

Denver CARES Q&A - Venues

This FAQ will supplement Denver Arts & Venues Denver CARES guidelines for **Venue** applicants. Amounts paid from this Fund are subject to restrictions and guidance issued by the U.S. Treasury. This document may be updated periodically as additional questions of general interest are received and made publicly available on the Denver Arts & Venues website at artsandvenues.com/caresforvenues.

Q: *What is intended by “legal name of applicant” and how does it differ from “Applicant Contact”?*

A: The legal name of the applicant is the legal name of the business or entity that is applying for assistance. This should be the entity name registered with the Colorado Secretary of State and that reports to the IRS. Applicant Contact is an individual completing an application on behalf of an entity that is able to answer questions about the organization and application and provide supplemental information, if necessary.

Q: *What is meant by “Form of legal entity.”*

A: The form of legal entity refers to the legal structure of the business or entity that is applying for assistance. Examples include: nonprofit corporation, C-Corp, S-Corp, Limited Liability Partnership (LLP), Limited Liability Corporation (LLC), etc. This information is typically included on a W-9 and must be consistent with information on file with the Colorado Secretary of State’s office.

Q: *If my business has only been operating since late 2019 or 2020 and I cannot supply revenue reports, ticket sales, or other requested information can I still apply and what information should I provide?*

A: Yes, entities that began operation in late 2019 or 2020 may apply. These organizations should submit revenue reports/statements, reports of ticket sales/cover charges and calendar(s) of events from the date of inception of business activity through March 31, 2020 and revenue reports/statements, ticket sale/cover charges and refunds issued due to COVID-19 cancellations, and calendar(s) of shows/events from April 1, 2020 through September 30, 2020. Partial data will be considered when appropriate, however, only complete applications are guaranteed full consideration.

Q: *What are eligible expenses?*

A: Generally, most expenses dedicated to mitigating the impacts of COVID-19 are eligible expenses, e.g. personal protective equipment, sanitation, etc. Numerous other expenses are eligible as well to address economic impacts occurring as a result of COVID-19. The current federal guidelines are publicly available and accessible at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>. Please consult the federal guidelines prior to expending grant funds and confirm that any expenditure of grant funds complies with then-current federal guidelines.

Q: *Do I really need to spend the money by December 30, 2020?*

A: Yes. The CARES Act requires goods be received or services performed by December 30, 2020.

Q: *What happens if I do not spend the money by December 30, 2020?*

A: Generally, it is anticipated that firms will be obligated to return unutilized CARES Act funding.

Q: *Can money be used for restoration or structural enhancements?*

A: Unfortunately, very little definitive guidance has been provided on this topic. In general, so long as improvements using CARES Act dollars are necessary to address impacts to a Grantee's business from COVID-19 or seek to mitigate the spread of COVID-19 they are likely to be covered expenditures. Each Grantee is responsible for using grant funds in compliance with the CARES Act and is encouraged to conduct its own research concerning specific uses of funds.

Q: Can we include a portion of our overhead for each venue? Beyond venue staffing, we (of course) have marketing, administrative and fundraising costs.

A: Yes, these expenses are proper to include.

Q: Given the focus on individual music venues, I assume we are not able to include any of the costs related to our school - which also operated out of main location at Yale Ave (pre COVID). Does that make sense?

A: To be considered for grant purposes, expenses must be connected to operation of the performing arts venue for which grant funds are sought. If a school is operated out of the venue, and performs in the venue, such expenses can be included in an application to present a full picture of Applicant's expenses in connection with the venue. Unrelated costs and/or expenses for a separate physical space from the performing arts venue should not be submitted in connection with an application.

Q: In response to COVID, we shifted our programming to online platforms and are now hosting a nightly livestream concert in addition to online classes. For our 2020 financials and concert reporting we are inclined to include revenue and costs for these nightly shows but recognize they are not venue specific (because they are online). Please advise.

Including these revenues and expenses is appropriate if they are being streamed from the venue for which grant funds are sought. Applicants will need to be able to support their allocation of such