 5.1 Basic Information – Applicant CDE Section

The Basic Information section collects foundational details about the Applicant CDE. This includes the organization's legal status, mailing address, and the types of geographic markets it serves. All information in this section must be accurate and consistent with the Applicant CDE's AMIS Organization Record and official documentation.

### **What This Section Covers**

The Basic Information – Applicant CDE section includes three required subsections. Together, they establish the Applicant CDE's legal identity, point of contact, and the general scope of its service activities. Each subsection must be completed and saved before the Application can proceed.

- <u>Applicant Information:</u> Collects key organizational details such as the Applicant CDE's legal name, EIN, entity structure, products and services offered, and designated contacts. This information must align with the Applicant CDE's AMIS Organization Record and official documentation.
- Applicant Address: Displays the mailing address for the Applicant CDE as recorded in AMIS. If
  updates are needed, they must be made in the Organization Detail page and cannot be edited
  directly within the Application.

### 5.1.1 Applicant Information Subsection

The **Applicant Information Subsection** collects key identifying details about the Applicant CDE, including:

- Name of Applicant
- Establishment Date
- Control Number
- Authorized Representative
- Points of Contact

These fields must be accurate and align with the organization's AMIS profile and official documentation.

**Note:** Some fields, such as Name of Applicant CDE and EIN, are auto-filled from the AMIS Organization Record and cannot be edited directly in the Application. If incorrect, the Applicant CDE must submit a Service Request in AMIS to update the record.

### **Why This Section Matters**

This subsection confirms and verifies the Applicant CDE's legal status and structure, identifies the Authorized Representative(s) with authority to submit the Application, and designates Point(s) of Contact for communication purposes. Inaccuracies in these fields can lead to submission blocks or delays in processing.

### **Procedures**

Complete the following fields in the Applicant Information Subsection to ensure the Application meets the CDFI Fund's requirements. Review each field carefully for accuracy, and follow the instructions provided to upload documentation or initiate changes where required.

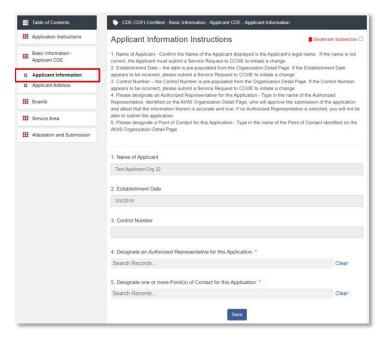


Figure 52: CDE-CDFI-Certified Application, Applicant Information Subsection

### 1. Name of Applicant

Confirm the Name of the Applicant displayed is the Applicant CDE's legal name.

° If the name is not correct, the Applicant CDE must submit a Service Request in AMIS to initiate a change.

### 2. Establishment Date

The date is pre-populated from the Organization Detail Page.

° If the Establishment Date appears to be incorrect, please submit a Service Request in AMIS to initiate a change.

### 3. Control Number

The Control Number is pre-populated from the Organization Detail Page.

° If the Control Number appears to be incorrect, please submit a Service Request in AMIS to initiate a change.

### 4. Authorized Representative

Enter the name of the Authorized Representative, identified on the AMIS Organization Detail Page.

- ° This individual will certify the Application and approve its submission.
- ° If no Authorized Representative is designated, the Application cannot be submitted.

### 5. Point(s) of Contact

Enter the name of the Point of Contact listed on the AMIS Organization Detail Page.

6. Click **Save** to mark the subsection as complete.

### 5.1.2 Applicant Address Subsection

The Applicant Address Subsection is used to confirm the official mailing and shipping addresses of the Applicant CDE as recorded in AMIS.

These addresses should match the ones the organization uses for formal communications with the CDFI Fund.

# **Why This Section Matters**

The mailing and shipping addresses listed here will be used by the CDFI Fund for official notices, correspondence, and deliveries. They should be regularly monitored and kept up to date.

### **Procedures**

Review the mailing address listed in the **Applicant Address Subsection**. This address is pulled directly from the organization's AMIS profile and cannot be edited within the Application.

If the information is incorrect, follow the steps below to update the address in the Organization Detail page before proceeding.

- 1. Review the Mailing Address displayed in the Mailing Address section.
  - ° This information is pulled from the AMIS Organization Detail page.
- 2. Review the Shipping Address displayed in the Shipping Address section.
  - ° This information is pulled from the AMIS Organization Detail page.
- 3. If either address is incorrect:
  - ° Return to the Organization Detail page in AMIS to make corrections.
  - ° Changes made there will auto-populate into the Application when refreshed.

**Note:** The mailing and shipping address fields in the Application are not editable directly. All updates must be made in the Organization Record in AMIS.

**4.** Click **Save** to mark the subsection as complete.

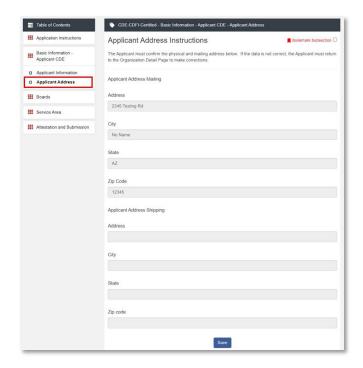


Figure 53: CDE-CDFI-Certified Application, Applicant Address Subsection

### 5.2 Boards Section

# Why This Section Matters

To meet the Accountability Test requirements, an Applicant CDE must demonstrate that it maintains ongoing accountability to residents of the LICs it intends to serve. Certified CDFIs and SSBICs may use their approved board(s) to demonstrate accountability to the designated CDE Service Area. All other Applicant CDEs must demonstrate that they are accountable to the residents of LICs within the Service Area(s) they designate. This section outlines the governance structures and board composition requirements used to evaluate compliance with this statutory criterion.

### **Accountability Requirements**

An Applicant CDE will be determined to meet the accountability requirement if:

- It has at least two Governing or Advisory Board members; and
- At least 20% of the members of its Governing Board or each Advisory Board are representative of LICs in the selected Service Area(s).

**Note:** An entity may meet this requirement through either its Governing Board or its Advisory Board(s), but not through alternative means such as community meetings or focus groups.<sup>2</sup>

# **Maintaining Accountability Through Advisory Board(s)**

If the Applicant CDE intends to meet the Accountability Test through Advisory Board(s), include a **brief narrative** addressing all of the following:

- How the Advisory Board members are selected;
- How frequently the Advisory Board meets (boards must meet at least annually to qualify);
- How feedback is solicited from residents of LICs, and how often that feedback is (or will be) collected, such as through semi-annual community meetings or annual surveys; and
- How that feedback is (or will be) used to inform Governing Board decisions, such as by having an advisory member sit on the Governing Board, requiring Advisory Board reports to the Governing Board, or requiring Advisory Board approval for Governing Board consideration.

**Note:** A Subsidiary may meet its Accountability Test via the Governing or Advisory Board of the Applicant CDE. Similarly, an Applicant CDE may meet its Accountability Test via the Governing Board of its controlling entity

<sup>&</sup>lt;sup>2</sup> IRC section 45D(c)(1)(B) requires that accountability be demonstrated through representation on a **governing or Advisory Board**, not through indirect means such as focus groups or surveys. See <u>Glossary</u> for the full statutory language.

# Who Qualifies as a Representative of a LIC or LIP?

For CDE Certification purposes, Accountability to the LIC or LIP can be demonstrated in any of the following ways:

LIC/LIP Representative	Source of Accountability	Requirements
Resident of a LIC	Lives in a qualified LIC census tract within the proposed Service Area	<ul> <li>Provide verifiable address or FIPS code, or both.</li> </ul>
Small business owner in a LIC	Operates a business located in and serving LIC residents	<ul> <li>Provide verifiable address or FIPS code, or both.</li> <li>Business must not engage in ineligible activities, such as golf courses, liquor stores, massage parlors, gambling, etc.; products or services must be accessible to LIC residents; must primarily hire or serve LIC residents.</li> </ul>
Religious leader in a LIC	A leader of a faith-based organization whose physical building is based in the LIC	<ul> <li>Provide verifiable address or FIPS code;</li> </ul>
Elected official	Constituency includes or is primarily composed of LIC residents (≥50% of the tracts qualify as LIC or ≥50% of the residents live in a qualified LIC)	<ul> <li>Must demonstrate that at least half of constituency is LIC-based;</li> </ul>
Employee/board member of a charitable or community-based organization	Organization's mission and activities are directed primarily to LICs	<ul> <li>Mission statement must confirm majority of activities serve LICs; Service Area should overlap Applicant CDE's Service Area; must not be an entity affiliated with the Applicant CDE</li> </ul>
Employee/board member of a credit union or Certified CDFI/CDE	Organization accountable through mission and lending/services to LICs	<ul> <li>Automatically presumed to qualify if a currently certified CDFI but must continue to demonstrate accountability to LICs.</li> </ul>
Employee of Government agency serving LICs	Works for an agency or department that primarily serves LICs	<ul> <li>Agency must have mission to serve LICs (not just incidental service); government entities without LIC- serving mission do not qualify.</li> </ul>

**Note:** If a board member does not meet any of these criteria, they must be marked as "Not an LIC Representative."

If the Applicant CDE relies on **Advisory Boards** to meet the requirement:

- Each Advisory Board(s) must include at least 20% representative members, and
- The Applicant CDE must demonstrate that the Advisory Board's input is meaningfully considered by the Governing body.

### Statewide, Multi-State, or National Service Areas

If the Applicant CDE designates a **statewide**, **multi-state**, **or national** service area, they must demonstrate that at least 20% of its board members (Governing or Advisory) are representative of a **cross-section** of LICs in the applicable geography.

This may require the CDE to:

- Establish multiple Advisory Boards, or
- Appoint board members affiliated with state-wide organizations or nationwide organizations that
  represent LIC interests, such as a state-wide non-profit or a national community development
  organization.

### **Multiple Geographic Areas**

A CDE is not limited in the number of LICs or geographic areas it may serve. However, it must demonstrate accountability to each LIC or area it serves.

### **CDFI** Fund Discretion

The CDFI Fund reserves the right to modify or revise the requirements of the Accountability Test if it determines, in its sole discretion, that an Applicant CDE has otherwise demonstrated compliance with the intent and purpose of  $\underline{IRC}$  §45D(c)(1)(B).

### 5.2.1 Boards Subsection

Certified CDFIs and SSBICs must select the approved accountable board from the Organization Detail Page in AMIS.

Applicant CDEs that are not certified CDFIs or SSBICs must demonstrate accountability to residents of LICs in their designated Service Area(s) by **creating and completing an Organization Board** record in AMIS. See CDFIs and SSBICs.

### **Procedures**

### **Creating a New Organization Board Record in AMIS**

Follow the steps below to create and populate a new Organization Board record.

- 1. Exit the template Application and navigate to the Applicant CDE's Organization Detail page.
  - From the Organizations tab, select the hyperlink for the Applicant CDE's organization from the Recently Viewed list.
  - Alternatively, use the global search bar at the top of the page to search for the organization by name.
- 2. Click the New Org Board button.

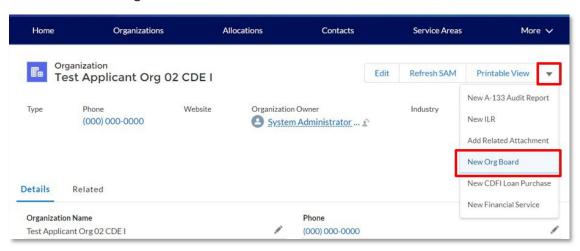


Figure 54: Organization Record - New Org Board Button

- 3. In the **New Org Board** creation popup:
  - Enter the Board Name.
  - Select CDE Certification from the board Purpose drop-down menu.

**Note:** AMIS lists multiple options under the Purpose field. However, for this purpose you must only select "CDE Certification"

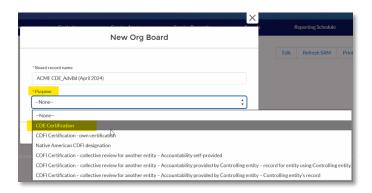


Figure 55: New Org Board Creation Popup

- 4. Click Next.
- 5. Select the **Board Type** (Governing or Advisory) field and click **Next**.



Figure 56: New Org Board - Board Type Field

6. The new Board record will appear on the Organization's Board Related List.



Figure 57: Newly Created Organization Board on the Related List

7. Click the newly created Board record to access the **Organization Board Detail** page.

**Board Naming Convention** 

To allow for future changes to your Organization Board, the CDFI Fund recommends avoiding

generic names for board records, such as "Advisory Board." Use the following naming

[Organization Name]\_[Board

Type] (Month Year of Creation)
Example: ACME CDE AdvBd (Apr

convention:

2024)

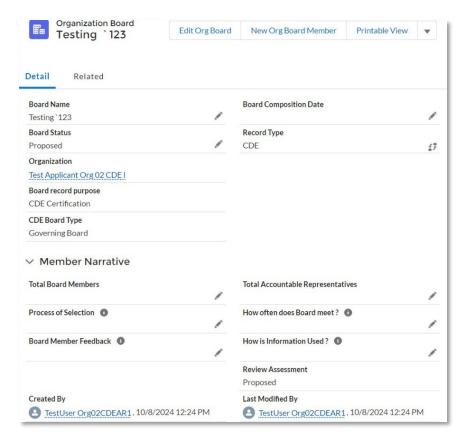


Figure 58: CDE Organization Board Detail Page

- **8.** Complete the **Member Narrative** section, including:
  - Total number of board members
  - ° Total number of accountable representatives
  - Frequency of board meetings
  - How the board is selected
  - ° How LIC feedback is gathered and used

**Note:** These entries support the Accountability Test requirements

### **Adding Board Members in AMIS**

- 1. To create Organization Board Members:
  - In the Related Tab, click New on the Organization Board Members Related List.



Figure 59: Related List - Organization Board Members

2. Select the **Board Member Type** and click **Next**.

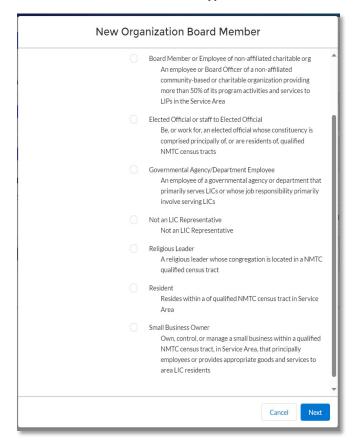




Figure 60: CDE Board Member Types

3. Based on the **Board Member Type** selected, complete the required questions. Repeat this step to add additional Board Members by clicking **New** again on the Organization Board Members related list.

### Selecting a Board in the CDE Certification Application

Once the Organization Board(s) has been created and populated in AMIS, follow these steps to link them to the CDE Certification Application:

- 1. Launch the CDE Certification Application from the Program Profile.
- 2. Navigate to the **Boards section** and open the **Boards subsection**.
- 3. In Select Organization Boards from AMIS field:
  - ° Search for and select the appropriate board from the list of Organization Board records linked to the Applicant CDE's Organization Detail page.

**Note:** Only boards that have been created in the Organization Detail Page in AMIS will appear in this dropdown list.

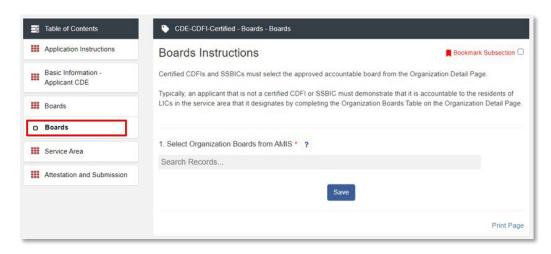


Figure 61: CDE-CDFI-Certified Application, Boards Subsection

4. Click **Save** to mark the subsection as complete.

### **Add Additional Multiple Boards**

Applicant CDEs may add or remove multiple boards by clicking the **green plus sign icon (+)** to add a board or the **red minus sign icon (-)** to remove one, next to the **Search Records** field.



