



Oregon Disaster Assistance Payment (ODAP) Program Application Form

This application is used to determine eligibility for the Oregon Disaster Assistance Payment (ODAP) Program and agree to all the terms and conditions of the program.

Section 1 – Applicant Information

Section 1.1 Personal Information

Company/Sole Proprietor Legal Name:	Contact full name:
Address:	City:
County:	Zip Code:
Email:	Phone Number:
Federal Tax ID#/Business ID#:	Social Security # (if no tax/business #):
Date of Birth (if using SSN):	Driver License # (if using SSN):

Section 1.2 Business/Operation Information

What is your principal Crop or Activity as reported on your tax filings (choose only 1):

- | | |
|--|---|
| ☐ 111100 Oilseed and grain farming | ☐ 111210 Vegetable and melon farming |
| ☐ 111300 Fruit and tree nut farming | ☐ 111400 Greenhouse, nursery, and floriculture |
| ☐ 111900 Other crop farming | ☐ 112111 Beef Cattle ranching and farming |
| ☐ 112112 Cattle feedlot | ☐ 112120 Dairy cattle and milk production |
| ☐ 112210 Hog and pig farming | ☐ 112300 Poultry and egg production |
| ☐ 112400 Sheep and goat farming | ☐ 112510 Aquaculture |
| ☐ 112900 Other animal production | |

What is the estimated crop acres of your farm or ranch to be supported by potential ODAP assistance?

☐ 1-9 ☐ 10- 49 ☐ 50-179 ☐ 180- 499 ☐ 500- 999 ☐ 1,000-2,499 ☐ 2,500+

What is the estimated inventory of livestock on your farm or ranch supported by potential assistance?

☐ 1- 9 ☐ 10-19 ☐ 20-49 ☐ 50-99 ☐ 100-199 ☐ 200-499 ☐ 500+

Select which natural disaster(s) is attributable to the loss of your farm or ranch income in 2021:

☐ Drought ☐ Flood ☐ Heat Wave ☐ Winter Storm ☐ Wildfire ☐ Pests ☐ Other _____

(Optional) If you meet the definition of a Historically Underserved Producer (as defined by 7 USC § 1470.3), select the category which best describes your eligibility:

☐ Beginning Producer ☐ Socially Disadvantaged Producer ☐ Veteran ☐ Limited Resource Producer

Do you currently or in the past have you participated in any state or federal program designed or intended to support resource management, water efficacies, promote soil health, or mitigate environmental impacts? (NRCS, EQIP, OWEB, etc.) ☐ Yes ☐ No

Have you received disaster-related assistance from a USDA program or a crop insurance policy in previous years? ☐ Yes ☐ No

Applicant Role in Business Entity: ☐ Owner ☐ Partner ☐ Member ☐ Shareholder

Entity Type: ☐ Sole Proprietor ☐ Partnership ☐ LLC ☐ S-Corp ☐ C-Corp ☐ Indian Tribe

If required, your business is registered and in good standing with with Oregon Secretary of State ☐ Yes ☐ No

Section 1.3 Eligibility Criteria

1	For the tax year 2021, your Oregon adjusted gross income or taxable income was less than \$500,000:	☐ Yes ☐ No
2	For the tax year 2021 or prior years, you filed Oregon taxes for income derived from farming or ranching activities?	☐ Yes ☐ No
2	Your 2021 loss of farm or ranch income is attributable to a natural disaster:	☐ Yes ☐ No
3	Do you meet the definition (7 USC § 1470.3) of a Historically Underserved Producer:	☐ Yes ☐ No
4	Do you meet the definition (ORS 391.802) of an Indian Tribe in Oregon:	☐ Yes ☐ No
5	Do you plan to apply, or have you applied for federal USDA Farm Service Agency (FSA) disaster assistance approved under the Continuing Appropriations Act, 2022 (P.L. 117-43) for the calendar year 2021:	☐ Yes ☐ No

Section 2 – Financial Information

The ODAP application uses tax information related to income from farming and ranching activities in Oregon. All applicants shall provide proof of income and/or expenses by providing copies of applicable tax documents or, as an alternative for providing tax documents, applicants may attach the ODAP Independent Income/Expense Verification Form.

Notwithstanding the previous paragraph, while applicants who file an IRS 1120 and Indian Tribes are encouraged to use the ODAP Independent Income/Expense Verification Form to provide the required ODAP Program financial information, such Applicants may also use any other financial documents that the Lending Institution finds satisfactory for verification of eligibility.

1	An ODAP Independent Income/Expense Verification Form is attached for this application	☐ Yes ☐ No
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If you checked yes above, you may skip to Section 3 of this application.

Section 2.1 Three-Year Baseline Income (See Funding Calculations Section of ODAP Program Background and Requirements for more information, including permitted documentation.)

To complete the three-year baseline calculation information, report the gross farm income data applicable tax years of 2017, 2018, and 2019 in the table below. For IRS Schedule F filers, report the value of line 9 on the Schedule F. For IRS 1120 filers, report the value of line 11 on the first page of the 1120 form. Attach the applicable tax documents to this application, unless attaching an ODAP Independent Income/Expense Verification Form.

Gross income from the tax year 2020 may be used to complete a three-year baseline. Applicants may use NASS data to complete a three-year baseline for years they were not in business; visit oda.direct/ODAP for a reference sheet. Check each year NASS data is used.

2	2017 Gross Farm Income	☐ NASS data	\$
3	2018 Gross Farm Income	☐ NASS data	\$
4	2019 Gross Farm Income	☐ NASS data	\$
5	2020 Gross Farm Income (if applicable)	☐ NASS data	\$

Section 2.2 Livestock Producers' Three-Year Baseline Expenses

If your principal activity code represents animal production (112112, 112210, 112400, 112900, 112111, 112120, 112300), report the value of the aggregate expenses represented on the IRS Form Schedule F lines 16, 18, 19, 24b, 26, and 31. Applicants who file IRS 1120 or Indian Tribes shall use the equivalent information and provide it on an ODAP Independent Income/Expense Verification Form.

6	2017 Livestock Expenses	\$
7	2018 Livestock Expenses	\$

8	2019 Livestock Expenses	\$
9	2020 Livestock Expenses, if applicable	\$

Section 2.2 2021 Income Information

To complete the gross farm income data for the tax year 2021 in the table below, for IRS Schedule F filers, report the value of line 9 on the Schedule F. For IRS 1120 filers report the value of line 11 on the first page of the 1120 form. Attach the 2021 tax documents to this application, unless attaching an ODAP Independent Verification Form. Applicants that have not filed for tax year 2021 may use a reasonable estimate for their 2021 income and expenses for the purposes of this application, but applicant (except Tribes) will be required to submit filed 2021 return information or an updated ODAP Independent Income/Expense Verification Form before any disbursed Forgivable Loan is forgiven

Report the amount received by the date of this application of all USDA Farm Service Agency (FSA) disaster assistance, including but not limited to payments under the Emergency Relief Program (ERP) assistance for crop producers and Emergency Livestock Relief Program (ELRP) assistance for livestock producers. The amount reported will be added to the 2021 Gross Farm Income for the initial ODAP eligibility determination.

10	2021 Gross Farm Income	\$
11	2021 Livestock Expenses	\$
12	Questions 10 & 11 are based on estimates of 2021 Tax Filings	☐ Yes ☐ No
13	Amount of federal USDA Farm Service Agency (FSA) disaster assistance received to date under the Continuing Appropriations Act, 2022 (P.L. 117-43) for the calendar year 2021:	\$

Section 3 Documentation

Attach copies of the following, as applicable, to your application:

- ☐ IRS Tax Forms
- ☐ ODAP Independent Income/Expense Verification Forms
- ☐ Other documentation to demonstrate required information
- ☐ USDA Farm Service Agency disaster assistance award letter

Section 4 Terms and Conditions

By applying for and accepting a loan payment under the Oregon Disaster Assistance Payment program, the applicant agrees to the following terms and conditions:

Section 4.1 ODAP Fund Distribution

The Oregon Department of Agriculture (ODA) will prioritize distribution of ODAP funds to applicants who demonstrate the highest percentage of loss reported and distribute funds to eligible applicants in a random lottery system until the exhaustion of all available funds.

