



How to Avoid Losing Money in an EB-5 Project: 4 Key Items to Consider

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www.eb5an.com

Important Investment Information

All EB-5 investments must be “at risk” per USCIS requirements. Risk of loss exists. Any protections and guaranties negotiated at fund level are not exercisable by individual investors themselves but are administered by fund management only. No guarantees exist regarding individual investors’ ability to be repaid.

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Information prepared on electronic media such as PowerPoint, Prezi, websites, blogs, WeChat, or other methods of delivery are often truncated and summarized to improve readability; details of any legal nature should only be respected through the specific confidential offering documents provided by EB5AN to such qualified or accredited investors capable of subscribing.





About EB5AN and the EB-5 Visa Program



Twin Lakes Georgia Rural EB-5 Project – An under-construction, fully capitalized rural EB-5 project, with a parent company repayment guaranty, all required EB-5 jobs already created, faster I-526E processing, and access to 20% visa set aside.

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About EB5AN and the EB-5 Immigrant Investor Visa



EB5AN is an EB-5 investment fund manager, USCIS-approved regional center operator, and consultancy. EB5AN helps foreign investors obtain U.S. permanent residency through investments in U.S. business enterprises and real estate development projects within the guidelines of the EB-5 program.



The EB-5 Immigrant Investor Visa program is a U.S. government program that encourages new investment in job-creating business enterprises. By making an eligible EB-5 investment that creates at least 10 new U.S. jobs, the foreign investor and his or her immediate family are eligible to receive U.S. permanent residency and to immigrate.

EB5AN: A Leading EB-5 Investment Fund Manager

2,300+ families from 60+ countries and regions have invested through EB5AN's regional center investments.



2013

Established



\$4 billion+

Assets under development



10+

USCIS-approved regional centers covering 30+ states



100%

Regional center project approval rate with USCIS



30+

Completed or ongoing EB-5 investment funds; numerous I-526, I-829, and I-924 exemplar approvals

EB5AN Is Committed to 100% EB-5 Investment Transparency

EB5AN is Pleased to Make the Following Key EB-5 Investment Due Diligence Documents Available to All EB-5 Investors

- ✓ The complete set of Form I-956F “exemplar” EB-5 documents filed with USCIS
- ✓ The complete Form I-526E individual investor document set template
- ✓ The balance sheet of the Kolter parent company guarantying the repayment of the EB-5 loan
- ✓ The current financial statements of the Kolter company developing the project showing proof of developer equity invested to date
- ✓ The executed loan agreement between the company developing the project and the construction lender
- ✓ Any other available documents related to the development of the project and EB-5 investment

Other EB-5 Regional Centers

- ✗ Not willing to share the entire Form I-956F “exemplar” or Form I-526E template with all exhibits
- ✗ Not willing to share the balance sheet of the company guarantying the repayment of EB-5 funds, or no such company exists, and the EB-5 investment is unsecured with “no collateral” or only a pledge
- ✗ Not willing to share the current financial statements of the company developing the project because they do not exist, reflect losses, or reflect that no developer equity has been funded
- ✗ Not willing to share an executed senior loan agreement or other financial commitment documents because they do not exist

Use common sense. If an EB-5 company is not willing to provide the basic documents needed to evaluate the financial position of an EB-5 project, avoid that project. Get access to and review critical financial documents for the project. Invest only if you know and are comfortable with the current financial position of the companies involved.

How to Identify Red Flags for EB-5 Investments



For many EB-5 investors, an \$800K EB-5 investment will be the largest investment they have ever made.

Some EB-5 investors may not have experience making real estate investments or other private equity investments. As a result, many EB-5 investors may not know what questions to ask and what documents to focus on when evaluating potential EB-5 investments.

Many EB-5 projects appear to be “safe” and have nice renderings but have minimal security and are very risky. An inexperienced investor can have a difficult time separating these “risky” projects from safer projects.

EB5AN has prepared many articles to help EB-5 investors evaluate potential EB-5 real estate development projects. Our articles help EB-5 investors identify and understand the impact of the most common risks found in such projects.

View these articles at: www.EB5Investments.com

We strongly recommend that EB-5 investors take the time to understand real estate development investments so that they make an educated EB-5 investment decision and increase the likelihood of receiving permanent green card approval and a timely repayment of EB-5 investment funds.

If you need help, or don't know where to start, just ask, and we can point you in the right direction.

The EB5AN Management Team

The EB5AN team has been involved in more than \$4 billion of leveraged buyouts, IPOs, and real estate development.



Samuel B. Silverman
Managing Partner
EB5AN



Michael B. Schoenfeld
Managing Partner
EB5AN

Yale Stanford

BCG



LSE



BCG



- Yale University – B.A. in Economics with a concentration in Mandarin Chinese
- Boston Consulting Group (BCG) – business and strategy consulting
- M.B.A., Stanford Graduate School of Business
- Forbes 30 Under 30 National Winner for Social Entrepreneurship

- University of North Carolina at Chapel Hill – B.A. in Economics and B.S. in Business Administration
- Boston Consulting Group (BCG) – business and strategy consulting
- AEA Investors – leading middle-market private-equity firm
- Forbes 30 Under 30 National Winner for Social Entrepreneurship



Twin Lakes Georgia Rural EB-5 Project – An under-construction, fully capitalized rural EB-5 project, with a parent company repayment guaranty, all required EB-5 jobs already created, faster I-526E processing, and access to 20% visa set aside.



