

# PREDATORY INSTALLMENT LENDING IN 2017

## STATES BATTLE TO RESTRAIN HIGH-COST LOANS

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### APPENDIX B

#### FULL APR TABLES FOR TWO-YEAR \$2000 LOAN

TABLE B-1

#### States that Do Not Cap Interest Rates for Two-Year \$2000 Installment Loan: 2017

STATE	LOANS FOR WHICH THERE IS NO CAP	DOES STATUTE PROHIBIT UNCONSCIONABILITY?
Alabama	Loans of \$2000 or more	Yes
Delaware	All loans	No
Idaho	All loans	Yes
Missouri	All loans	No
New Mexico <sup>1</sup>	All loans	Yes (state deceptive practices statute)
North Dakota	Loans of more than \$1000	No
Ohio <sup>2</sup>	All loans	No <sup>3</sup>
South Carolina	Loans of more than \$600	Yes
Utah	All loans	Yes
Wisconsin	All loans	Yes

<sup>1</sup> New Mexico has imposed a 175% cap, calculated pursuant to the federal Truth in Lending Act, as of Jan. 1, 2018. N.M. Stat. Ann. §§ 58-7-7(D), 58-15-17(J).

<sup>2</sup> For a two-year \$2000 loan, Ohio's Small Loan Act would limit the full APR to 28%, its Second Mortgage Loan Act would limit it to 31%, and its Consumer Installment Loan Act would limit it to 35%. However, these caps are ineffective in Ohio because the state allows credit services organizations to charge an additional—uncapped—fee for arranging a loan.

<sup>3</sup> Ohio's Consumer Sales Practices Act, Ohio Rev. Code § 1345.03 (West), includes a prohibition of unconscionability and applies to lenders making loans under the state's payday loan act, but most other non-mortgage lenders are exempt. Ohio Rev. Code Ann. § 1345.01(A) (West) (exempting financial institutions and dealers in intangibles as defined by Ohio Rev. Code § 5725.01).

TABLE B-2

**Full APRs Allowed for Two-Year \$2000 Loan  
in States that Cap Finance Charges: 2017**

STATE	FULL APR ALLOWED	STATE	FULL APR ALLOWED
Alaska	31%	Mississippi	59%
Arizona	41%	Montana	36%
Arkansas	17%	Nebraska	30%
California	25%	Nevada	40%
Colorado	31%	New Hampshire <sup>1</sup>	36%
Connecticut	36%	New Jersey	30%
District of Columbia	25%	New York	25%
Florida	31%	North Carolina	31%
Georgia	32%	Oklahoma	27%
Hawaii	31%	Oregon <sup>2</sup>	36%
Indiana	39%	Pennsylvania	24%
Iowa	31%	Rhode Island <sup>3</sup>	29%
Illinois	80%	South Dakota	36%
Kansas	32%	Tennessee	41%
Kentucky	39%	Texas	35%
Louisiana	38%	Vermont	21%
Maine	30%	Virginia	36%
Maryland	30%	Washington	29%
Massachusetts	24%	West Virginia	33%
Michigan	30%	Wyoming	31%
Minnesota	31%		

<sup>1</sup> Under N.H. Rev. Stat. Ann § 399-A:16(I), for purposes of calculating the statutory 36% APR cap, one application fee up to \$100 per year and one annual participation fee of up to \$100 are to be excluded. However, § 399-A:15(XI) bars these fees for closed-end credit, so it appears that this provision is relevant only for purposes of calculating the statutory 36% APR cap for open-end credit.

<sup>2</sup> Oregon also allows lenders to charge “other reasonable and bona fide fees, expenses or damages, subject to oversight and regulation by the Department of Consumer and Business Services.” Or. Rev. Stat. § 725.340(1)(b).

<sup>3</sup> Rhode Island also allows “other customary and reasonable costs incident to the closing, supervision, and collection of loans in this state.” R.I. Gen. Laws § 6-26-2.