UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 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 3, 2024

Arbor Realty Trust, Inc.

(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

Maryland (STATE OF INCORPORATION)

001-32136 (COMMISSION FILE NUMBER) 20-0057959 (IRS EMPLOYER ID. NUMBER)

333 Earle Ovington Boulevard, Suite 900
Uniondale, New York
(ADDRESS OF PRINCIPAL EXECUTIVE OFFICES)

11553 (ZIP CODE)

(516) 506-4200 (REGISTRANT'S TELEPHONE NUMBER, INCLUDING AREA CODE)

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:

10110	wing 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))
	cate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this ter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).
Eme	rging growth company □
	emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new vised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.
Secu	urities registered pursuant to Section 12(b) of the Act:

Title of each class	Trading symbols	Name of each exchange on which registered
Common Stock, par value \$0.01 per share	ABR	New York Stock Exchange
Preferred Stock, 6.375% Series D Cumulative Redeemable, par value \$0.01 per share	ABR-PD	New York Stock Exchange
Preferred Stock, 6.25% Series E Cumulative Redeemable, par value \$0.01 per share	ABR-PE	New York Stock Exchange
Preferred Stock, 6.25% Series F Fixed-to-Floating Rate Cumulative Redeemable, par value \$0.01 per share	ABR-PF	New York Stock Exchange

Item 2.02 Results of Operations and Financial Condition.

On May 3, 2024, Arbor Realty Trust, Inc. issued a press release announcing its earnings for the quarter ended March 31, 2024, a copy of which is attached hereto as Exhibit 99.1.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

Exhibit Number	Exhibit						
99.1	Press Release, dated May 3, 2024						
104	Cover Page Interactive Data File - the cover page XBRL tags are embedded within the Inline XBRL document.						

SIGNATURE

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.

ARBOR REALTY TRUST, INC.

By: /s/ Paul Elenio

Name: Paul Elenio

Title: Chief Financial Officer

Date: May 3, 2024



Arbor Realty Trust Reports First Quarter 2024 Results and Declares Dividend of \$0.43 per Share

Company Highlights:

- GAAP net income of \$0.31 per diluted common share
- Distributable earnings¹ of \$0.47, or \$0.48 per diluted common share, excluding a \$1.6 million realized loss on a non-performing loan that was previously reserved for
- Declares cash dividend on common stock of \$0.43 per share representing a 91% payout ratio
- Strong liquidity position with ~\$800 million in cash and liquidity and ~\$600 million of restricted cash in CLO vehicles with a cost of debt below the current market²
- Agency loan originations of \$846.3 million; a servicing portfolio of ~\$31.38 billion, up 9% from 1Q23
- Structured loan originations of \$255.9 million, runoff of \$640.0 million and a portfolio of ~\$12.25 billion
- Repurchased \$11.4 million of common stock in April 2024 at an average price of \$12.19 per share, reflecting an ~4% discount to book value

Uniondale, NY, May 3, 2024 -- Arbor Realty Trust, Inc. (NYSE: ABR), today announced financial results for the first quarter ended March 31, 2024. Arbor reported net income for the quarter of \$57.9 million, or \$0.31 per diluted common share, compared to net income of \$84.3 million, or \$0.46 per diluted common share for the quarter ended March 31, 2023. Distributable earnings for the quarter was \$96.7 million, or \$0.47 per diluted common share, compared to \$122.2 million, or \$0.62 per diluted common share for the quarter ended March 31, 2023.

Agency Business

Loan Origination Platform

Agency Loan Volume (in thousands) **Quarter Ended** March 31, 2024 December 31, 2023 Fannie Mae \$ 458,429 \$ 1,177,203 Freddie Mac 370,102 98,370 **FHA** 26,493 Private Label 15,410 140,606 SFR-Fixed Rate 2,318 \$ 846,259 1,442,672 **Total Originations** 1,085,374 1,270,356 **Total Loan Sales Total Loan Commitments** 934,243 1,362,379

For the quarter ended March 31, 2024, the Agency Business generated revenues of \$66.6 million, compared to \$96.3 million for the fourth quarter of 2023. Gain on sales, including fee-based services, net was \$16.7 million for the quarter, reflecting a margin of 1.54%, compared to \$16.7 million and 1.32% for the fourth quarter of 2023. Income from mortgage servicing rights was \$10.2 million for the quarter, reflecting a rate of 1.32% as a percentage of loan commitments (excluding \$160.2 million of loan commitments not serviced for a fee), compared to \$21.1 million and 1.55% for the fourth quarter of 2023.

