

Kansas

STATE HIGH COST/PREDATORY LENDING REGULATIONS

Last Updated: May 2016

LAW: Consumer Credit Code (Kan. Stat. Ann. 16a § 2.401)

LOAN AMOUNT COVERED: No limitation

BORROWERS COVERED:

- | | | | |
|-------------------------------------|---------------|-------------------------------------|--------|
| <input checked="" type="checkbox"/> | Individuals | <input checked="" type="checkbox"/> | Trusts |
| <input type="checkbox"/> | Organizations | <input type="checkbox"/> | Other: |

TOTAL LOAN AMOUNT (TLA) IS DEFINED AS: Kan. Stat. Ann. 16a § 2.401

- | | | | |
|--------------------------|--|-------------------------------------|-------------|
| <input type="checkbox"/> | Loan Amount as defined in HOEPA 226.32 | <input checked="" type="checkbox"/> | Note Amount |
| <input type="checkbox"/> | Loan Amount as defined in HCML 1026.32 | <input type="checkbox"/> | Other: |

LOAN TYPES COVERED:

- | | | | |
|-------------------------------------|--------------|-------------------------------------|-----|
| <input checked="" type="checkbox"/> | Conventional | <input checked="" type="checkbox"/> | FHA |
| <input checked="" type="checkbox"/> | VA | <input checked="" type="checkbox"/> | RHS |
| <input type="checkbox"/> | Other: | | |

LOAN PURPOSES COVERED:

- | | | | |
|-------------------------------------|----------------------------|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | Purchase | <input checked="" type="checkbox"/> | Construction to Perm |
| <input type="checkbox"/> | Builder | <input checked="" type="checkbox"/> | Refinance |
| <input checked="" type="checkbox"/> | Equity Out | <input checked="" type="checkbox"/> | Home Equity Closed End |
| <input checked="" type="checkbox"/> | One Time Closing | <input type="checkbox"/> | Modification |
| <input checked="" type="checkbox"/> | Purchase Plus Improvements | <input checked="" type="checkbox"/> | Refinance Plus Improvements |
| <input checked="" type="checkbox"/> | Lot Loan | <input checked="" type="checkbox"/> | Home Improvement |
| <input checked="" type="checkbox"/> | Borrower Interim | <input checked="" type="checkbox"/> | One Time Closing with Modification |
| <input checked="" type="checkbox"/> | HELOC | <input checked="" type="checkbox"/> | Assumption |

BRIDGE LOANS COVERED

- | | | | |
|-------------------------------------|-----|--------------------------|----|
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
|-------------------------------------|-----|--------------------------|----|

PROPERTY OCCUPANCY COVERED:

- | | | | |
|-------------------------------------|-------------------|-------------------------------------|-------------|
| <input checked="" type="checkbox"/> | Primary Residence | <input checked="" type="checkbox"/> | Second Home |
| <input checked="" type="checkbox"/> | Investment | <input checked="" type="checkbox"/> | Raw Land |

APR THRESHOLDS:

- | | | | | | |
|--------------------------|-----|--------------------------|--------------|--------------------------|--------|
| <input type="checkbox"/> | APR | <input type="checkbox"/> | Unteased APR | <input type="checkbox"/> | Other: |
|--------------------------|-----|--------------------------|--------------|--------------------------|--------|

First Lien: N/A %

Subordinate Lien: N/A %

APR COMPARED AGAINST:

- | | | | |
|--------------------------|----------------|--------------------------|------------|
| <input type="checkbox"/> | APOR | <input type="checkbox"/> | APR Itself |
| <input type="checkbox"/> | Treasury Yield | <input type="checkbox"/> | Other: |

DATE FOR APR TEST:

- | | | | |
|--------------------------|-------------|--------------------------|---------|
| <input type="checkbox"/> | Application | <input type="checkbox"/> | Closing |
| <input type="checkbox"/> | Other: | | |

FEE TEST METHOD: Kan. Stat. Ann. 16a § 2.401

- Use HC Flag
- Use APR & Paid To (§1026.32)
- Use APR & