SBA Information Notice

TO: All SBA Employees and 7(a) Lenders

CONTROL NO.: 5000-848801

SUBJECT: 7(a) Fees Effective October 1, 2023, for Fiscal Year 2024

EFFECTIVE: August 29, 2023

Each year SBA reviews certain fees payable to SBA by 7(a) Lenders ("Lenders") and borrowers to determine the appropriate fees to manage the estimated costs of the 7(a) loan program.

This Notice announces (1) the 7(a) Lender's Annual Service Fee (also known as the "Lender's Annual Service Fee") and the SBA Guaranty Fee (also known as the Upfront Fee) for 7(a) loans for fiscal year 2024 (FY 2024), and (2) the exceptions to those fees authorized for FY 2024 for the 7(a) loan program.

The following fees are effective for all 7(a) loans approved on October 1, 2023, through and including September 30, 2024. For guidance on when all 7(a) loan fees are due, see SOP 50 10 7, Section A, Chapter 4, Para. C. All loan amounts are based on the gross loan approval amount, including the SBA-guaranteed and unguaranteed portions.

7(a) Lender's Annual Service Fee:

The FY 2024 Lender's Annual Service Fee, based on *gross loan approval amount*, including SBA-guaranteed and unguaranteed portions, will be:

> ***For loans of $1,000,000 and less:*** 0.00%.
>
> ***For loans of $1,000,001 to $5,000,000:*** 0.55% of the guaranteed portion of the outstanding balance of the loan.

Lenders may not pass the Annual Service Fee on to the Borrower.

SBA Guaranty Fee (Upfront Fee):

Except for Export Working Capital Program (EWCP) loans and SBA Express loans made to veteran-owned businesses, the FY 2024 Upfront Fee, based on gross loan approval amount, including SBA-guaranteed and unguaranteed portions, will be:

SBA Form 1353.3 (4-93) MS Word Edition; previous editions obsolete

Must be accompanied by SBA Form 58

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For loans with a maturity that exceeds 12 months, the Upfront Fees are:

For loans of $1,000,000 or less: 0.00%.

For loans of $1,000,001 to $2,000,000: 1.45% of the guaranteed portion of the loan up to and including $1,000,000, plus 1.70% of the guaranteed portion of the loan over $1,000,000.

For loans $2,000,001 and greater: 3.50% of the guaranteed portion of the loan up to and including $1,000,000, plus 3.75% of the guaranteed portion of the loan over $1,000,000.

For 7(a) loans with a maturity of 12 months or less (Short-term loans):

***For loans of $1,000,000 or less*:** 0.00%.

***For loans $1,000,001 and greater*:** 0.25% of the guaranteed portion.

Multiple 7(a) loans made within 90 days of each other:

When two or more 7(a) loans (with maturities exceeding 12 months) are approved for an applicant, including its affiliates, within 90 days of each other, the loans are considered as one loan for the purpose of determining the percentage of guaranty and the Upfront Fee calculation. This rule applies regardless of whether the loans were approved by the same or different Lenders.

Annual Service Fee for multiple 7(a) loans within 90 days: The Annual Service Fee is set for each loan on a standalone basis without respect to any other loans made (i.e., the loans are not aggregated).

Upfront Fee calculation for multiple 7(a) loans within 90 Days: The applicable Upfront Fee for the subsequent loan(s) will equal the amount of the fee that would have been charged had the loans been combined, less the fee that was paid or is due to be paid on the first loan approved. The fee will never be a negative amount.

Lenders are not permitted to split loans for the purpose of avoiding fees. These rules apply regardless of whether the loans were approved by the same or different Lenders.

Additional Upfront Fee for Extensions of Short-Term 7(a) Loans

When the maturity of a short-term 7(a) loan greater than $1,000,000 is extended beyond 12 months, an additional Upfront Fee is due. In addition, when an EWCP loan greater than $1,000,000 with an original maturity of up to 24 months is extended beyond the original maturity date and up to 36 months, an additional Upfront Fee is due. Lenders may contact the appropriate SBA Commercial Loan Service Center (or the Office of International Trade for EWCP loans) for assistance. The additional fee must be paid electronically to SBA within 30 days from the date the Lender agrees to the extension, or the total loan guaranty will be canceled. The Lender may charge the additional fee to the borrower after the Lender has notified SBA that the maturity has been extended and has paid the additional Upfront Fee.

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Upfront Fee for SBA Express Loans Made to Veteran-owned Small Businesses:

For all SBA Express loans made to businesses owned and controlled by a veteran or spouse of a veteran, the Upfront Fee will be $0 in accordance with section 7(a)(31)(G) of the Small Business Act (15 U.S.C. § 636(a)(31)(G)). Lenders must document in their loan file the eligibility for fee relief.

Upfront Fee for EWCP Loans:

For EWCP loans of $1,000,000 or less (regardless of maturity): the Upfront Fee is 0.00%.

For EWCP loans greater than $1,000,000 with a maturity of 12 months or less: the Upfront Fee is 0.25% of the guaranteed portion.

For EWCP loans greater than $1,000,000 with a maturity of 13 up to 24 months: the Upfront Fee is 0.525% of the guaranteed portion.

For EWCP loans greater than $1,000,000 with a maturity of 25 up to 36 months: the Upfront Fee is 0.80% of the guaranteed portion.

When an EWCP loan greater than $1,000,000 with an original maturity of up to 24 months is extended beyond the original maturity date and up to the maximum EWCP maturity of 36 months, an additional Upfront Fee is due to SBA. The Lender must pay SBA the difference in the Upfront Fee originally paid and what the fee would have been if initially approved at the new longer maturity.

Additional Upfront Fee for 7(a) Loan Increases

When a 7(a) loan is increased, an additional Upfront Fee is due on that increased amount. **The additional fees are based on the rules in effect at the time the loan was originally approved**.

The amount of the additional Upfront Fee due for an increase will equal what the fee would have been if the increase was part of the original loan amount, less the amount of the original fee (if already remitted).

The additional Upfront Fee associated with the increase must be paid electronically within 30 days from the date the increase was approved, or the total loan guaranty will be cancelled.

On loans that have been initially disbursed, the Upfront Fee associated with any increase approved by SBA must be paid to SBA, even if the increase is subsequently canceled. Note: This is not a new policy. SBA is re-stating it here in response to questions received.

Adjustments to the Annual Service Fee due to loan increases:

The Lender's Annual Service Fee for a loan is calculated based on the guaranteed portion of the outstanding balance of the loan in accordance with the fee schedule in effect at the time the loan was approved. When the loan is increased, the Annual Service Fee is recalculated based on the revised loan amount.

See SOP 50 10 7 Section A, Chapter 4, Subparagraph C. for more information on additional fees for loan increases.

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Prohibition on increases to 7(a) loans made under the Economic Aid Act:

In FY 2024, as in FYs 2022 and 2023, SBA will be unable to approve increases to 7(a) loans that were approved from December 27, 2020, through September 30, 2021. The Economic Aid Act provided for higher guaranty percentages and fee reductions for eligible 7(a) loans as described in Information Notice 5000-20084. These authorities expired on September 30, 2021; therefore, a request by a borrower for additional funding on a 7(a) loan approved during the period when the Economic Aid Act provisions were in effect must be submitted as a new loan application.

There is no additional fee relief available for 7(a) loans approved in FY2024.

Questions

Questions concerning this Notice may be directed to the Lender Relations Specialist in the local SBA Field Office.

Dianna L. Seaborn
Director

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