At March 31, 2024, loans held-for-sale was \$322.9 million, with financing associated with these loans totaling \$312.0 million.

Fee-Based Servicing Portfolio

The Company's fee-based servicing portfolio totaled \$31.38 billion at March 31, 2024. Servicing revenue, net was \$31.5 million for the quarter and consisted of servicing revenue of \$48.2 million, net of amortization of mortgage servicing rights totaling \$16.6 million.

Fee-Based Servicing Portfolio (\$ in thousands)

				e Buseu ser memg r	01 110	(4	<i>-</i>)	
	March 31, 2024						December 31, 2023	
		UPB	Wtd. Avg. Fee (bps)	Wtd. Avg. Life (years)		UPB	Wtd. Avg. Fee (bps)	Wtd. Avg. Life (years)
Fannie Mae	\$	21,548,221	47.1	7.2	\$	21,264,578	47.4	7.4
Freddie Mac		5,301,291	23.4	7.7		5,181,933	24.0	8.5
Private Label		2,524,013	18.9	6.3		2,510,449	19.5	6.7
FHA		1,365,329	14.4	19.0		1,359,624	14.4	19.2
Bridge		380,712	10.9	3.6		379,425	10.9	3.2
SFR-Fixed Rate		265,429	20.1	5.0		287,446	20.1	5.1
Total	\$	31,384,995	38.8	7.7	\$	30,983,455	39.1	8.0

Loans sold under the Fannie Mae program contain an obligation to partially guarantee the performance of the loan ("loss-sharing obligations") and includes \$34.7 million for the fair value of the guarantee obligation undertaken at March 31, 2024. The Company recorded a \$0.3 million net provision for loss sharing associated with CECL for the first quarter of 2024. At March 31, 2024, the Company's total CECL allowance for loss-sharing obligations was \$38.1 million, representing 0.18% of the Fannie Mae servicing portfolio.

Structured Business

Portfolio and Investment Activity

(4 == =======)							
Quarter Ended							
	March 31	1, 2024		December 31, 2023			
	UPB	%		UPB	%		
\$	39,235	15 %	\$	38,700	14 %		
	171,490	67 %		198,629	75 %		
	210,725	82 %		237,329	89 %		
				-			
	45,129	18 %		28,829	11 %		
\$	255,854	100 %	\$	266,158	100 %		
	59			58			
\$	411,617		\$	466,703			
\$	640,018		\$	817,394			
	\$ 	\$ 39,235 171,490 210,725 45,129 \$ 255,854 59 \$ 411,617	Quarter March 31, 2024 UPB % \$ 39,235 15 % 171,490 67 % 210,725 82 % 45,129 18 % \$ 255,854 100 % 59 \$ 411,617	Quarter End March 31, 2024 UPB % \$ 39,235 15 % \$ 171,490 67 % 210,725 82 % 45,129 18 % \$ 255,854 100 % \$ \$ 411,617 \$	Quarter Ended March 31, 2024 December UPB % UPB \$ 39,235 15 % \$ 38,700 171,490 67 % 198,629 210,725 82 % 237,329 45,129 18 % 28,829 \$ 255,854 100 % \$ 266,158 59 58 \$ 411,617 \$ 466,703		

Structured Portfolio (\$ in thousands)

	Structured Fortions (\$\pi\$ in thousands)						
	 March	31, 2024	Decemb	December 31, 2023			
	 UPB	%	UPB	%			
Bridge:							
Multifamily	\$ 10,254,756	84 %	\$ 10,789,936	86 %			
SFR	1,445,028	12 %	1,316,803	10 %			
Other	166,505	1 %	166,505	1 %			
	11,866,289	97 %	12,273,244	97 %			
Mezzanine/Preferred Equity	377,845	3 %	334,198	3 %			
SFR Permanent	5,728	<1%	7,564	<1%			
Total Portfolio	\$ 12,249,862	100 %	\$ 12,615,006	100 %			

At March 31, 2024, the loan and investment portfolio's unpaid principal balance ("UPB"), excluding loan loss reserves, was \$12.25 billion, with a weighted average current interest pay rate of 8.07%, compared to \$12.62 billion and 8.42% at December 31, 2023. Including certain fees earned and costs associated with the loan and investment portfolio, the weighted average current interest pay rate was 8.81% at March 31, 2024, compared to 8.98% at December 31, 2023.

