

**Montgomery County, Maryland
Green Investor Incentive Program
Investor Application for Payment**

*This application is to be submitted by the Investor who is seeking the incentive payment.
The Investor applicant is responsible for gathering and submitting the required documentation from the
Green Company in which the investment was made.*

I. Disclaimers

The Montgomery County Green Investor Incentive award payments are based on the fiscal year appropriation and the individual investment by a qualified investor relative to the total investment by qualified investors during the calendar year. Applications will not be accepted prior to the 24th day of July 2013 or after the 15th day of January 2014.

Applicants should be aware that all information submitted as part of this application may be subject to the provisions of Md. Code Ann., State Gov't § 10-601, *et seq.* (The Maryland Public Information Act or MPIA).

A person who submits a false or fraudulent application or who withholds material information ("False Application") to obtain an incentive payment has committed a Class A violation. In addition, the person must repay the County for all amounts improperly paid and all accrued interest and penalties that would apply to those amounts as if they were overdue taxes. A person who submits a False Application is liable for all court costs and expenses and reasonable attorney's fees of the County incurred in any civil action brought by the County to recover any payment, interest, or penalty. The County may collect any amount due, and otherwise enforce the foregoing rights of the County, by any other appropriate legal action. All statements made in any application and all documents submitted in support of any application are subject to verification.

II. Prospective Qualified Green Company Description

- Full Legal Name:
- Federal Tax ID:
- Unemployment Insurance Number:
- Number of Full-time Montgomery County Employees:
- Legal Form of the Entity: *C Corp; S Corp; LLC; LLP; Limited Partnership; General Partnership, Benefit Corporation/LLC (Note: Sole proprietorships do not qualify for the program.)*
- Primary Contact/Secondary Contact:
- Business Address:
- A certified copy of the Green Company's articles of incorporation, articles of organization, partnership agreements, or other organizing documents.

- The names, business addresses, and titles of all officers, directors, managing members, general partners, or other persons with management authority over the business of the Green Company.
- Tax return or other evidence that the Green Company is a for profit entity and is not a sole proprietorship:
- Evidence that the Green Company has its headquarters and base of operations in the County; or has signed a lease for at least five years to open a Green Company with its headquarters and base of operations in the County.
- Evidence that the Green Company has been in business for less than ten years and employs less than 50 people and does not have its securities publicly traded on any exchange.
- The name, address and percentage of ownership of each person or entity who or which holds equity interests in the Green Company of any class or classes that constitute five percent (5%) or more of the total equity capital of the Green Company.

III. Prospective Qualified Investor Description

- Full Legal Name:
- Federal Tax ID/SSN:
- Legal Form of the Entity: *C Corp; S Corp; LLC; LLP; Limited Partnership; General Partnership; Trust; Individual; Other*
- Primary Contact/Secondary Contact:
- Business Address:
- A certified copy of the Investor's articles of incorporation, articles of organization, partnership agreements, declaration of trust, will, or other organizing documents.
- The names and business addresses of all officers and directors of the Investor.

III. Investment Information

- Total Investment Amount: _____.
- Applicant's ownership interest in the Green Company before the proposed investment _____%
- Applicant's ownership interest in the Green Company after the proposed investment _____%

IV. Required Attachments

A sworn affidavit of the Qualified Investor and duly authorized representative of Green Company verifying the amount of the Investment and receipt of the same by the Green Company of money in cash or cash equivalent which is at risk of loss, and the equity interest (stock, partnership, membership interest, or other ownership interest in the Green Company) received by the investor, including the percentage of the total equity of the Green Company owned as a consequence by the Qualified investor; and that the investor is not :

- (1) a qualified pension plan, individual retirement account, or other qualified retirement plan under the Employee Retirement Income Security Act of 1974, as amended, or fiduciaries or custodians under such plans, or similar tax-favored plans or entities under the laws of other countries;
- (2) an individual or entity that has an ownership interest in the Green Company other than from a previous investment, which previous investment by itself or with the additional investment does not create a 25% or greater equity holding by the Qualified investor in the Green Company; or
- (3) an individual or entity deriving any financial benefit, including salary or other compensation, from the Green Company in which the Qualified investor is making the investment.

For both the Green Company and the Investor who are corporations or limited liability companies, a current certificate of good standing, having been issued within the last 30 days, from the Maryland State Department of Assessments and Taxation (only for corporations qualified or organized in the State of Maryland). For other non-Maryland entities, file a certificate of status issued within the last 30 days from the state/jurisdiction of organization and a certificate of authority to do business in the State of Maryland.

Copies of any investment agreement or similar contract between the Qualified Investor and Green Company entered into, or to be entered into, in connection with the investment.

A copy of any private placement memorandum, prospectus, or like document, and a copy of any filings with securities regulatory agencies, prepared or made by the Green Company as issuer in connection with the investment.

Documentation and analyses in sufficient detail to establish that the company provides green products, services or technologies as defined in the Act, including those that measure, prevent, limit, minimize, or correct environmental damage to water, air, or soil, as well as problems related to waste, ecosystems, biodiversity, habitat or natural resource depletion and evidence that the Green Company develops an innovative, new-to-the-market, technology, or a unique combination of technologies, available only from that company, which adds significant value to a green product or service or is engaged in research or development of a such technology or technologies.

Documentation that shows the Green Company is a sustainable operation as validated by a third party under one of the following: Montgomery County Green Business Certification Program; B Corp Certification from B Lab; Green America Gold Certification; Green Seal Certification; International Organization for Standardization ISO 14001 Certification; or any other third party validation approved by the Department of Environmental Protection.

The address and detailed description of the Green Company's headquarters and addresses of additional sites and descriptions of the business, financial, research, production operations and number of full-time employees at each site.

A detailed description of the uses and purposes to which the investment will be applied by the Green Company.

V. Oath and Signature

Under penalties of perjury, I declare that I have examined this application, the affidavit and all other documentation submitted in support of this application and to the best of my knowledge and belief, all of the information contained in this application, the affidavit and documentation submitted in support of this application are all true, correct, complete and accurate and do not fail to include or omit any information that if included or submitted would render any of the information contained in this application, the affidavit or the documentation submitted in support of this application, false or otherwise misleading.

Applicant

Signature Date

Print Name

Address

Telephone Number