

**United States** Lazy Days Farm LLC  
**Department of** 1111 Easy Street  
**Agriculture** Yourtown, NS 12345

New State Office  
 Farm Service  
 Agency

New State Office  
 1234 5<sup>th</sup> Street  
 Anytown, NS 98765

Phone: 123-456-7890  
 Fax: 123-987-6543

Dear Mr. John Doe:

This letter is in response to your request for Farm Service Agency (FAS) direct loan assistance. The direct term operating loan(s) you requested in the amount of \$100,000 and a direct annual operating loan in the amount of \$200,000 have been reviewed. We regret to inform you that you're request is being denied. This determination were made based on the following:

**FSA Handbook 3-FLP Par. 66 A. [ 8CFR 764.101 (e) ]** states the applicant, and all entity members in the case of an entity, must be unable to obtain sufficient credit elsewhere to finance actual needs at reasonable rates and terms. The agency will evaluate the ability to obtain credit based on factors including, but not limited to property interest's, income, and significant non-essential assets.

The individual balance sheet you provided show there is sufficient cash on hand and/or non-essential assets that could be used to provide funding for this operation.

John Doe	Checking Account	\$100,000.00
Dorothy Voe	Checking Account	\$130,000.00
	Certificates of Deposit	\$105,000.00
	Stocks	\$310,000.00
	Other Investments	\$200,000.00
	Savings Account	\$ 70,000.00
Wilhelmina Noe	Stocks	\$ 25,000.00
	Recreational Vehicles	\$275,000.00

Farm Service Agency's evaluation shows you have sufficient non-essential aspects that could be used to fund your proposed operation. Combined you have \$1,215,000.00 of liquid cash or identifiable non-essential assets, which would more than cover your request of \$300,000.00. Furthermore, FSA believes your funding requests can and should be secured at a Financial Institution.

If you believe this decision or the facts used in this case are in error, you may pursue your rights by using the following options.

### Reconsideration

You may request that Bart Tholemew reconsider this determination by filing a written request no later than 30 calendar days after you receive this notice in accordance with FSA's appeal procedures found at 7 CFR Part 780. If you request reconsideration, you have the right to an informal hearing with Bart Tholemew which you or your representative may attend personally or by telephone. If you choose to seek reconsideration, you may later appeal to the National Appeals Division (NAD) or Alternative Dispute Resolution (ADR). To request reconsideration, write to the Farm Service Agency at the following address and explain why you believe this determination is errorous.

### Exercise 1

There are 12 errors in this letter.  
 See if you can find:

- 10 spelling, grammar, usage
- 2 essential missing items

Refer to the Proofreading Tips Job Aid for guidance about what to look for – and how to look for it.

George Washington  
Farms Service Agency  
1 Cherry Tree Lane  
Anytown, NS 12345

### **Alternate Dispute Resolution (ADR)**

Mediation is available as part of FSA's informal appeal process. Mediation may enable us to narrow the issues and resolve the matter by mutual agreement. You may have to pay all or part of the cost of mediation. If you request mediation, the running of the time frame in which you may file an appeal stops. When mediation closes, the clock restarts and you will have the balance of the days remaining in that period to file an appeal. To request mediation you must submit your written request no later than 30 calendar days after you receive this notice. To request mediation write to the FSA State Executive Director at the following address:

Sandy Beach  
New State FSA Office  
555 5<sup>th</sup> Avenue  
Othertown, NS 11111

In the alternative, you may seek another acceptable form of ADR.

### **Appeal to the Department of Agriculture National Appeals Division (NAD)**

You may appeal this determination to NAD by filing a written request no later than 30 calendar days after you receive this notice in accordance with the NAD appeal procedures found at 7 CFR Part 11. If you appeal to NAD, you have the right to a hearing which you or your representative may attend. Once a hearing with NAD begins, you waive any rights you might have to reconsideration, appeal to FSA, and mediation. To appeal, you must write to NAD at the following address, explain why you believe this determination is erroneous, and provide a copy to FSA. You must personally sign your written appeal to NAD and include a copy of this letter.