Figure 62: CDE-CDFI-Certified Application, Boards Subsection (Showing Add Additional)

### 5.3 Service Areas Section

### **Why This Section Matters**

Certified CDFIs and SSBICs seeking CDE Certification under this Application must align their certified Target Market with the proposed **Service Area**. This section is used to identify the geographic area the entity serves or intends to serve and ensures that accountability is appropriately aligned with that geography.

While the Service Area is identified using broader geographic terms, such as *county, statewide*, or *national*), the NMTC Program only permits transactions and investments in <u>Qualified Census Tracts</u> (QCTs).

Applicant CDEs should use the Fund's mapping software, **CDFI Information Mapping System (CIMS)**, available at <a href="https://www.cdfifund.gov/mapping-system">www.cdfifund.gov/mapping-system</a> to identify eligible census tracts.

### **Creating a Service Area Record in AMIS**

Follow the steps below to create a Service Area record.

- 1. Exit the template Application and navigate to the Applicant CDE's Organization Detail page.
  - From the Related tab, scroll down to select the New button for the Applicant CDE's organization from the Service Areas list.



Figure 63: CDE-CDFI-Certified, Creating a New Service Area Record

- 2. In the **New** creation pop-up:
  - Enter the Proposed Service Area
  - Confirm your Entity Name.
- 3. Select Save.

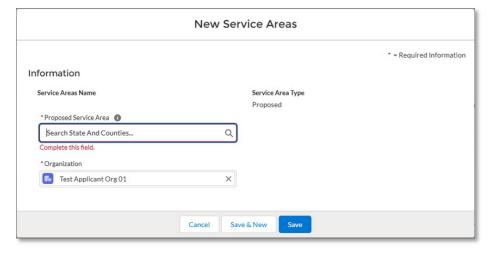


Figure 64: CDE-CDFI-Certified, New Service Area Creation Pop-Up

### 5.3.1 Service Areas Subsection

Each entity seeking CDE Certification under this Application must:

- Identify the Service Area that it serves or intends to serve, and
- Demonstrate that its accountability to the LICs aligns with the designated Service Area.

**Note:** The Applicant CDE must identify a geography it currently serves or intends to serve. To be certified for the proposed Service Area, the Applicant CDE must demonstrate accountability to the LICs within that geography.

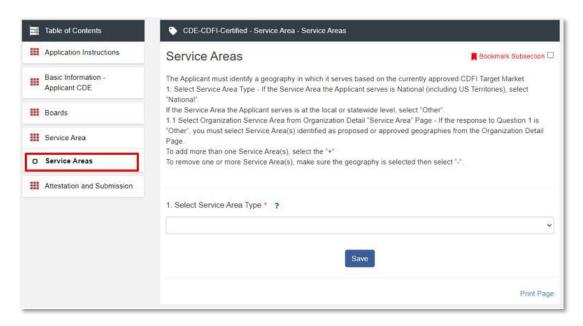


Figure 65: CDE-CDFI-Certified Application, Service Areas Subsection

### **Procedures**

### 1. Select Service Area Type

If the Service Area is National (including US Territories), select "National."

**Note:** Selecting "National" allows the Applicant CDE to proceed with the Application without additional questions.

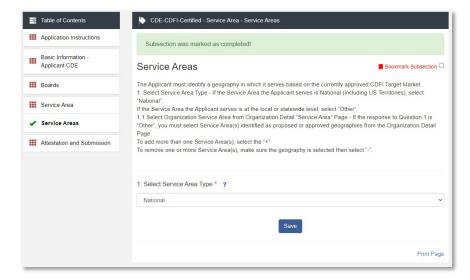


Figure 66: CDE-CDFI-Certified Application, Service Areas Subsection (Showing Question 1 is National)

If the Service Area is local or statewide, select "Other."