The average balance of the Company's loan and investment portfolio during the first quarter of 2024, excluding loan loss reserves, was \$12.52 billion with a weighted average yield of 9.44%, compared to \$12.96 billion and 9.31% for the fourth quarter of 2023.

During the first quarter of 2024, the Company recorded a \$17.8 million provision for loan losses associated with CECL. At March 31, 2024, the Company's total allowance for loan losses was \$211.9 million. The Company had twenty-one non-performing loans with a UPB of \$464.8 million, before related loan loss reserves of \$32.9 million, compared to sixteen loans with a carrying value of \$274.2 million, before loan loss reserves of \$27.1 million at December 31, 2023.

In addition, at March 31, 2024, the Company had twelve loans with a total UPB of \$489.4 million that were less than 60 days past due, compared to twenty-four loans with a total UPB of \$956.9 million at December 31, 2023. Interest income on these loans is only being recorded to the extent cash is received.

During the first quarter of 2024, the Company modified thirty-nine loans with a total UPB of \$1.76 billion all of which required the borrowers to invest additional capital as part of the terms of the modification agreements. Twenty-three of these loans with a total UPB of \$1.07 billion, contained interest rates based on pricing over SOFR ranging from 3.25% to 4.25%. Under the loan modification terms, borrowers invested additional capital to recapitalize their deals in exchange for temporary rate relief, which we provided through a pay and accrual feature. At March 31, 2024, these modified loans had a weighted average pay rate of 6.95% and a weighted average accrual rate of 1.86%. A portion of these loans totaling \$712.9 million were less than 60 days past due at December 31, 2023, which the Company received all back interest owed in accordance with the modified terms.

Financing Activity

The balance of debt that finances the Company's loan and investment portfolio at March 31, 2024 was \$11.11 billion with a weighted average interest rate including fees of 7.44%, as compared to \$11.57 billion and a rate of 7.45% at December 31, 2023.

The average balance of debt that finances the Company's loan and investment portfolio for the first quarter of 2024 was \$11.37 billion, as compared to \$11.77 billion for the fourth quarter of 2023. The average cost of borrowings for the first quarter of 2024 was 7.50%, compared to 7.48% for the fourth quarter of 2023.

Dividend

The Company announced today that its Board of Directors has declared a quarterly cash dividend of \$0.43 per share of common stock for the quarter ended March 31, 2024. The dividend is payable on May 31, 2024 to common stockholders of record on May 17, 2024. The ex-dividend date is May 16, 2024.

Earnings Conference Call

The Company will host a conference call today at 10:00 a.m. Eastern Time. A live webcast and replay of the conference call will be available at www.arbor.com in the investor relations section of the

Company's website, or you can access the call telephonically at least ten minutes prior to the conference call. The dial-in numbers are (800) 343-5419 for domestic callers and (203) 518-9731 for international callers. Please use participant passcode ABRQ124 when prompted by the operator.

A telephonic replay of the call will be available until May 10, 2024. The replay dial-in numbers are (888) 566-0903 for domestic callers and (402) 220-6935 for international callers.

About Arbor Realty Trust, Inc.

Arbor Realty Trust, Inc. (NYSE: ABR) is a nationwide real estate investment trust and direct lender, providing loan origination and servicing for multifamily, single-family rental (SFR) portfolios, and other diverse commercial real estate assets. Headquartered in New York, Arbor manages a multibillion-dollar servicing portfolio, specializing in government-sponsored enterprise products. Arbor is a leading Fannie Mae DUS® lender and Freddie Mac Optigo® Seller/Servicer, and an approved FHA Multifamily Accelerated Processing (MAP) lender. Arbor's product platform also includes bridge, CMBS, mezzanine and preferred equity loans. Rated by Standard and Poor's and Fitch Ratings, Arbor is committed to building on its reputation for service, quality, and customized solutions with an unparalleled dedication to providing our clients excellence over the entire life of a loan.

Safe Harbor Statement

Certain items in this press release may constitute forward-looking statements within the meaning of the "safe harbor" provisions of the Private Securities Litigation Reform Act of 1995. These statements are based on management's current expectations and beliefs and are subject to a number of trends and uncertainties that could cause actual results to differ materially from those described in the forward-looking statements. Arbor can give no assurance that its expectations will be attained. Factors that could cause actual results to differ materially from Arbor's expectations include, but are not limited to, changes in economic conditions generally, and the real estate markets specifically, continued ability to source new investments, changes in interest rates and/or credit spreads, and other risks detailed in Arbor's Annual Report on Form 10-K for the year ended December 31, 2023 and its other reports filed with the SEC. Such forward-looking statements speak only as of the date of this press release. Arbor expressly disclaims any obligation or undertaking to release publicly any updates or revisions to any forward-looking statements contained herein to reflect any change in Arbor's expectations with regard thereto or change in events, conditions, or circumstances on which any such statement is based.

Notes

1. During the quarterly earnings conference call, the Company may discuss non-GAAP financial measures as defined by SEC Regulation G. In addition, the Company has used non-GAAP financial measures in this press release. A supplemental schedule of non-GAAP financial measures and the comparable GAAP financial measure can be found on the last page of this release.

2. Amounts reflect approximate balances as of April 30, 2024.

<u>Contact:</u> Arbor Realty Trust, Inc.

Paul Elenio, Chief Financial Officer

516-506-4422 pelenio@arbor.com

ARBOR REALTY TRUST, INC. AND SUBSIDIARIES

Consolidated Statements of Income - (Unaudited) (\$ in thousands—except share and per share data)

	Quarter Ended March 31,				
		2024	2023		
Interest income	\$	321,292 \$	327,947		
Interest expense		217,676	219,373		
Net interest income		103,616	108,574		
Other revenue:					
Gain on sales, including fee-based services, net		16,666	14,589		
Mortgage servicing rights		10,199	18,458		
Servicing revenue, net		31,526	29,565		
Property operating income		1,570	1,381		
Gain (loss) on derivative instruments, net		(5,257)	4,223		
Other income, net		2,333	4,882		
Total other revenue		57,037	73,098		
Other expenses:					
Employee compensation and benefits		47,694	42,399		
Selling and administrative		13,933	13,623		
Property operating expenses		1,678	1,383		
Depreciation and amortization		2,571	2,624		
Provision for loss sharing (net of recoveries)		273	3,177		
Provision for credit losses (net of recoveries)		19,118	22,517		
Total other expenses		85,267	85,723		
Income before income from equity affiliates and income taxes		75,386	95,949		
Income from equity affiliates		1,418	14,326		
Provision for income taxes		(3,592)	(8,029		
Net income		73,212	102,246		
Preferred stock dividends		10,342	10,342		
Net income attributable to noncontrolling interest		4,997	7,585		
Net income attributable to common stockholders	\$	57,873 \$	84,319		
Basic earnings per common share	\$	0.31 \$	0.47		
Diluted earnings per common share	\$	0.31 \$	0.46		
Weighted average shares outstanding:					
Basic		188,710,390	181,116,67		
Diluted		222,926,076	214,910,974		
Dividends declared per common share	\$	0.43 \$	0.40		

ARBOR REALTY TRUST, INC. AND SUBSIDIARIES

Consolidated Balance Sheets (\$ in thousands—except share and per share data)

		March 31, 2024		December 31, 2023
		(Unaudited)		
Assets:				
Cash and cash equivalents	\$	908,049	\$	928,974
Restricted cash		546,643		608,233
Loans and investments, net (allowance credit losses of \$211,942 and \$195,664)		12,001,544		12,377,806
Loans held-for-sale, net		322,875		551,707
Capitalized mortgage servicing rights, net		385,520		391,254
Securities held-to-maturity, net (allowance credit losses of \$7,597 and \$6,256)		155,413		155,279
Investments in equity affiliates		90,244		79,303
Due from related party		104,365		64,421
Goodwill and other intangible assets		90,205		91,378
Other assets		499,998		490,281
Total assets	\$	15,104,856	\$	15,738,636
Liabilities and Equity:				
Credit and repurchase facilities	\$	2,913,483	\$	3,237,827
Securitized debt	Ψ	6,691,958	Ψ	6,935,010
Senior unsecured notes		1,335,013		1,333,968
Convertible senior unsecured notes		283,776		283,118
Junior subordinated notes to subsidiary trust issuing preferred securities		144,096		143,896
Due to related party		14,159		13,799
Due to borrowers		95,807		121,707
Allowance for loss-sharing obligations		72,790		71,634
Other liabilities		319,466		343,072
Total liabilities		11,870,548	_	12,484,031
Equity:				
Arbor Realty Trust, Inc. stockholders' equity:				
Preferred stock, cumulative, redeemable, \$0.01 par value: 100,000,000 shares authorized, shares		(22.604		(22, (24
issued and outstanding by period:		633,684		633,684
Special voting preferred shares - 16,293,589 shares				
6.375% Series D - 9,200,000 shares				
6.25% Series E - 5,750,000 shares				
6.25% Series F - 11,342,000 shares				
Common stock, \$0.01 par value: 500,000,000 shares authorized - 189,452,116 and 188,505,264 shares issued and outstanding		1,895		1,885
Additional paid-in capital		2,372,336		2,367,188
Retained earnings		91,770		115,216
Total Arbor Realty Trust, Inc. stockholders' equity		3,099,685		3,117,973
Noncontrolling interest		134,623		136,632
Total equity		3,234,308		3,254,605
Total liabilities and equity	\$	15,104,856	\$	15,738,636
			_	

ARBOR REALTY TRUST, INC. AND SUBSIDIARIES

Statement of Income Segment Information - (Unaudited) (in thousands)

Quarter Ended March 31, 2024 Structured Agency **Business** Business Other (1) Consolidated \$ 307,888 13,404 \$ \$ Interest income \$ 321,292 Interest expense 5,076 217,676 212,600 Net interest income 95,288 8,328 103,616 Other revenue: Gain on sales, including fee-based services, net 16,666 16,666 10,199 Mortgage servicing rights 10,199 Servicing revenue 48,157 48,157 Amortization of MSRs (16,631)(16,631)1.570 Property operating income 1,570 Loss on derivative instruments, net (5,257)(5,257)Other income, net 2,300 33 2,333 Total other revenue 3,870 53,167 57,037 Other expenses: Employee compensation and benefits 18,547 47,694 29,147 7,137 13,933 Selling and administrative 6,796 Property operating expenses 1,678 1,678 Depreciation and amortization 1.398 1.173 2,571 Provision for loss sharing (net of recoveries) 273 273 Provision for credit losses (net of recoveries) 17,777 1,341 19,118 Total other expenses 46,196 39,071 85,267 52,962 22,424 75,386 Income before income from equity affiliates and income taxes Income from equity affiliates 1,418 1,418 Provision for income taxes (81)(3,511)(3,592)54,299 18,913 73,212 Net income 10,342 10,342 Preferred stock dividends 4,997 4,997 Net income attributable to noncontrolling interest 43,957

18,913

(4,997) \$

57,873

Net income attributable to common stockholders

⁽¹⁾ Includes income allocated to the noncontrolling interest holders not allocated to the two reportable segments.

ARBOR REALTY TRUST, INC. AND SUBSIDIARIES

Balance Sheet Segment Information - (Unaudited) (in thousands)

	March 31, 2024				
		Structured Business		Agency Business	Consolidated
Assets:					
Cash and cash equivalents	\$	453,316	\$	454,733	\$ 908,049
Restricted cash		530,099		16,544	546,643
Loans and investments, net		12,001,544		_	12,001,544
Loans held-for-sale, net		_		322,875	322,875
Capitalized mortgage servicing rights, net		_		385,520	385,520
Securities held-to-maturity, net		_		155,413	155,413
Investments in equity affiliates		90,244		_	90,244
Goodwill and other intangible assets		12,500		77,705	90,205
Other assets and due from related party		532,385		71,978	604,363
Total assets	\$	13,620,088	\$	1,484,768	\$ 15,104,856
Liabilities:					
Debt obligations	\$	11,056,363	\$	311,963	\$ 11,368,326
Allowance for loss-sharing obligations		_		72,790	72,790
Other liabilities and due to related party		343,557		85,875	429,432
Total liabilities	\$	11,399,920	\$	470,628	\$ 11,870,548

ARBOR REALTY TRUST, INC. AND SUBSIDIARIES

Reconciliation of Distributable Earnings to GAAP Net Income - (Unaudited)
(\$ in thousands—except share and per share data)

		Quarter Ended March 31,			
		2024		2023	
Net income attributable to common stockholders	\$	57,873	\$	84,319	
Adjustments:					
Net income attributable to noncontrolling interest		4,997		7,585	
Income from mortgage servicing rights		(10,199)		(18,458)	
Deferred tax (benefit) provision		(3,952)		3,164	
Amortization and write-offs of MSRs		18,418		18,723	
Depreciation and amortization		3,193		4,295	
Provision for credit losses, net		14,804		23,704	
Loss (gain) on derivative instruments, net		5,523		(7,051)	
Stock-based compensation		6,020		5,901	
Distributable earnings (1)	\$	96,677	\$	122,182	
					
Diluted distributable earnings per share (1)	\$	0.47	\$	0.62	
		205 511 520		107 (00 (1(
Diluted weighted average shares outstanding (1) (2)		205,511,529		197,680,616	

- (1) Amounts are attributable to common stockholders and OP Unit holders. The OP Units are redeemable for cash, or at the Company's option for shares of the Company's common stock on a one-for-one basis.
- (2) The diluted weighted average shares outstanding were adjusted to exclude the potential shares issuable upon conversion and settlement of the Company's convertible senior notes principal balance. For the quarters ended March 31, 2024 and March 31, 2023, the diluted weighted average shares outstanding excluded 17,414,547 and 17,230,358 of these potentially issuable shares, respectively.

The Company is presenting distributable earnings because management believes it is an important supplemental measure of the Company's operating performance and is useful to investors, analysts and other parties in the evaluation of REITs and their ability to provide dividends to stockholders. Dividends are one of the principal reasons investors invest in REITs. To maintain REIT status, REITs are required to distribute at least 90% of their REIT-taxable income. The Company considers distributable earnings in determining its quarterly dividend and believes that, over time, distributable earnings is a useful indicator of the Company's dividends per share.

The Company defines distributable earnings as net income (loss) attributable to common stockholders computed in accordance with GAAP, adjusted for accounting items such as depreciation and amortization (adjusted for unconsolidated joint ventures), non-cash stock-based compensation expense, income from MSRs, amortization and write-offs of MSRs, gains/losses on derivative instruments primarily associated with Private Label loans not yet sold and securitized, changes in fair value of GSE-related derivatives that temporarily flow through earnings, deferred tax provision (benefit), CECL provisions for credit losses (adjusted for realized losses as described below) and gains/losses on the receipt of real estate from the settlement of loans (prior to the sale of the real estate). The Company also adds back one-time charges such as acquisition costs and one-time gains/losses on the early extinguishment of debt and redemption of preferred stock.

The Company reduces distributable earnings for realized losses in the period management determines that a loan is deemed nonrecoverable in whole or in part. Loans are deemed nonrecoverable upon the earlier of: (1) when the loan receivable is settled (i.e., when the loan is repaid, or in the case of foreclosure, when the underlying asset is sold); or (2) when

management determines that it is nearly certain that all amounts due will not be collected. The realized loss amount is equal to the difference between the cash received, or expected to be received, and the book value of the asset.

Distributable earnings is not intended to be an indication of the Company's cash flows from operating activities (determined in accordance with GAAP) or a measure of its liquidity, nor is it entirely indicative of funding the Company's cash needs, including its ability to make cash distributions. The Company's calculation of distributable earnings may be different from the calculations used by other companies and, therefore, comparability may be limited.