SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

HUBZone Program Required Supporting Documents Checklist

Click on each of the documents listed below for specific instructions.

Part 1: Principal Office Requirements

Firm Location and Employee Information

Eligibility Workbook Tool OR Firm Location and Employee List

- Lease/Rental Agreement/Deed
- Utility Bill
- Payroll Records

Part 2: HUBZone Employee Residency Requirements

- Proof of HUBZone Residency
- HUBZone Maps of HUBZone Employees' Addresses

Part 3: Ownership and Verification Requirements

- Proof of Citizenship
- Corporate Documents
- Affiliate Information (if applicable)
- Certification Form

Part 4: Document Submission Requirements

Appendix A: Principal Office Requirement

Appendix B: Affiliation Questions

Appendix C: Document Upload Instructions



HUBZone Program Required Supporting Documents Guide

Introduction

This Supporting Documents Guide and Checklist is provided to help eligible small businesses understand all of the documentation they will need to provide to the U.S. Small Business Administration (SBA), within three days of their electronic application, in order for their certification or continuing eligibility submission to be considered complete and ready for review.

Purpose of Documentation

SBA uses the documentation provided by the firm to verify its compliance with the HUBZone program requirements. SBA may also conduct independent research, including reviewing the company's website and other public websites. In processing an application or continuing eligibility review, SBA is looking for consistency in the information contained in the firm's online application, supporting documentation submitted, and the independent research it conducts. SBA will make a final eligibility determination based on the information provided in the application, the documents you submit, any explanations you provide, and any other available information (13 CFR 126.300).

Common Application Pitfalls

The following are the most common issues that arise in HUBZone applications and prevent the program from initiating or completing a full review.

- Failure to verify the online application electronically within two days according to instructions emailed after the online application is submitted (check your spam folder).
- Failure to submit all of the documents required in this Supporting Documents List following the required guidelines. We cannot initiate a review until all documents are present.
- Failure to submit all required documents within three days of verification of your online application. Check your spam folder if you have not received an email with instructions for uploading your documents.
- Failure to upload documents according to instructions. The program will not accept applications or supporting documents via mail and all uploaded documents must be named correctly.
- Failure to notify SBA of other businesses with which the applicant is affiliated.
- Failure to include information on all addresses associated with the firm according to publicly available information, such as the firm's website.
- Failure to respond to requests for additional information within five business days.
- Failure to sign and/or check the ownership category box on the certification form.



SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

Determining Final Proof of Eligibility

SBA requires that your firm be eligible from the time of your Electronic Verification Date (EVD) until SBA's final decision. **Therefore, you must be prepared to provide proof of your firm's eligibility for at least 60 days following your EVD**. If circumstances change after you verify your application and SBA has not yet made a final decision regarding your application, you are required to inform SBA. This is important because if the eligibility of your firm is protested in connection with a HUBZone contract award, you will be required to provide proof of your firm's eligibility as of the firm's HUBZone certification (approval) date. It is incumbent upon you to notify us of any changes and to maintain your records proving eligibility as of your certification date.

If the firm fails to provide any of the requested documents or information within the three business days required, it should be understood that SBA may draw an adverse inference and conclude that the firm does not meet eligibility requirements and may withdraw or deny the application (<u>13 CFR 126.306(b)</u>).

Please note that a firm that is declined or decertified can reapply 90 days from the date of the decline or decertification notice (<u>13 CFR 126.309</u>).

Prepare and Plan Ahead

If you gather the materials in this checklist and follow the guidelines before you open an electronic application, you will have greater success in completing the application smoothly. If you have questions as you review this document and prepare your application, please access our customer support resources:

- Reach out to the HUBZone Help Desk at <u>hubzone@sba.gov</u>.
- Join one of our open calls every Tuesday and Thursday from 2–3 p.m. ET via toll free number: 208-391-5817; Conference ID: 278 449 067, where members of our team answer questions to help firms navigate the certification process.
- Visit our website for tips, tools, fact sheets, and frequently asked questions (FAQs): <u>www.sba.gov/hubzone</u>.

Part 1: Principal Office Requirements

The following documents are required to determine and/or demonstrate proof that the firm's principal office is fully operational and located in a HUBZone.

Firm Location and Employee Information

You may submit the required information in one of two ways:



Eligibility Workbook Tool

The <u>Eligibility Workbook Tool</u> helps applicants organize and present information related to their principal office and HUBZone employee residency. Filling out the workbook tool and uploading it as part of your application will help expedite SBA's review of your HUBZone application.

To use the workbook, please follow the link above, download the Excel file to your computer, input the information using the instructions on the first tab, save your completed workbook to your computer, and upload it with the other required documents as part of your application submission.

OR Firm Location and Employee List

Provide a complete list of all locations where employees of the firm performed work at the time of the Electronic Verification Date (EVD), including all office locations maintained by the firm, all telework locations, and all jobsites. For the HUBZone program:

- An "office" is a location owned or leased by the firm where employees work.
- A "telework site" is a location where one or more employees regularly telework.
- A "jobsite" is a location where employees work to fulfill specific contract obligations (applicable only if the firm's primary industry is service or construction).

Your list must provide the following information for each employee:

- 1. Name of the employees who worked at the location during the payroll periods immediately preceding your firm's EVD.
- 2. Complete address for the location where the employee worked. (**Note**: You do not need to provide the address for any jobsite.)
- **3.** Description of location (i.e., office, telework site, or jobsite).
- 4. Number of hours worked per week at the location.
- 5. For each employee, indicate whether any of the following circumstances apply:
 - a. Obtained from a temporary employee agency
 - **b.** Obtained from a leasing concern¹
 - c. Obtained through a union agreement
 - d. Co-employed through a professional employer organization agreement
 - e. Not included on payroll
 - f. The individual is not compensated by the applicant firm
 - g. The individual is an owner of the applicant firm
 - **h.** The individual is an officer of the applicant firm

¹ See the frequently asked questions (FAQs) at <u>www.sba.gov/hubzone</u> for additional information related to employees obtained from a leasing concern.



SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

i. Shared with another company

Lease/Rental Agreement/Deed

Provide a copy of a fully executed lease (or rental agreement) or deed for the firm's principal office. The lease/deed must be valid and in effect at the time of the firm's Electronic Verification Date (EVD). This means it must have a beginning date prior to the EVD and end date more than 60 days following the EVD. The firm's full legal name or the owner's full legal name must be identified as being the lessee, renter, or owner of the property identified in the lease/deed. If the firm's name is not in any of these documents, you must submit a written statement explaining why. If the lease/deed only includes a parcel description, you must include a property tax bill and/or insurance policy showing the physical address of the principal office location. (Note that the property tax bill and/or insurance policy is for verification of the physical address only—submission of this document in lieu of the required lease or deed is not evidence that the firm meets this regulatory requirement.)

If the firm has a month-to-month lease, the firm must provide either of the following:

- An addendum to the expired lease; or
- If an addendum to the expired lease does not exist, an attestation from the landlord and proof of payment for 3 months leading up to the EVD.

If the firm is leasing space in a shared workspace facility, the firm must provide the following²:

- A lease indicating that the firm has dedicated office space that is not shared with other firms; it is only accessible to the firm; and has a lockable door;
- The lease must indicate that the dedicated space contains sufficient work surface area and furniture and equipment (e.g., desks and chairs) to accommodate the number of employees claimed to work from this location;
- Proof of rental payment in the form of canceled checks (front and back), bank statements, and/or proof of credit card transactions covering the relevant time period;
- Pictures of the dedicated office space to include photos of the full length of the door to the office including the suite number and work stations; and
- The lease must be at least 30 days prior to the date of application submission, and the end date must be at least 90 days after the date of application submission.

² See the frequently asked questions (FAQs) at <u>www.sba.gov/hubzone</u> for additional information related to shared working spaces.



Utility Bill

Provide a copy of the most recent utility bill for the firm's principal office that shows the period of usage and shows the service location. Examples include bills for electricity, gas, water, sewer, or landline telephone. Note that cellular phone bills are not acceptable.

If you cannot provide a utility bill because utilities are included under the terms of the lease, you must provide the following: a citation showing where the lease provides that utilities are included (e.g., "Page 2, paragraph 3") and proof of payment of rent for three months immediately prior to the EVD in the form of canceled checks (including front and back and showing endorsement by the bank), cashier's checks, bank statements, credit card statements, and money orders. We do not accept paid invoices or cash receipts as proof of rental payment.

If utilities are included in rental payments but this is not specified in the lease, you must also provide a signed declaration from the lessor/landlord stating that utilities are included.

Payroll Records³

SBA will review a concern's payroll records for the most recently completed pay periods that account for the four-week period immediately prior to the EVD to determine which individuals meet the definition of the term "employee" for HUBZone purposes. For the purposes of the HUBZone program, "employee" means all individuals employed on a full-time, part-time, or other basis, so long as that individual works a minimum of 40 hours during the four-week period immediately prior to the EVD. Only individuals who meet the HUBZone definition of "employee" are counted when calculating whether a firm meets the 35 percent HUBZone residency and principal office requirements.

SBA will only accept official payroll records and payroll reports that show, at a minimum: the company's name; the names of the individuals who performed work during the pay period; the number of hours worked by each employee during the pay period; the wages earned by each individual during the pay period; the taxes deducted from each individual's wages during the pay period; and the pay period's beginning and end dates.

Payroll time period

Provide payroll records for the most recently completed payroll periods that account for the four-week period immediately prior to the EVD.

• **Example:** A firm is on a monthly payroll system, where payroll is processed every calendar month. The firm submits its application on July 6, 2021. The firm must submit payroll records for the payroll period from June 1, 2021 to June 30, 2021.

³ A firm that does not have a payroll system can still apply and validate continued compliance.



- **Example:** A firm is on a biweekly payroll system, where payroll is processed every 14 days. The firm submits its application on July 6, 2021. The firm's most recently completed payroll period prior to July 6, 2021 ended June 30, 2021. The firm must submit payroll records for the payroll periods from June 3, 2021 to June 16, 2021; and June 17, 2021 to June 30, 2021.
- **Example:** A firm is on a weekly payroll system, where payroll is processed every 7 days. The firm submits its application on July 6, 2021. The firm's most recently completed payroll period prior to July 6, 2021 ended June 30, 2021. The firm must submit payroll records for the payroll periods from June 3, 2021 to June 9, 2021; June 10, 2021 to June 16, 2021; June 17, 2021 to June 23, 2021; and June 24, 2021 to June 30, 2021.

Additional documentation related to employees (if applicable)

If the firm has employees obtained from a **temporary employee agency, from a leasing concern, or through a union agreement, or co-employed pursuant to a professional employer organization agreement**, you must submit: a copy of the agreement; and proof of payment for billed invoices covering the most recently completed four-week period prior to the EVD.

If any **owners or officers** of the firm do not appear on the payroll records provided, you must submit a list of those owners/officers, including: The name of the owner/officer; the individual's percentage of ownership; the number of hours worked during the four-week period immediately preceding the EVD; the location where the owner performed his/her work during that period; whether the individual was compensated for the work performed; and how the individual was compensated.

Note: Please review your application to ensure that all owners were properly identified. If after reviewing the application you find that corrections are required, contact the HUBZone Help Desk at <u>huzbone@sba.gov</u> to have your application corrected.

If any **HUBZone employee worked less than 30 hours** during any week of the four-week payroll period, provide a copy of their job description. Job descriptions will need to address, at a minimum: the job title, the individual's duties and responsibilities, the expected work product, and the general job schedule. If a job description covers more than one employee, provide a list of employees covered under that just description. SBA will interpret the failure to submit a job description as an indication that the employee is not performing meaningful work for the firm and the individual will not be considered an employee for HUBZone program purposes⁴.

⁴ See the frequently asked questions (FAQs) at <u>www.sba.gov/hubzone</u> for additional information related to the job description requirement.



SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

Part 2: HUBZone Employee Residency Requirements

At least 35 percent of **all** of the firm's employees must live in a HUBZone, regardless of where they work. (See 13 CFR 126.200(d); see also definition of "Employee" at 13 CFR 126.103.)

Proof of HUBZone Residency

Provide copies of driver's licenses or state-issued identification cards showing the home address of each HUBZone resident employee. These documents must be unexpired and issued at least 180 days before the Electronic Verification Date.

