

(5) EVIDENCE THAT THE APPLICANT HAS REQUESTED A LOAN FOR THE SAME PURPOSE FROM A FINANCIAL INSTITUTION AND THE REQUEST HAS BEEN DECLINED MADE REASONABLE EFFORTS TO OBTAIN FINANCIAL ASSISTANCE ON REASONABLE TERMS FROM OTHER SOURCES; AND

(6) ANY OTHER RELEVANT INFORMATION THAT THE DEPARTMENT REQUESTS.

5-1304.

(A) EXCEPT AS PROVIDED IN THIS SUBTITLE, THE DEPARTMENT MAY SET THE TERMS AND CONDITIONS FOR LOANS, LOAN GUARANTEES, AND ANY OTHER FINANCIAL ASSISTANCE PROVIDED UNDER THIS SUBTITLE.

(B) THE DEPARTMENT MAY REQUIRE ANY SECURITY OR GUARANTEE FOR FINANCIAL ASSISTANCE AS IT DEEMS APPROPRIATE.

(C) THE AMOUNT OF ANY FINANCIAL ASSISTANCE SHALL NOT BE LESS THAN \$10,000 AND SHALL NOT EXCEED \$100,000.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE TERM OF ANY LOAN OR OTHER FINANCIAL ASSISTANCE MAY NOT EXCEED 10 YEARS.

(2) IF MORE THAN 50% OF THE PROCEEDS OF A LOAN MADE FROM THE FUND ARE USED FOR WORKING CAPITAL, THE TERM OF THE LOAN MAY NOT EXCEED 1 YEAR, UNLESS:

(I) AT THE END OF 1 YEAR, THE DEPARTMENT REVIEWS THE BORROWER'S PERFORMANCE AND FINANCIAL CONDITION AND DETERMINES THAT A 1-YEAR EXTENSION OF THE TERM IS APPROPRIATE, AND

(II) IN THE CASE OF A LOAN TERM THAT IS EXTENDED FOR AN ADDITIONAL YEAR, AT THE END OF THE ADDITIONAL YEAR, THE DEPARTMENT REPEATS THE REVIEW AND DETERMINES THAT AN ADDITIONAL 1-YEAR EXTENSION IS APPROPRIATE.

(3) THE TERM OF A LOAN MADE UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY NOT EXCEED 3 YEARS.

(E) THE APPLICANT MUST PROVIDE AT LEAST 10% OF THE TOTAL PROJECT COSTS OR CAPITAL NEEDED.

(F) FUNDS MADE AVAILABLE WITH FINANCIAL ASSISTANCE MAY BE USED ONLY TO FINANCE COSTS INCURRED FOR:

(1) ACQUISITION OR CONSTRUCTION OF A BUILDING OR REAL ESTATE;

(2) ACQUISITION, CONSTRUCTION, OR INSTALLATION OF MACHINERY, EQUIPMENT, FURNISHINGS, FIXTURES, LEASEHOLD IMPROVEMENTS, OR SITE IMPROVEMENTS; OR

(3) WORKING CAPITAL.