**Note:** Selecting "Other" will prompt additional questions in the Application.

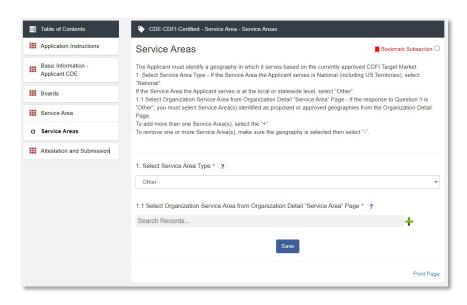


Figure 67: CDE-CDFI-Certified Application, Service Areas Subsection (Showing Question 1 is Other)

2. Select Organization Service Area from the "Service Area" Page in Organization Detail

If the response to Question 1 is "Other":

- From the Organization Detail page, select the Service Area(s) marked as Proposed or Approved geographies.
  - To add additional Service Areas, click the green plus sign (+).
  - To **remove** a Service Area, select the geography and click the **red minus button (-).**
- 3. Click **Save** to mark the subsection as complete.

### 5.4 Attestation and Submission Section

# **Why This Section Matters**

To complete the CDE Certification Application, the Applicant CDE must attest that the information provided throughout the Application is accurate and complete. This attestation confirms that the Application has been reviewed and approved by an Authorized Representative of the Applicant CDE's Governing body. Once the Application is submitted, no further edits can be made unless requested by the CDFI Fund. Ensuring accurate attestation is essential for maintaining transparency, accountability, and compliance with CDE Certification requirements.

# **Authorized Representatives vs. Application Point of Contact**

Only a designated **Authorized Representative** or **Application Point of Contact**, as identified in the Application, may submit the Application in AMIS.

### Important!

Be aware of the difference between these two roles:

- Authorized Representative May sign and submit the Application.
- Application Point of Contact May submit the Application but cannot sign it.

### Important!

Before submitting the CDE Application, the CDFI Fund recommends that you **closely review all responses** within the Application and related tools. Once submitted, the Application will be **locked**, **and responses cannot be altered**. Before proceeding to the Attestation and Submission section, make sure that the Application is **complete**, **all narratives and data have been entered**, **and that all required attachments have been uploaded and attached** to the Application.

### **Procedures**

### **Submitting the Application**

### 1. Verify 100% Completion

Ensure the Progress Bar shows 100% Complete before proceeding.

Note: The system will not allow submission unless all required sections are marked as complete.

### 2. Review the Attestation Statement

On the **Attestation and Submission** page, the Applicant CDE must review the attestation language, which affirms that the Application contents are true, accurate, and complete.

### 3. Check the Attestation Box

Select the checkbox to confirm the attestation.

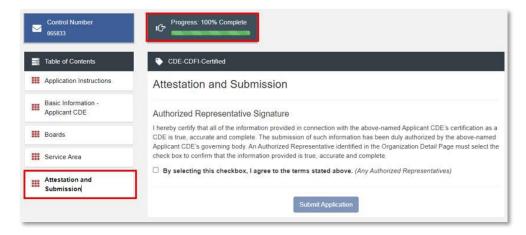


Figure 68: CDE-CDFI-Certified Application, Attestation and Submission Subsection

### 4. Click Submit Application

- After selecting the checkbox, click **Submit Application**.
- A confirmation dialog will appear.

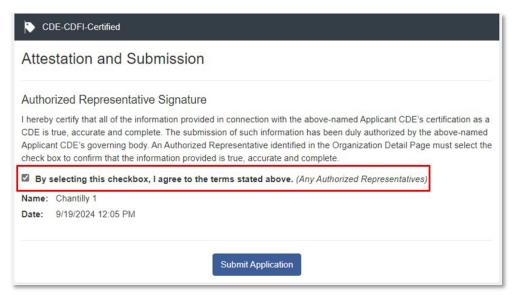


Figure 69: CDE-CDFI-Certified Application, Attestation and Submission Subsection (Attestation Checked)

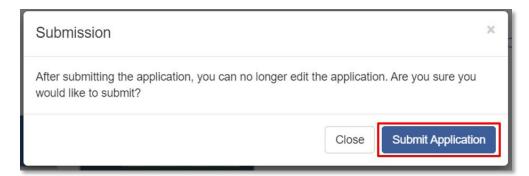


Figure 70: CDE-CDFI-Certified Application, Confirmation of Submission Popup

### 5. Confirm Submission

- ° Click **Submit Application** in the confirmation popup to complete the electronic submission.
- $^{\circ}$   $\,$  After submission, the Application becomes locked for editing.

