



KEY TAKEAWAYS

PPP Loan Reimbursement – A Look at the Law, Litigation, and Liberty

January 19, 2022

When the Small Business Administration (SBA) rolled out the Paycheck Protection Program (PPP), it excluded many home builders and multifamily housing operations from the program on the grounds that they were “speculative” or “passive” businesses.

National Association of Home Builders (NAHB) sued and won, securing an injunction requiring the SBA to forgive PPP loans issued to NAHB members. The process to receive a refund on your PPP loan is outlined on the [SBA website](#).

SBA has launched a [streamlined application portal for borrowers with loans of \\$150,000 or less](#); you can read more details in this [NAHBNow](#) post. Borrowers who need assistance or have questions should call: 877-552-2692, Monday through Friday, 8:00 a.m. to 8:00 p.m. EST.

Loans to Home Builder Associations (HBAs) can be forgiven as well, thanks to NAHB’s efforts in working with Congress to include [501\(c\)\(6\) organizations as being eligible to receive PPP funding](#). Just as with any other business that received PPP loans, these loans can be forgiven if used for payroll, rent/mortgage, utilities, and other qualifying expenses.

Key Points

- ✓ Yes, your loans can be forgiven in full if the funds were spent on qualifying expenses, such as payroll, rent/mortgage, and utilities.
- ✓ You either apply to SBA directly or work with your lender to obtain PPP loan forgiveness.
- ✓ If your loan is less than \$150,000, generally speaking, you go through the portal. If your loan is greater than \$150,000, work with your lender directly.

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