If you do not timely exercise one of the preceding options, this shall be the final administrative determination with respect to this matter in accordance with regulations at 7 CFR Part 780 and 7 CFR Part 11.

The Federal Equal Credit Opportunity Act prohibits creditors from discrimination against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter a binding contract); because all or part of the applicant's income derives from public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Commission Protection Act. The Federal agency that administers compliance with this law is the Federal Trade Commission, Equal Credit Opportunity, Washington DC 20580.

Sincerely,

Bart Tholemew  
Farm Loan Chief

Cc: District Director, FSA, Bigtown, NS  
Farm Loan Manager, FSA, Smallertown, NS



United States  
Department of  
Agriculture

New State Office  
Farm Service  
Agency

New State Office  
1234 5<sup>th</sup> Street  
Farmville, NS 22222

Phone: 555-555-5555  
Fax: 555-555-4444

July 1, 2020

Lazy Days Farm LLC  
1111 Easy Street  
Yourtown, NS 12345

Dear Mr. Whipple:

This letter is in response to your request for Farm Service Agency (FSA) direct loan assistance. The direct term operating loan(s) you requested in the amount of \$100,000 and a direct annual operating loan in the amount of \$200,000 have been reviewed. We regret to inform you that your request is being denied. This determination was made based on the following:

**FSA Handbook 3-FLP Par. 66 A. [ 7CFR 764.101 (e)]** states the applicant, and all entity members in the case of an entity, must be unable to obtain sufficient credit elsewhere to finance actual needs at reasonable rates and terms. The agency will evaluate the ability to obtain credit based on factors including, but not limited to property interests, income, and significant non-essential assets.

The individual balance sheets you provided show there is sufficient cash on hand and/or non-essential assets which could be used to provide funding for this operation.

John Doe	Checking Account	\$100,000.00
Dorothy Voe	Checking Account	\$130,000.00
	Certificates of Deposit	\$105,000.00
	Stocks	\$310,000.00
	Other Investments	\$200,000.00
Wilhelmina Noe	Savings Account	\$ 70,000.00
	Stocks	\$ 25,000.00
	Recreational Vehicles	\$275,000.00

Our evaluation shows you have more than enough money to fund your operation. Your balance sheet show over a million dollars! Certainly you can cover \$300,000 by using some of your cash or non-essential assets. If not, you should probably just go to a bank, because you won't get any assistance here.

**Exercise 2: Writing in a Professional Tone**

**For the following letter excerpt, rewrite the last paragraph using a more professional tone, based on the information provided.**





**Exercise 3: Organizing the Body**

**Rewrite this part of an adverse decision letter to make it more readable and straightforward to the reader.**

May 24, 2020

Ms. Melody Keys  
Harmony Farm  
P.O. Box 88  
Singsong, NS 44444

Dear Ms. Keys:

I have carefully reviewed your application for a Farm Operating Loan. Your application has been denied based upon the following factual determination and/or reasons:

Handbook 3-FLP, paragraph 352C [7 CFR 764.401(A)(1)(i)] states that the Agency will approve a loan only if it determines that: The applicant's farm operating plan reflects a feasible plan, which includes repayment of the proposed loan and demonstrates that all other credit needs can be met. Handbook 1-FLP, Par. 241B [7CFR 761.104(c)(1) states that historical information will be used as a guide. In completing your Farm Operating Plan (FOP), the Agency used your tax returns, historical information on yields, the FSA-2038, "Farm Business Plan Worksheet" submitted by you and the APH as a guide in completing the projection for crop year 2010. Your yield projections were significantly higher than the APH. The Agency used your yield projections. The Agency also used most of your operating expense projections, where they were considered to be realistic. The expense projection on your FOP is less than your projection. The requested amount was \$300,000. The projected loan amount came to \$284,700. This left \$235,064 plus interest to CFC that would not be refinanced. Your projected off farm income was \$50,000. In your FOP, you received the benefit of the 5-year average of \$100,000. Owner withdrawals were a combination of your projected \$25,000 living expenses, the \$15,000 life insurance premium, and personal debt installments. The projected loan was termed at seven years at 2.875% interest. The Farm Operating Plan is not feasible, therefore denied.