### 6. Receive Confirmation Email

A confirmation email will be sent to the Applicant CDE's registered email address acknowledging receipt of the CDE Certification Application.

Glossary of Acronyms, Terms, and Statutory

Definitions

# Glossary

# 7. Glossary

This Glossary provides definitions of capitalized terms used in this guidance document to assist readers in understanding program requirements and processes.

**Note:** Capitalized terms not defined in this Glossary have the meanings assigned to them in applicable statutes, regulations, NOAAs, or other official CDFI Fund guidance.

Term	Definition
Accountability Test	A statutory requirement under IRC §45D(c)(1)(B) that a CDE demonstrate accountability to Low-Income Community (LIC) residents through representation on its Governing or Advisory Board.
Advisory Board	An Advisory Board is a group of individuals who provide non-binding advice to (but are not authorized to act for or make decision on behalf of) an organization's Governing Board.
Award Management Information System (AMIS)	The CDFI Fund's online platform for managing Certification Applications, amendments, awardee records, affiliated entities, and related data.
Applicant CDE	Any legal entity applying to the CDFI Fund to be certified as a <i>Community Development Entity (CDE)</i> , either for itself or on behalf of its Subsidiaries.
Authorized Representative	An employee or officer authorized to legally bind and make representations on behalf of the Applicant CDE. Consultants may assist but cannot serve as Authorized Representatives. Individuals designated as Authorized Representatives must be recorded as such in AMIS.
Community Development Financial Institution (CDFI)	A financial institution certified by the CDFI Fund to provide financial services in underserved markets. See 12 CFR 1805.201 for additional details.
Community Development Financial Institution Fund (CDFI Fund)	A program of the U.S. Department of the Treasury that promotes economic growth and access to capital in low-income and underserved communities.

Term	Definition
Community Development Entity (CDE)	As defined in IRC §45D(c)(1), a domestic corporation or partnership that: (1) has a Primary Mission of serving LICs or LIPs, (2) maintains accountability through board representation, and (3) is certified by the CDFI Fund.
Control	Defined by the CDFI Fund as: (1) Ownership, control, or power to vote more than 50% of the outstanding shares of any class of voting securities of any entity, directly or indirectly or acting through one or more other persons; or (2) Control in any manner over the election of a majority of the directors, trustees, or general partners (or individuals exercising similar functions) of any other entity; or (3) Power to exercise, directly or indirectly, a controlling influence over the management policies or investment decisions of another entity, as determined by the CDFI Fund.
Employer Identification Number (EIN)	A unique identification number issued by the IRS used to identify a business entity.
Governing Board	A Governing Board is a group of individuals legally responsible for the governance, control, direction and management of an organization.
Legal Entity Requirement	A statutory requirement under IRC §45D(c)(1) that an entity be a legal entity as of the date the Certification Application is submitted, with organizing documents, such as Articles of Incorporation, filed with a government agency responsible for registering or overseeing entities within a jurisdiction or industry (e.g., the state of incorporation, a Tribal government, or a federal regulator).
Low-Income Community (LIC)	Under IRC §45D(e)(1), any population census tract if: (1) The poverty rate for such tract is at least 20%, or (2) (a) In the case of a tract not located within a metropolitan area, the median family income for such tract does not exceed 80% of statewide median family income, or (b) in the case of a tract located within a metropolitan area, the median family income for such tract does not exceed 80% of the greater of statewide median family income or the