Note: If the document expires prior to the issuance of SBA's written decision to certify the firm or deny certification, SBA will request evidence verifying that the employee continues to reside at this address.

If the employee does not have a current driver's license or state-issued identification card (or if the address listed on such document does not reflect the employee's current address, or is a P.O. Box), you must provide: a signed statement from the employee explaining why a driver's license or state-issued identification card was not provided and attesting to the employee's date of residency; and one of the following:

- Voter Registration Card
- Current lease agreement
- Deed or mortgage statement
- Utility bill for electricity, gas, cable, internet, or landline phone. Cell phone and VoIP bills will not be accepted.

Sample statement:

This statement serves in lieu of a driver's license and/or state-issued identification card as one cannot be obtained due to the following circumstances: [Explain circumstances here]. I am an employee of [name of firm]. I, [person's name], live at [home address] and have lived there since [dd/mm/yyyy]. I do consider it my permanent home. I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge.

[signature and date]



SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

HUBZone Maps of HUBZone Employees' Addresses

Provide a copy of a <u>HUBZone map</u> for each employee residing in a HUBZone. Include the name of the employee on the map.

Part 3: Ownership and Verification Requirements

The following documents provide proof that at least 51 percent of the firm is owned by U.S. citizens.

Note: If the firm is 51 percent or more owned by an Indian Tribal Government, an Alaska Native Corporation, a Native Hawaiian Organization, a Community Development Corporation, or a small agricultural cooperative, you will be contacted by SBA for specific ownership documents. Please contact our Help Desk at <u>hubzone@sba.gov</u> for a list of the documents that will be requested

Proof of Citizenship

Provide any ONE of the following documents for firm owners who are U.S. citizens:

- State-issued or government-issued birth certificate;
- Unexpired U.S. passport;
- Certificate of Citizenship; or
- Certificate of Naturalization.

DO NOT send Social Security cards.

Corporate Documents

A HUBZone firm may be in the legal form of a corporation, limited liability company, partnership, or sole proprietorship. The type of documentation required to be submitted to SBA depends on the applicant firm's legal form.

Although the firm may not be required to submit these documents to the Secretary of State in the state of incorporation, it is nonetheless required and necessary to determine the eligibility criteria for the SBA HUBZone program.

The following documents must be valid at the Electronic Verification Date (EVD) and have the required signatures.

Corporation

• Articles of Incorporation and any amendments or Certificate of Incorporation with the Secretary of State seal. If the document was issued in a state other than the state in which the principal office is located, provide a certificate of authority to transact business or a foreign entity registration in the state in which the principal office is located.



- Stock Ledger or Register or corporate resolution clearly showing all owners and ownership percentages as of the EVD.
- DBA (Doing Business As) Certificate, if applicable.

Limited Liability Company (LLC)

- Articles of Organization and any amendments or Certificate of Organization with the Secretary of State seal.
- All LLCs, including single-member LLCs, must provide an Operating Agreement and any amendments, if the Articles of Organization do not clearly show all owners and ownership percentages.
- DBA (Doing Business As) Certificate, if applicable.

Partnerships

- Partnership Agreement and any amendments
- DBA (Doing Business As) Certificate, if applicable.

Sole Proprietorship

- Most recent 1040 Schedule C, if available.
- DBA (Doing Business As) Certificate, if applicable.

Other Ownership-Related Documents (if applicable)

- If your firm is a member of a franchise, provide a copy of the Franchise Agreement.
- If your firm is owned in part by an Employee Stock Ownership Plan (ESOP), you must provide a copy of the ESOP Plan and a list of all trustees and plan members.
- If your firm is owned entirely or in part by a trust, you must provide a copy of the trust agreement and a list of all trustees and beneficiaries.

Affiliate Information (if applicable)

Concerns and entities are affiliates of each other when one controls or has the power to control the other, or a third party controls or has the power to control both. SBA considers factors such as ownership, management, previous relationships with or ties to another concern, and contractual relationships, in determining whether affiliation exists. See 13 CFR § 121.103.

SBA may include the employees from an affiliated firm when determining whether an applicant meets the 35 percent HUBZone residency and principal office requirements, where SBA finds that there is not a clear line of fracture between the HUBZone applicant and the affiliated firm(s). Specifically, SBA will review the firm's responses to the <u>Affiliation Questions</u> to determine whether the employees of one company should be considered employees of the HUBZone applicant for purposes of this program.



Provide a list of all firms affiliated with the applicant firm and provide separate responses for each affiliate to the <u>Affiliation Questions</u> listed in Appendix B of this document.

Certification Form

Sign and upload the certification form verifying that the firm meets all eligibility requirements. Don't forget to indicate your ownership category—this is one of the most common reasons these forms are returned for correction. Choose the link to the certification form below that is applicable for the firm's ownership structure.

- Certification Form for Applicants Owned by U.S. Citizens, ANCs, NHOs, or CDCs
- <u>Certification Form for Applicants Owned by Indian Tribal Governments</u>
- <u>Certification Form for Applicants Owned by Small Agricultural Cooperatives</u>

Please note: Firms are no longer required to notarize the form or mail a hard copy to SBA. Additionally, note that when determining the percentage of employees that reside in a HUBZone, if the percentage results in a fraction, round to the nearest whole number.

Part 4: Document Submission Requirements

A firm applying for HUBZone certification has three business days from the Electronic Verification Date to upload the supporting documentation into SBA's secure file sharing system.

- 1. <u>Prepare your files for upload</u>: Name each file according to the following naming convention: [Application XXXXX_ Document Name]. Example: Application 34523_Eligibility Workbook
- 2. <u>Zip (compress) your files</u>. To zip your files, navigate to the folder on your computer containing your files. Highlight all files you wish to package into a zip folder. You can highlight all by selecting the top file (by left clicking with your mouse), holding the SHIFT key on your keyboard, and selecting the bottom file. Once all files are highlighted, right-click, select "Send to," then select "Compressed (zipped) folder." You will now be able to name your new zip file by filling in the blank. Name the zip file your application number.
- 3. <u>Upload your files</u>. See Appendix B for uploading links and instructions.



Appendix A

Principal Office Requirement

Your firm's principal office is the location where the greatest number of employees at any one location perform their work. If an employee works at multiple locations, then the employee will be deemed to work at the location where the employee spends more than 50 percent of his or her time. If an employee does not spend more than 50 percent of his or her time at any one location (and at least one of those locations is a non-HUBZone location), then the employee will be deemed to work at a non-HUBZone location. Additionally, in order for a location to be considered the principal office, the concern must conduct business at this location.

For those concerns whose primary industry is services or construction, the determination of principal office excludes those employees who perform more than 50 percent of their work at jobsites. If all of a concern's employees perform more than 50 percent of their work at jobsites, the concern does not comply with the principal office requirement.

See <u>13 CFR 126.103</u> for the HUBZone definitions of "Principal Office" and "Employee."



Appendix B

Affiliation Questions

The employees of an affiliate may be counted as employees of the applicant concern for purposes of determining compliance with the HUBZone program's principal office and 35 percent residency requirements in certain circumstances. In determining whether individuals should be counted as employees of the applicant firm, SBA will consider all information, including criteria used by the IRS for federal income tax purposes and those set forth in SBA's Size Policy Statement No. 1. Employees of the concern's affiliate will not be counted as the concern's employees if there is a clear line of fracture between the concern and its affiliates.

Based on your responses to the questions below, the SBA will determine if there is a clear line of fracture between the applicant firm and its affiliates. Please provide separate responses to the following questions for each affiliate as part of your application submission. For every "yes" response, provide an explanation.

- 1. Is the affiliate owned by any of the owners of the applicant?
- 2. Are the affiliate's owners family members of the applicant's owners?
- 3. Is the affiliate managed by the same individuals who manage the applicant?
- 4. Do the companies share employees?
- 5. Are any of the shared employees key personnel?
- 6. Do any of the employees of the applicant perform work for the affiliate?
- 7. Do any of the employees of the affiliate perform work for the applicant?
- 8. Do the companies share office space?
- 9. Do the companies share utilities?
- **10.** Do the companies share equipment?
- **11.** Do the companies operate in the same or similar line of business?
- **12.** Do the companies operate in the same geographic location?
- **13.** Do the companies share customers?
- **14.** Have the companies entered into any agreements together (e.g., subcontracting, teaming, joint venture, leasing, or any other agreement)?
- **15.** Do the companies share payroll or other administrative/support services?
- **16.** Do the companies have joint finances?
- 17. What percentage of the applicant's revenue comes from business with the affiliate?
- 18. What percentage of the affiliate's revenue comes from business with the applicant?
- **19.** Do the companies share a website?



SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

Appendix C

Document Upload Instructions

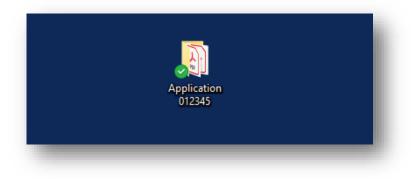
To securely upload and transfer your files to SBA:

- Group the documents according to the eligibility criterion to which they relate (i.e., Principal Office, 35% HUBZone Residency, and Ownership and Control) and combine each group of documents into a PDF file. Name each PDF file with the Application Number and the corresponding heading as shown below⁵:
 - Application XXXXX Principal Office.pdf
 - Application XXXXX 35% HUBZone Residency.pdf
 - Application XXXXX Ownership and Control.pdf
 - Application XXXXX Signature Sheet.pdf

When you have completed these steps, you should see a screen similar to this:

Name	Date modified	Туре	Size
🛃 Application XXXXX - 35% HUBZone Re	3/12/2021 8:50 AM	Adobe Acrobat D	489 KB
🛃 Application XXXXX - Ownership and C	3/31/2021 2:57 PM	Adobe Acrobat D	102 KB
🛃 Application XXXXX - Principal Office	3/12/2021 8:47 AM	Adobe Acrobat D	499 KB
🛃 Application XXXXX - Signature Sheet	3/31/2021 2:56 PM	Adobe Acrobat D	182 KB

2. Place these PDF files in a folder and name the folder with your Application Number.



⁵ Uploading individual documents not in these groups will result in an adverse inference and SBA will assume that the information the concern failed to upload correctly would demonstrate ineligibility.

SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

Note: If you choose to complete the Eligibility Workbook Tool (EWT) in lieu of the Location List and Employee List, place the EWT in its original Excel format in the folder with the PDF files.

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Documents	Application XXXXX - Principal Office	3/12/2021 8:47 AM	Adobe Acrobat Docu
	🛃 Application XXXXX - Signature Sheet	3/31/2021 2:56 PM	Adobe Acrobat Docu
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3. Compress the folder to a ".zip" file.

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4. Go to the HUBZone Supporting Document Upload website. Click the "Select Files" button. You should see a screen similar to this:



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SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

	ingle .zip format and name the file your application number. e.x. 123456.zip
intact the HUBZone Helpe	desk at HUBZONE@SBA.GOV with any questions.
pload files here. File fo	ormat should be *APPLICATION_NUMBER*.zip *
	Drag and drop files
	Select Files

5. Click "Select Files." Choose the zip file containing your supporting documents and click "Open."

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SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

6. Enter your HUBZone Application Number, the full legal name of the firm applying for HUBZone certification, and the email address to which all correspondence related to the firm's application should be sent.⁶

Enter your Application I	Number	
012345		
Firm Name *		
The name of your firm.		
HUBZone Small Busine	ss LLC	
Email Address *		
Enter your email addres	S	
hubzone@sba.gov		

Click the "Submit" button. You will see a message indicating that your file has been submitted to SBA.

Application 012345.sip 1.2 MB Add another file Application Number* Coll2345 Firm Name * The name of your firm. 112 MB		Upload files here. File format should be *APPLICATION_N	UMBERT.zip *	
Application Number * Enter your Application Number 012345 Firm Name * The name of your firm.		Application 012345.zip	1.2 MB	
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HUBZone Small Business LLC		The name of your firm.		
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⁶ Failing to enter the correct application number, firm name, or email address may cause a delay in processing your application or result in an adverse inference.



SUPPORTING DOCUMENT REQUIREMENTS FOR ALL BUSINESS STRUCTURES

7. Finished.