Section 4.2 Forgivable Loan Terms and Conditions

- A. The Lending Institution (entity where application is submitted and processed) and the ODA have no obligation to disburse Forgivable Loan proceeds for the Forgivable Loan Amount unless all following conditions are met:

- a. The Acknowledgement and Certifications made in this application (below) by the applicant are true and correct on the date of disbursement as if made on such date.
 - b. The ODA has sufficient funds available and authorized for expenditure to finance the costs of the Forgivable Loan, including any related costs, within the department's legislative appropriation or limitation.
- B. The Lending Institution or the ODA may terminate this application with notice to the applicant if the Lending Institution or the ODA determines that the applicant has made a material misrepresentation or omission or committed fraud in the application.
- C. The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this application, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party ("Party" refers to Lending Institution, ODA, or applicant throughout this application) bringing a legal action or proceeding against any other party arising out of or relating to this application shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.
- D. Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be brought and adjudicated solely and exclusively within the United States District Court for the District of Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent Congress has appropriately abrogated the State of Oregon's sovereign immunity and is not consent by the State of Oregon to be sued in federal court.
- E. Nothing in this ODAP program gives or provides, or is intended to give or provide, to third persons any benefit or right not held by or made generally available to the public, whether directly, indirectly, or otherwise.
- F. ODA's obligations under the ODAP Program, including this application are subject to the Oregon Public Records Laws.

Section 4.3 Loan Forgiveness Determination

- A. All Forgivable Loans disbursed under the ODAP Program will be forgiven upon disbursement unless either or both of the following circumstances occur:
 1. The applicant receives USDA Farm Service Agency (FSA) disaster assistance approved under the Continuing Appropriations Act, 2022 (P.L. 117-43) for the calendar year 2021, including but not limited to payments under the Emergency Relief Program (ERP) assistance for crop producers and Emergency Livestock Relief Program (ELRP) assistance for livestock producers after the ODAP eligibility determination was made. The maximum loan amount will be recalculated if the applicant receives such federal relief funds, adding such federal relief funds to the applicant's 2021 farm or ranch income. The applicant shall repay the amount of the Forgivable Loan received that exceeds the recalculated maximum loan amount. No repayment shall be required, and the repayment amount will continue to be forgiven upon disbursement, if the repayment amount, together with any repayment amount pursuant to Section 4.3.A.2, is less than \$1,000.00.
 2. The applicant used an estimate for 2021 farm or ranch income, which was used to determine the Forgivable Loan amount disbursed, and the actual 2021 farm or ranch income according to filed tax forms exceeds the estimate. The maximum loan amount will be recalculated using filed tax forms' actual farm or ranch income. The applicant shall repay the amount of the Forgivable Loan received that exceeds the recalculated maximum loan amount. No repayment shall be required, and the repayment amount will continue to be forgiven upon disbursement, if the repayment amount, together with any repayment amount pursuant to Section 4.3.A.1, is less than \$1,000.00.

- B. On or before November 1, 2022, the applicant shall provide the Lending Institution with their federal award determination notice and their filed 2021 filed tax returns, as applicable, to allow the Lending Institution to perform the required recalculations provided above in Sections 4.3.A.1 and 4.3.A.2.. Failure to provide the required information will result in the Forgivable Loan not being forgiven and require the applicant to repay the entire loan amount.

Section 4.4 Loan Forgiveness and Loan Repayment Terms

A. The amount of an ODAP Forgivable Loan that is forgiven will be reported as income to the Internal Revenue Service via IRS Form 1099.