Term	Definition
	metropolitan area median family income. With respect to IRC §45D(e)(1)(B), possession-wide median family income shall be used (in lieu of statewide income) in assessing the status of census tracts located within a possession of the United States. Under IRC §45D(e)(2), Targeted Populations will also be treated as Low-Income Communities. See IRS Notice 2006-60. Under IRC §45D(e)(3), in the case of an area that is not tracted for population census tracts, the equivalent county divisions (as defined by the Bureau of the Census for purposes of determining poverty areas) shall be used for purposes of defining poverty rates and median family incomes. See IRC §45D(e) for additional criteria.
Low-Income Person (LIP)	Any individual having an income, adjusted for family size, of not more than: (1) For metropolitan areas, 80% of the area median family income; and (2) For non-metropolitan areas, the greater of (a) 80% of the area median family income or (b) 80% of the statewide nonmetropolitan area median family income.
New Markets Tax Credit (NMTC)	A federal program established under IRC §45D that provides tax credits to investors in certified CDEs to spur private investment in Low-Income Communities (LICs).
Qualified Census Tracts	Census tracts that meet eligibility criteria under IRC §45D(e)(1), including a poverty rate of at least 20% or a median family income not exceeding 80% of the relevant benchmark (statewide or metropolitan). Qualified Census Tracts are a type of Low-Income Community (LIC) and are used to determine NMTC eligibility. For mapping tools and current eligibility data, see the CDFI Fund's Community Investment Mapping System (CIMS).
Primary Mission Test	A statutory requirement under IRC §45D(c)(1)(A) that a CDE have a Primary Mission of serving, or providing investment capital for, Low-Income Communities (LICs) or Low-Income Persons (LIPs).
Rural Areas (Non-Metropolitan Counties)	For purposes of CDE Certification, "Rural Areas" are defined by statute as Non-Metropolitan Counties. A Non-Metropolitan County is any county not

Term	Definition
	contained within a Metropolitan Statistical Area (MSA), as established in OMB Bulletin No. 20-01: Revised Delineations of Metropolitan Statistical Areas, Micropolitan Statistical Areas, and Combined Statistical Areas. This definition aligns with the 2020 Census tract designations.
Service Area	The geographic region a CDE provides or intends to provide products, services, or investments.
Specialized Small Business Investment Companies (SSBIC)	A privately owned investment company that provides financing to small businesses owned by socially or economically disadvantaged individuals. Defined in IRC §1044(c)(3).
Subsidiary	A legal entity that is owned or controlled by another entity, such as the Applicant CDE.
Tribal Government	The federally or state-recognized Governing body (including a tribal council) of a Native American tribe or an Alaska Native village.
Unique Entity ID (UEI)	A 12-character alphanumeric identifier issued by the federal government's System for Award Management (SAM.gov) to uniquely identify entities doing business with the federal government. The UEI replaces the DUNS number as the official entity identifier used in federal awards and Applications.

# Contacts and Resources

**OCPE Helpdesk** 

**IT Helpdesk** 

**Material Resources** 

# 7. Contact and Resources

# 7.1 OCPE Helpdesk

CDE Application questions. Submit a Service Request in AMIS (preferred) or email to:

Email: OCPECert@cdfi.treas.gov

Phone: (202) 653-0423

# 7.2 IT Helpdesk

For technical issues related to AMIS. Submit a Service Request in AMIS (preferred) or email to:

Email: amis@cdfi.treas.gov

Phone: (202) 653-0300

# 7.3 Material Resources

Applicant CDEs are strongly encouraged to review all CDE Certification Application and CDFI Certification Application resource materials available on the CDFI Fund's website **before** completing and submitting a CDE Certification Application.

### This includes:

- <u>AMIS Home Page</u> The login portal for the CDFI Fund's Award Management Information System (AMIS), used to manage certification Applications, amendments, and organizational records.
- <u>CDE Certification | Community Development Financial Institutions Fund</u> The official CDFI Fund webpage providing guidance, Applications, and resources related to CDE certification.
- <u>Community Development Financial Institutions Program regulations</u> Federal regulations (12 CFR Part 1805) governing the certification and operation of Community Development Financial Institutions (CDFIs).
- New Markets Tax Credit Program | Community Development Financial Institutions Fund The
  official CDFI Fund webpage with program details, compliance information, and resources for the
  New Markets Tax Credit (NMTC) Program.
- Riegle Community Development and Regulatory Improvement Act of 1994 The statute that established the CDFI Fund and authorized the certification of CDFIs and CDEs.

The CDFI Fund may add to or update the Application materials on its website from time to time. Applicant CDEs should verify that they are referring to the most up to date guidance.