Ahmed Khan, Esq
Vice President
EB5AN

FRAGOMEN

 KLASKO
Immigration Law Partners, LLP

 UNIVERSITY OF
GEORGIA

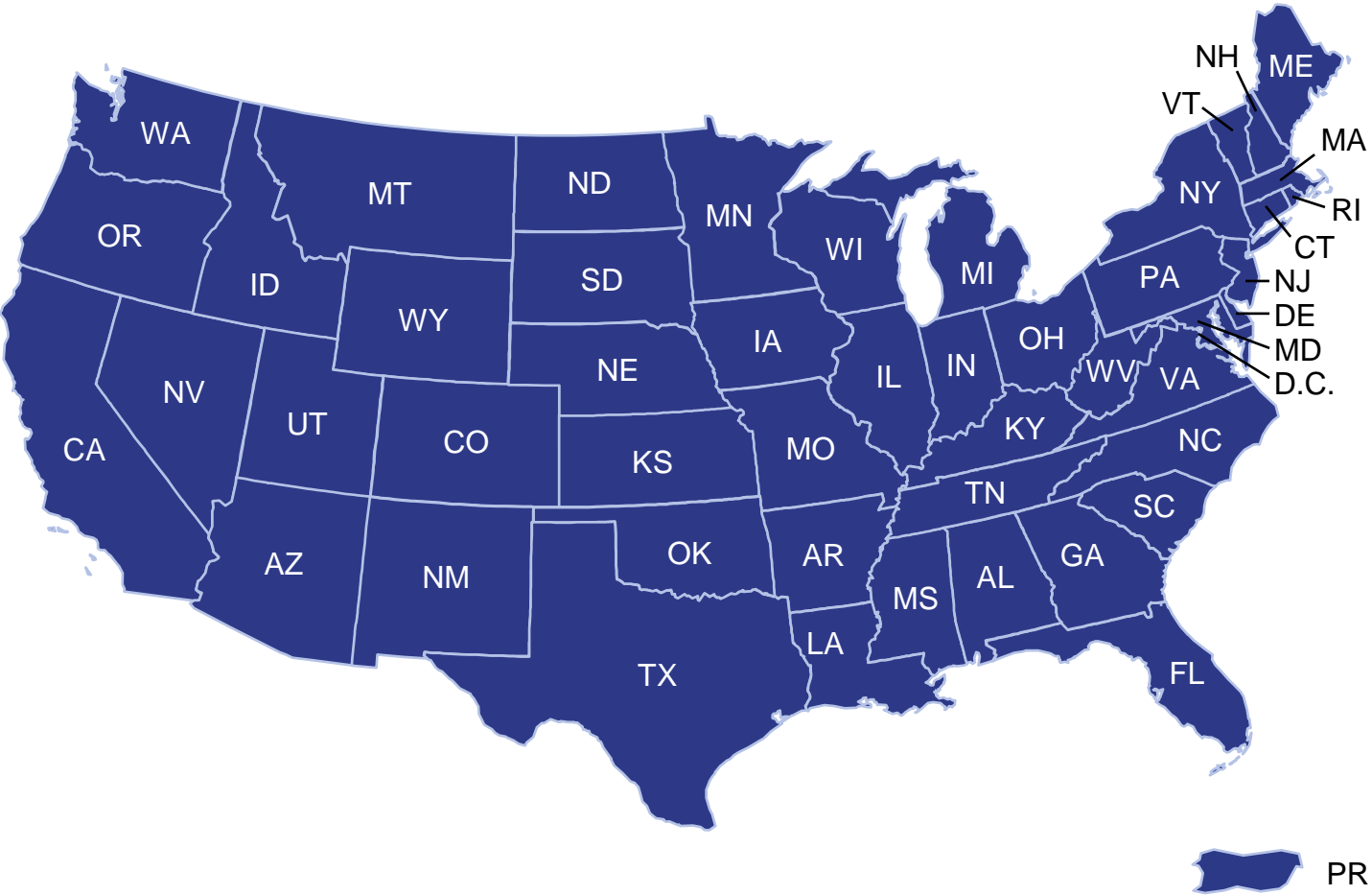
 UNIVERSITY OF
South Carolina

B · A · L
BERRY APPLEMAN & LEIDEN LLP

JacksonLewis

- 10+ Years of EB-5 Immigrant Investor Program Experience
- Former Immigration attorney at Fragomen, Klasko, BAL, and Jackson Lewis
- B.A. from University of Georgia
- J.D. from University of South Carolina

EB5AN Operates 10+ Regional Centers that Cover All 48 States of the Continental U.S., Puerto Rico, and Washington, D.C.



USCIS regional center approval letters

Three stacks of white documents with black text, representing USCIS regional center approval letters. Each stack is slightly offset to the right and back, creating a sense of depth. The documents have a header with the USCIS logo and some text, followed by a large section of text.


All regional centers 100% owned and controlled by EB5AN

Investors from More than 60 Countries and Regions

People of many nationalities and backgrounds consistently find value in EB5AN's investment approach.

- | | |
|--|---|
|  Angola |  Kuwait |
|  Argentina |  Mexico |
|  Australia |  Montenegro |
|  Austria |  Mozambique |
|  Azerbaijan |  Netherlands |
|  Bahamas |  New Zealand |
|  Bangladesh |  Nicaragua |
|  Belgium |  Nigeria |
|  Brazil |  Oman |
|  Canada |  Palestine |
|  Chad |  Peru |
|  China |  Philippines |
|  Colombia |  Poland |
|  Czech Republic |  Romania |
|  Ecuador |  Russia |
|  Egypt |  Saudi Arabia |
|  France |  Singapore |
|  Germany |  South Africa |
|  Ghana |  South Korea |
|  Haiti |  Spain |
|  Hong Kong |  Sweden |
|  India |  Taiwan |
|  Indonesia |  Thailand |
|  Iran |  Trinidad and Tobago |
|  Iraq |  Turkey |
|  Ireland |  UAE |
|  Italy |  Ukraine |
|  Japan |  United Kingdom |
|  Jordan |  Uruguay |
|  Kenya |  Venezuela |
|  Korea |  Vietnam |



 = Countries and Regions with EB-5 investors

EB5AN and its EB-5 projects have been featured in many leading publications

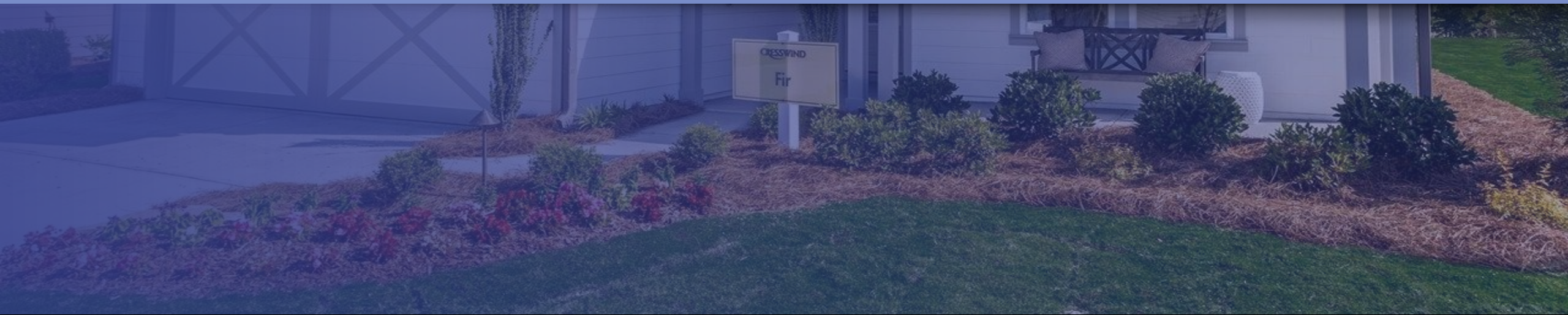
Forbes **Bloomberg** **WSJ** **Entrepreneur**

THE JERUSALEM POST **Spotlight** **The Palm Beach Post**

siliconindia **The Wire** *China* **BREITBART NEWS**

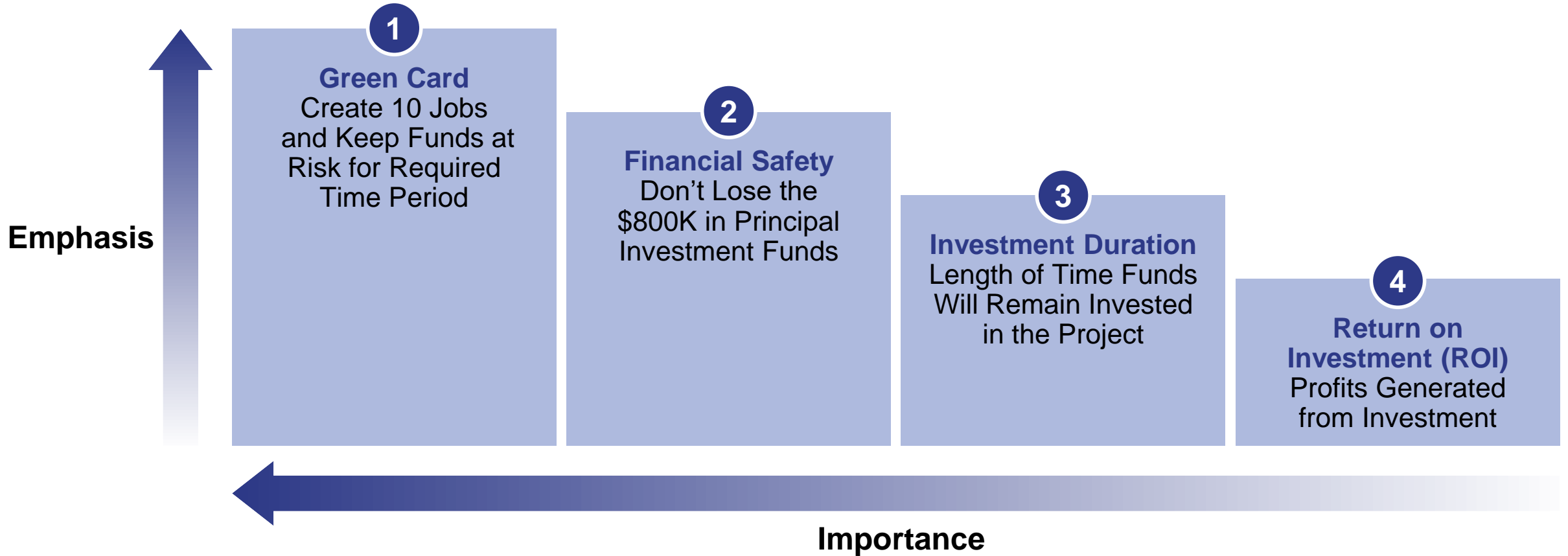


EB-5 Investment Framework



EB-5 Investment Framework

These are the 4 key variables to consider when selecting an EB-5 investment. As an investor you should put these in the order that you want and select a project that best aligns with that order.



For EB5AN's Rural EB-5 Loan projects, this is the 1 through 4 order we optimize for.

Top 4 Diligence Items EB-5 Investors Should Consider

1 Borrower Quality

Likelihood of repayment on time.
Borrower track record. Project track record.

2 Financing Cost

The cost (interest rate) of non-EB-5 financing (if there is senior or construction debt) will be your best objective indication of project risk

3 Independence

Avoid unnecessary conflicts of interest




4 Project Profitability

Is the project already making money? If not, how confident are you that it will be profitable at some point (and how far into the future)? What evidence is there?

Borrower Quality

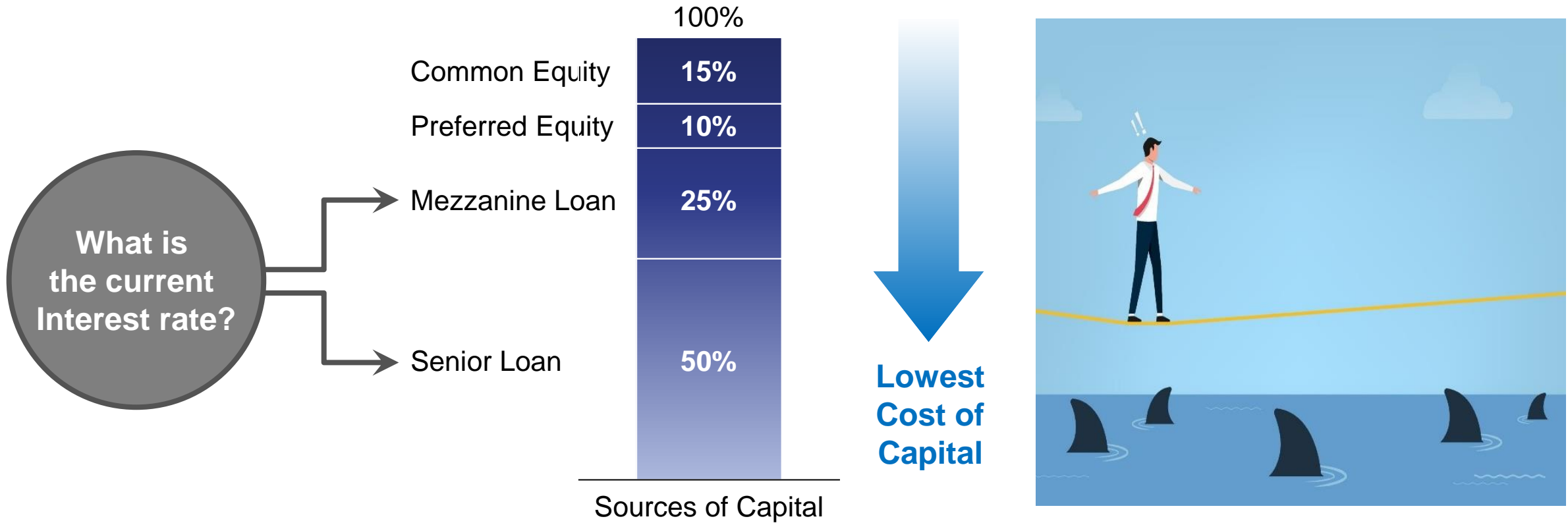
Question: How likely is it that the EB-5 loan will be repaid within the set loan term?

Most important thing to look at as a lender is the quality of the borrower and its track record of execution and repayment. This is by far the #1 most important item for any EB-5 loan project. It's common sense. If you want to make a loan to anyone, what is most important? Who has lent them money in the past, over what period, and been repaid on time, etc.

Project	 Twin Lakes Georgia (Rural Loan)	 Kindred Keystone (Rural Loan)	Other EB-5 Borrowers
Developer (Borrower)	Kolter	Interland + Local Team	
Number of Projects	180+	50+	
Number of EB-5 Projects Developer has done	~20	1	
Development Experience	\$26B+	\$4B+	
Years in Business	25+	45+	
Number of Loans Not Repaid	0	0	
Number of Failed Projects	0	0	
EB-5 Loan Security	Project Level Loan + Separate Parent Company Repayment Guaranty	100% Equity Pledge + Anticipated First Mortgage Following Condominium Closings	
Repaid Funds	Billions	Hundreds of Millions	
Non-EB-5 Lenders	Wells Fargo, PNC, CIBC, Regions, Truist, Third Coast Bank, etc.	Romspen (Private Mortgage Fund), Chase Bank, TBK Bank, etc.	
Profitable Today	Yes	70%+ Presold	

Financing Cost

Best independent evaluation of project risk is the current interest rate of third-party non-EB-5 loans

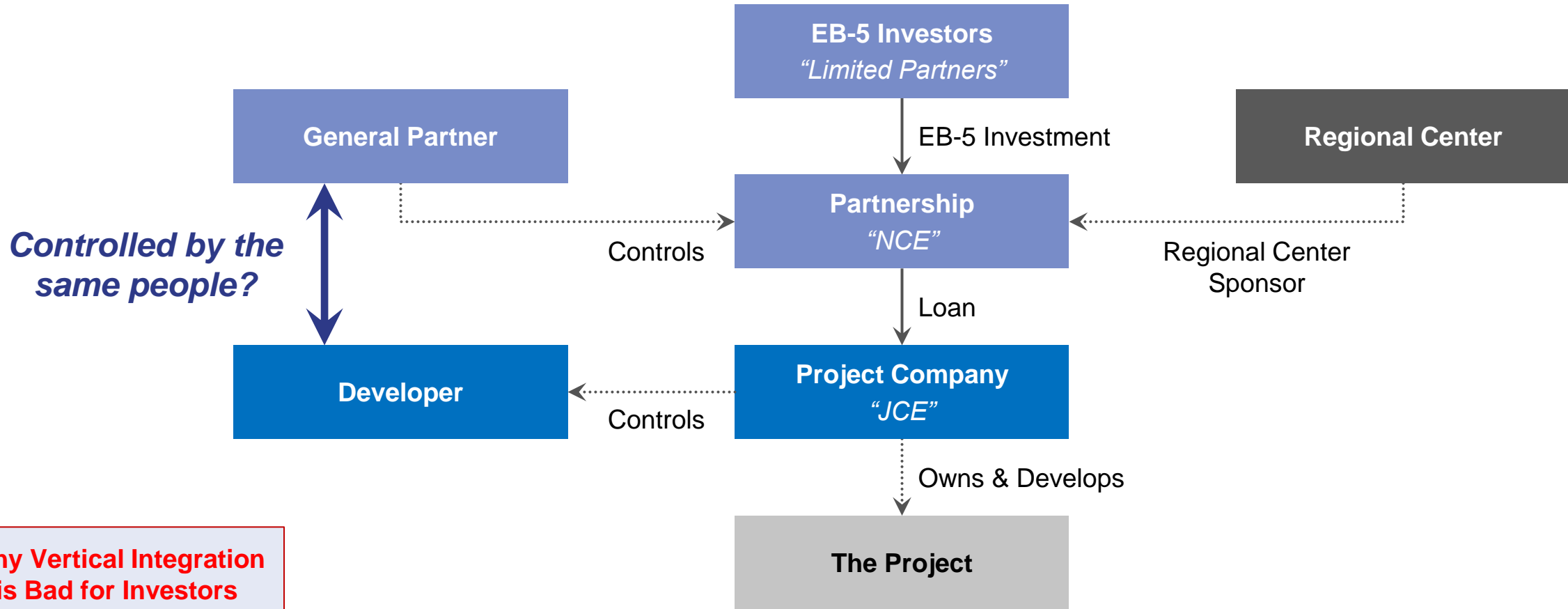


Simple question: What is the current interest rate of a non-EB-5 lender of the project? The higher the rate, the riskier the project typically is. You should compare across projects for an independent evaluation of risk from professional third-party lenders.

Independence: Avoid Unnecessary Conflicts of Interest (1 of 2)

3

Is the general partner and developer controlled by the same company?



Why Vertical Integration is Bad for Investors

There is significant additional risk when the same people control both the Developer and the General Partner.

General Partner and Developer Independence (or Lack Thereof)

The people that control the General Partner can be the same people that control the Developer, or they can be completely different people. It is much better for EB-5 investors for there to be complete independence (no overlap) between the people who control both.



Conflict of Interest

A group of people will naturally act in their own best interest, the key consideration is the legal control that is provided to them in the agreements.



Incentives

For example, if the same people that control the Developer also control the General Partner, then they do not have an incentive to act in the best interests of EB-5 investors, and instead will act in the best interests of the Developer.

Just because an EB-5 loan has a promised 3-year maturity date, doesn't mean that its automatically going to get repaid in 3-years. For any EB-5 loan to be repaid on time, the **underlying economic activity must be financially successful.**

Think about it...if you loan money to build a condominium building and then no one decides to buy a condominium, then it doesn't matter what the terms of the EB-5 loan were...there is no revenue (cash) generated to pay back any of the loans, including EB-5.... the underlying business itself must be successful, and if it is, then you can expect the EB-5 loan to get repaid on time, but if not, then get ready for the EB-5 loan to be extended for a very long time and/or default resulting in a loss of investment capital.

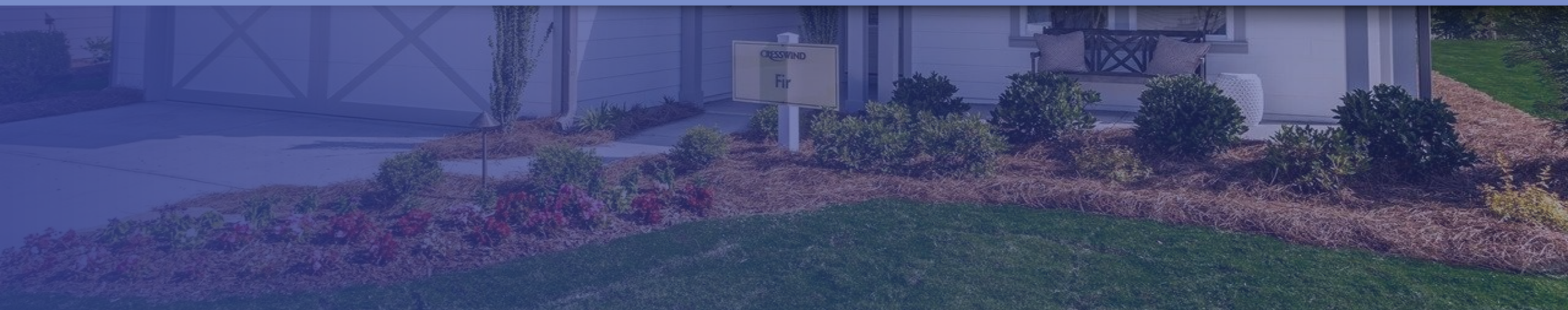
The lowest risk project is one that has already proven it is economically viable and is already making a profit. Then you are faced with the risk of it continuing to be profitable VS the risk of it ever being profitable.





KOLTER

Twin Lakes Georgia (Loan) \$800K Project Details



Twin Lakes Georgia Rural EB-5 Project – An under-construction, fully capitalized rural EB-5 project, with a parent company repayment guaranty, all required EB-5 jobs already created, faster I-526E processing, and access to 20% visa set aside.

Twin Lakes Georgia: Single-Family Home Community with Amenities

This rural TEA project qualifies for an \$800,000 investment with priority processing and a 20% visa set aside.

KolterHomes.com



600+ Homes Already Sold
460+ Homes Built & Delivered to Buyers

Single-Family Home Community with Amenities

Kolter has
29,000+
homes
developed
and in-process

EB-5 Capital
\$80M, ~12%
of total cost

Total project cost
\$662.3M

**Construction
already
underway**

Rural TEA
provides priority
processing and
visa set asides to
avoid backlog

Construction
loan with
**Third Coast
Bank**

Total EB-5
job creation
6,934 jobs

10+ jobs
already created
for each
\$800K investor

2,900+ jobs
already created as of
December 31, 2023

Prior Twin Lakes Georgia EB-5 Fund Has Received I-956F Approval

The NCE for this project (Fund XXI) submitted Form I-956F in December 2023, which is currently pending.

I-956F Approval Letter for EB5AN Twin Lakes Georgia Fund XIV, LP



Effective as of the date of this notice, and as discussed further below, USCIS approves the Regional Center's request.

I. Determination of EB-5 Compliance for an initial I-956F, Application for Approval of an Investment in a Commercial Enterprise

Through this Form I-956F and the documents submitted, the Regional Center requests determination of EB-5 compliance for an initial I-956F, Application for Approval of an Investment in a Commercial Enterprise. The Regional Center presented evidence asserting that 50 investors will invest \$40.0 million into **EB5AN Twin Lakes Georgia Fund XIV** – the new commercial enterprise (NCE). The NCE will lend the entire amount to KH Twin Lakes, the job creating entity (JCE). The JCE intends to develop a new, real estate development consisting of 1,300 Single-family residences and assorted amenities and is located in Hoschton, Georgia. The Regional Center asserts construction activity will last longer than two years.

After review of the documents submitted in connection with this request, USCIS has determined that the Regional Center has demonstrated that the initial I-956F, Application for Approval of an Investment in a Commercial Enterprise complies with EB-5 requirements.

USCIS approves the Form I-956F based on evidence submitted indicating that the investment from EB-5 petitioners will create approximately 3,135 direct jobs and 3,810 indirect/induced jobs for an estimated job total of 6,944.²

USCIS also approves the Regional Center's assertion that the JCE is principally doing business within a rural area.

USCIS has determined that the project complies with EB-5 program requirements

USCIS approves the project's job creation methodology

USCIS approves the Regional Center's assertion that the project is principally doing business in a rural area

A prior EB-5 fund in the Twin Lakes Georgia project has Form I-956F "Exemplar" approval from USCIS.

The project structure, rural TEA qualification, and job creation methodology comply with EB-5 program requirements.

Prior Twin Lakes Georgia Investors Have Received I-526E Approval

Multiple EB-5 investors in EB5AN Twin Lakes Georgia Fund XIV, LP have received Form I-526E approval.

I-526E Approval Notifications for EB5AN Twin Lakes Georgia Fund XIV, LP Investors

Case Approved

On January 18, 2024, we approved your Form I-526E, Immigrant Petition by Regional Center Investor, Receipt Number IOE 18553, and sent you an approval notice. Please follow the instructions in your notice. If you do not receive your approval notice by February 17, 2024, please go to www.uscis.gov/e-request to request a copy of the notice. If you move, go to www.uscis.gov/addresschange to give us your new mailing address.

Case Approved

On January 30, 2024, we approved your Form I-526E, Immigrant Petition by Regional Center Investor, Receipt Number IOE 18664, and sent you an approval notice. Please follow the instructions in your notice. If you do not receive your approval notice by February 29, 2024, please go to www.uscis.gov/e-request to request a copy of the notice. If you move, go to www.uscis.gov/addresschange to give us your new mailing address.

Case Approved

On January 26, 2024, we approved your Form I-526E, Immigrant Petition by Regional Center Investor, Receipt Number IOE 18770, and sent you an approval notice. Please follow the instructions in your notice. If you do not receive your approval notice by February 25, 2024, please go to www.uscis.gov/e-request to request a copy of the notice. If you move, go to www.uscis.gov/addresschange to give us your new mailing address.

Case Approved

On January 31, 2024, we approved your Form I-526E, Immigrant Petition by Regional Center Investor, Receipt Number IOE 18732, and sent you an approval notice. Please follow the instructions in your notice. If you do not receive your approval notice by March 1, 2024, please go to www.uscis.gov/e-request to request a copy of the notice. If you move, go to www.uscis.gov/addresschange to give us your new mailing address.

Twin Lakes Georgia investors' Form I-526E approvals from USCIS.

Form I-526E approvals started to be received just over one month after Form I-956F "Exemplar" approval.



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Join Us on A Driving Tour of the Twin Lakes Project



Watch the full
Twin Lakes Georgia
project driving tour at

<https://eb5visainvestments.com/twin-lakes-georgia-loan>

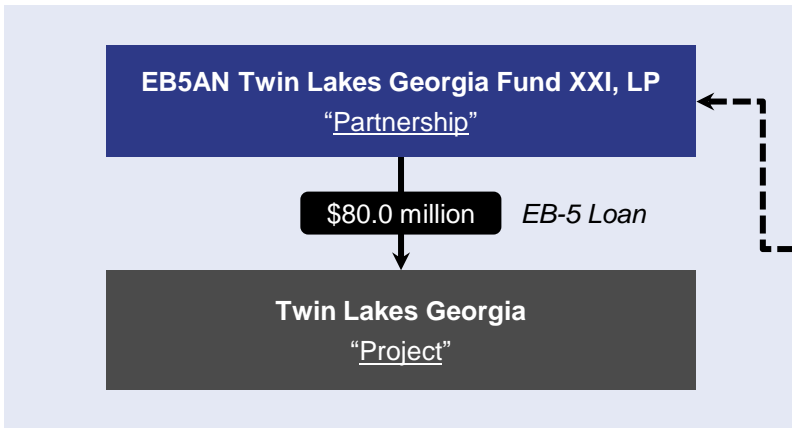
Community Construction Progress Aerial Photograph (Sep. 2023)



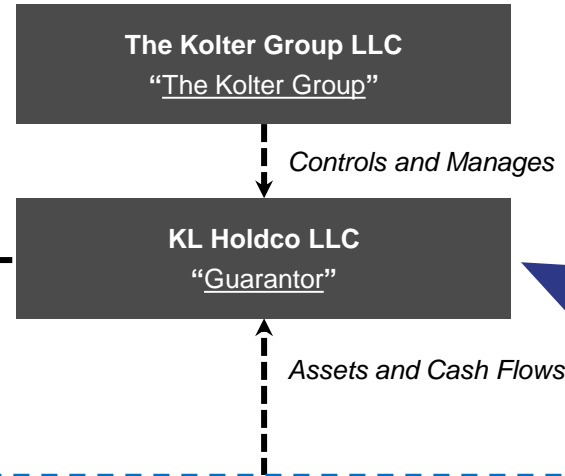
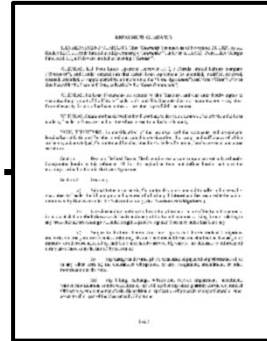
Clubhouse Now Open for Residents (Feb. 2023)



EB-5 Loan Repayment Guaranty Increases Investor Financial Safety



EB-5 Loan Repayment Guaranty



Guarantor has guaranteed to repay the EB-5 loan made to the Project.

Guarantor is a diversified parent company that owns 35+ real estate development projects.

We are happy to share the Guarantor's financial statements.

Just ask.

KOLTER

Since 1997, Kolter has invested in over 180 projects with expected value of over \$26.0 billion, including over 29,000 single-family homes. Kolter has repaid billions of dollars in borrowed funds and has never failed to repay a loan or to complete a real estate development project.

35+ Kolter real estate development projects across 10+ diversified markets

"At-Risk" Requirement Compliance

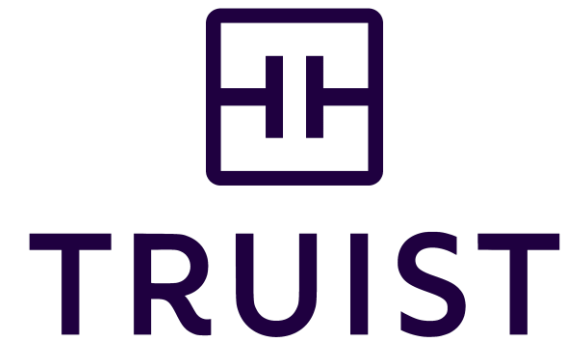
USCIS EB-5 Program Rules allow for a Parent Company Repayment Guaranty; this structure does not violate the "at-risk" requirement. Although it is highly unlikely that Kolter will fail to repay the EB-5 loan, it is still theoretically possible, and thus satisfies the "at-risk" requirement.

An EB-5 loan secured by a diversified parent company with substantial assets is extremely rare. Almost all EB-5 loan investments are unsecured or secured with only an equity pledge on a single asset. Our EB-5 loan repayment guaranty structure significantly reduces repayment risk for our EB-5 investors.



Kolter Has Received Loans from Many of the Largest and Most Conservative Lenders in the United States

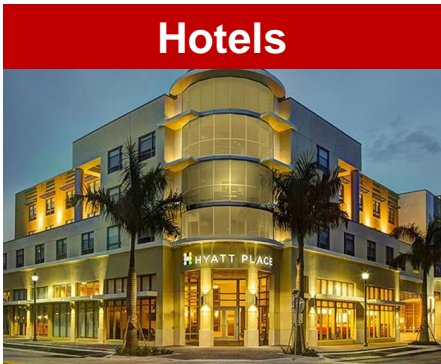
Kolter's reputation and performance have provided for strong, long-standing relationships with leading financial institutions in the United States. Kolter has secured loans from 5 of the 10 largest banks in the United States, and as of year-end 2022, had over \$1.5 billion of loan commitments from lenders, including Wells Fargo, PNC, and Regions Bank. Kolter has repaid billions of dollars in borrowed funds and has never failed to repay a loan.



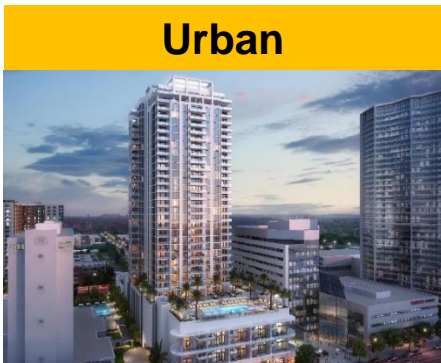
Kolter Development Experience: 180+ Projects across Five States



Homes



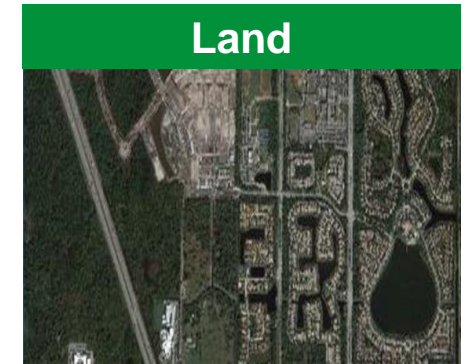
Hotels



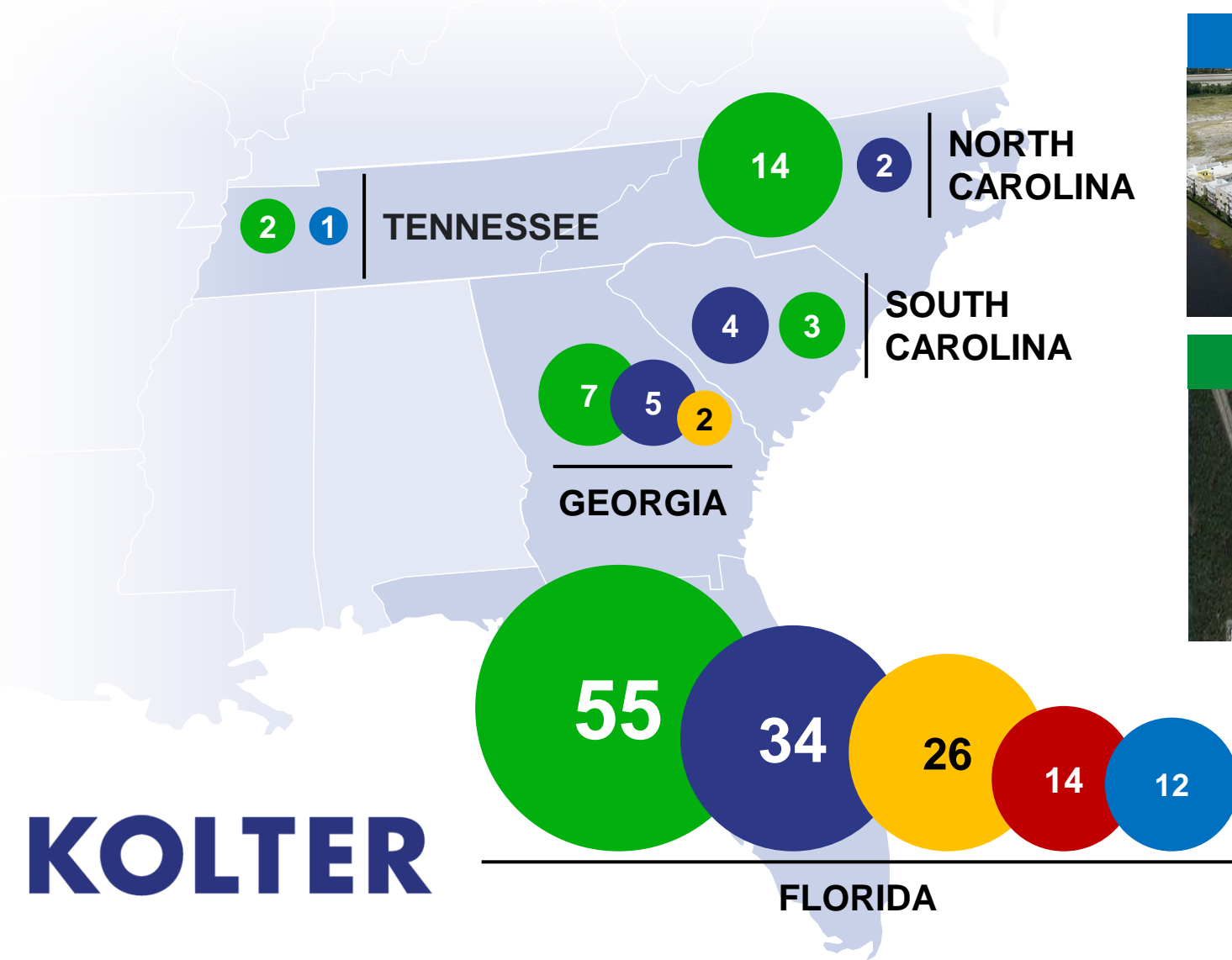
Urban



Multifamily



Land



KOLTER

- Homes
- Hotels
- Urban
- Multifamily
- Land

Note: As of May 1, 2023



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KINDRED
RESORT

ROCKRESORTS®

Kindred Resort at Keystone (Loan) \$800K Project Details



Kindred Resort at Keystone, Colorado – Rural TEA \$800K EB-5 Project

Under construction ski-in/ski-out condominium and hotel project with strong sales and all financing already in place.



One of the closest high-end ski resorts to Denver, Colorado

95 condominium units (123,546 sellable sq. ft.)

107-room 4-star hotel managed by RockResorts

25,000 sq. ft. of retail space



Ski-in/ski-out condominiums, hotel, and retail

Secured EB-5 Loan Investment

\$80.0M
EB-5 Loan
~26%
of total cost

Total project cost
\$305.7M

Rural TEA provides priority processing and visa set asides to avoid backlog

I-526E Approval Refund Guaranty

Over 68% of Condos Already Presold

All Required EB-5 Jobs Created (1,000+)

Senior Construction Loan Funded

Vertical Construction Underway

Kindred Resort at Keystone, Colorado, Project Summary (North View)

95 condominium units, 107-room 4-star hotel, 25,000 square feet of retail space, and private ski club in three towers.



West Tower

Hotel

East Tower

Retail and
Restaurant Space

Outdoor
Pool Area

Amenities
Courtyard

River Run
Gondola

Private
Owner
And
Ski Club

January 2024 Vertical Construction Progress

The site is located directly adjacent to the resort's primary gondola and adjacent to undeveloped, preserved wetlands.



Construction Progress

Both the west tower and hotel tower are currently topped out, meaning the vertical construction has reached the top floor.

East tower vertical construction is underway and has progressed up to level two.

The hotel is on-schedule to open in 2025.

October 2023 West Tower Topping Out



January 2024 Hotel Construction



January 2024 East Tower Construction



January 2024 Vertical Construction Progress



Kindred Resort at Keystone is approximately 55 feet from the primary ski gondola.



River Run
Ski Gondola

55 feet

Kindred Resort at Keystone Project Site

Vail Resorts Overview

Keystone Ski Resort is operated by Vail Resorts.

VAIL RESORTS[®]

EXPERIENCE OF A LIFETIME™

Overview

- Vail owns and operates mountain resorts and hotels with amenities including skiing and snowboarding, golf, dining, and retail and rental operations.
- Vail Resorts is a publicly traded company (NYSE:MTN) with a market capitalization of approximately \$9 billion and 2022 earnings per share of \$8.55.
- In 2001, Vail Resorts acquired the luxury hotel chain RockResorts.
- Vail Resorts operates 41 ski resorts in the United States, Canada, Australia, and Switzerland.
- Key Vail resorts include popular destinations such as Vail, Beaver Creek, Breckenridge, Keystone, and Crested Butte ski areas in Colorado.
- Revenue for the 12-months ending January 31, 2023, was \$2.8 billion, a ~30% increase year-over-year.
- In 2022, Vail Resorts had the 5th largest market share within the hotels & tourism out of its **13 competitors**, behind only Marriott, Hilton, Hyatt, and IHG.

Vail Resort Locations



1. Vail Resorts Revenue 2010-2023: MTN Macrotrends. Available at: <https://www.macrotrends.net/stocks/charts/MTN/vail-resorts/revenue> (Accessed: March 20, 2023).

2. CSIMarket > Company, S. (2023) MTN's vs. market share relative to its competitors, as of Q4 2022, CSIMarket. CSIMarket.com. Available at: <https://csimarket.com/stocks/competitionSEG2.php?code=MTN> (Accessed: March 20, 2023).

Over 70% of Condominium Units Sold with Strong Price per Sq. Ft. Growth

Units are priced differently according to size, floorplan, and location within the tower.

	First Month Presale Price / Sq. Ft. (\$)	Most Recent Month Presale Price / Sq. Ft. (\$)	% Change (+/-)
1 bed / 1 bath	1,064	1,281	+20%
1 bed / 2 bath	1,151	1,699	+48%
2 bed / 2 bath	1,285	1,648	+28%
3 bed / 3 bath	1,468	2,611	+78%
4 bed / 4 bath	1,291	1,917	+48%
Average	1,252	1,795	+29%

Kindred Resort at Keystone has achieved strong price growth since presales began. Sotheby's is holding back premium units to command the highest possible price / sq. ft.



Please contact us to schedule a call to discuss the Twin Lakes rural EB-5 project and other available EB-5 projects at \$800K.

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