B. Any portion of an ODAP Forgivable Loan disbursement that is not forgiven shall be repaid by the recipient to the Lending Institution on or before June 1, 2023. Loans that are not timely repaid will be in default and may result in legal action by the State, and collection of any repayments will be handled by the Oregon Department of Revenue or other third-party collection agencies. Recipients in default will also become responsible for the payment of an additional collection fee of up to 20 percent of the amount owed.

Section 5 Acknowledgments and Certifications

_____ I certify that the income reported in this application is derived from farming or ranching activities in Oregon.

_____ I certify that if required by Oregon law to be registered with the Oregon Secretary of State to do business in Oregon, the business is so registered.

_____ I acknowledge there are potential financial and tax implications of an ODAP Forgivable Loan award, that ODA has not provided and will not provide me with any financial or tax advice in connection with this application or any Forgivable Loan award, and I am encouraged to seek advice from a tax or financial professional.

_____ I acknowledge, understand, and agree that any misrepresentation or fraud in this application may result in full legal action by the State. Collection of any required repayments of disbursements may be handled by the Lending Institution, the Oregon Department of Revenue or other third-party collection agencies. I will also become responsible for payment of an additional collection fee of up to 20 percent of the amount owed if the loan is not repaid to the Lending Institution on or before June 1, 2023.

_____ I acknowledge, understand, and agree that failure to provide the applicable follow-up documentation (FSA award letter and 2021 filed tax return, as applicable) will result in the Forgivable Loan not being forgiven. Unforgiven loans are subject to full repayment, and failure to repay may result in full legal action by the State. Collection of any required repayments of disbursements may be handled by the Lending Institution, the Oregon Department of Revenue or other third-party collection agencies. I will also become responsible for the payment of an additional collection fee of up to 20 percent of the amount owed.

_____ I acknowledge, understand, and agree that ODA retains the right to request supporting documents, view property, or request any other additional information regarding the application and business deemed necessary to prevent or determine fraud, waste, and abuse of the ODAP Program.

By signing below, I certify under penalty of perjury that:

- 1) I am the applicant, or an authorized representative of the applicant;
- 2) The applicant agrees to the terms and conditions of this application;
- 3) All information provided in the application is true and accurate to the best of my knowledge and belief.

Applicant / Authorized Representative Signature:	
Printed Name and Position (if Authorized Representative):	Date:

ODAP Independent Income/Expense Verification Form

The applicant's accountant, attorney, or tax preparer may complete and sign this form. If this form is used, the applicant does not need to provide copies of tax documents when filing the ODAP application with the lending institution.

Applicant's Name:	
Applicant's Federal Tax ID#/Business ID#/Social Security#:	
2017 Schedule F Gross Farm Income:	\$
2018 Schedule F Gross Farm Income:	\$
2019 Schedule F Gross Farm Income:	\$
2020 Schedule F Gross Farm Income:	\$
2021 Adjusted Gross Income or Taxable Income is less than \$500,000	☐ Yes ☐ No
2021 Schedule F Gross Farm Income:	\$

☐ Check if 2021 information is an estimate.

For Livestock Producers only:

(Schedule F Principal crop or activity code must be an Animal Production code)

For purposes of this form, Livestock Expenses shall only include expenses listed on lines 16, 18, 19, 24b, 26, and 31 of the applicant's Schedule F.	
2017 Livestock Expense:	\$
2018 Livestock Expense:	\$
2019 Livestock Expense:	\$
2020 Livestock Expense: <i>(Not required unless applicant did not have farm expenses for one of the above years)</i>	\$
2021 Livestock Expense:	\$

☐ Check if 2021 information is an estimate.

☐ Check if Applicant is a C or S corporation that does not file a Schedule F. All income and expenses provided are the equivalents to the information required for a Schedule F.

I certify that I am not an owner or employee of the applicant and I have direct knowledge of the above information and it is true and accurate to the best of my knowledge and belief.

Signed:	Date:
Name:	Title:
Firm Name:	
Phone:	Email: