

SECURITIES AND EXCHANGE COMMISSION

FORM 8-K

Current report filing

Filing Date: **2013-05-16** | Period of Report: **2013-05-10**
SEC Accession No. [0001144204-13-029856](#)

([HTML Version](#) on [secdatabase.com](#))

FILER

Business Development Corp of America

CIK: [1490927](#) | IRS No.: **000000000** | State of Incorporation: **MD** | Fiscal Year End: **1231**
Type: **8-K** | Act: **34** | File No.: [814-00821](#) | Film No.: **13850473**

Mailing Address

405 PARK AVENUE, 15TH
FLOOR
NEW YORK NY 10022

Business Address

405 PARK AVENUE, 15TH
FLOOR
NEW YORK NY 10022
2124156500

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, DC 20549

FORM 8-K

CURRENT REPORT
Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

Date of report (Date of earliest event reported): **May 16, 2013 (May 10, 2013)**

Business Development Corporation of America
(Exact Name of Registrant as Specified in Its Charter)

Maryland
(State or Other Jurisdiction of Incorporation)

814-00821
(Commission File Number)

27-2614444
(IRS Employer Identification No.)

405 Park Avenue, 14th Floor
New York, New York 10022
(Address, Including Zip Code, of Principal Executive Offices)

(212) 415-6500
(Registrant's Telephone Number, Including Area Code)

Not Applicable
(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-

Item 1.01. Entry into a Material Definitive Agreement.

On May 10, 2013, Business Development Corporation of America (the “Company”), through a wholly-owned subsidiary, 405 TRS I, LLC (“TRS Sub”), amended and restated its total return swap agreement (the “Third Amended Agreement”) with Citibank, N.A. (“Citi”). The Third Amended Agreement increases the maximum aggregate market value of the portfolio of loans that TRS Sub may select from \$150.0 million to \$200.0 million. The terms of the total return swap agreement are set forth in the Company’s Current Report on Form 8-K filed on July 13, 2012 and the total return swap agreement and its accompanying documents were filed as Exhibits 10.13 and 10.14 to the Company’s Current Report on Form 8-K on August 7, 2012. The description of the total return swap agreement in this Current Report on Form 8-K is a summary and is qualified in its entirety by the terms of the total return swap agreement, which is incorporated herein by reference. The Third Amended Agreement was filed as Exhibit 10.12 to the Company's quarterly report on Form 10-Q for the three months ended March 31, 2013 filed with the Securities and Exchange Commission on May 15, 2013.

A copy of the press release announcing the increase in the Company’s financing capacity by \$100.0 million, including its entrance, through TRS Sub, into the Third Amended Agreement, is attached as Exhibit 99.1 to this Current Report on Form 8-K and incorporated by reference herein.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

<u>Exhibit No.</u>	<u>Description</u>
99.1	Press Release dated May 16, 2013

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

BUSINESS DEVELOPMENT CORPORATION OF AMERICA

Date: May 16, 2013

By: /s/ Nicholas S. Schorsch

Name: Nicholas S. Schorsch

Title: Chief Executive Officer and Chairman of
the Board of Directors



CONTACTS

From: Anthony J. DeFazio
Diccicco Battista Communications
tdefazio@ddcworks.com
Ph: (484-342-3600)

For: Nicholas Radesca, CFO & Treasurer
Business Development Corporation of America
nradesca@arlcap.com
Ph: (212-415-6500)

FOR IMMEDIATE RELEASE

Business Development Corporation of America Increases Financing Capacity by \$100 Million

BDCA Upsizes Each of its TRS and Credit Facility by \$50 Million

New York, New York, May 16, 2013 – Business Development Corporation of America (“BDCA” or the “Company”) announced today that it has increased its financing arrangement with Citibank, N.A (“Citi”) from \$150.0 million to \$200.0 million. The financing arrangement is structured as a total return swap (“TRS”), conducted through a wholly-owned special purpose subsidiary of BDCA (“TRS SUB”).

As previously announced, the TRS adds leverage to a portfolio by providing exposure to investments without owning or taking physical custody of such investments. The TRS itself is analogous to TRS SUB borrowing funds to acquire loans and incurring interest expense to a lender. Because of its unique structure, the TRS offers lower financing costs than are offered through more traditional borrowing arrangements.

Additionally, the Company announced that it has increased its borrowing capacity under its credit facility with Wells Fargo Bank, National Association (“Wells”) from \$50.0 million to \$100.0 million.

“We are again pleased to announce the financing support that we have been provided by Citi and Wells which will support our goal of creating a robust portfolio of corporate loans,” said Robert K. Grunewald, Chief Investment Officer of BDCA.

Important Notice

A registration statement relating to the common stock of BDCA was filed with and has been declared effective by the U.S. Securities and Exchange Commission (the “SEC”). These securities have not been approved or disapproved by the SEC or any state securities commission, nor have they passed upon the accuracy or adequacy of the prospectus. The offering of BDCA’s common stock is being made solely by means of a written prospectus forming part of the effective registration statement. The prospectus, which is available at <http://www.sec.gov> or may be obtained by calling 1-888-518-8073, contains additional information about BDCA. The prospectus should be read carefully by an investor before investing. Investors are advised to consider the investment objective, risks, charges and expenses of BDCA carefully before investing. This press release is not an offer to sell these securities and is not soliciting an offer to buy these securities in any state where the offer and sale is not permitted.

The statements in this press release that are not historical facts may be forward-looking statements, including statements with regard to the future performance of BDCA. These forward looking statements involve risks and uncertainties that could cause the outcome to be materially different.

To arrange interviews with BDCA Adviser executives, please contact Tony DeFazio at 484-342-3600 or tdefazio@ddcworks.com.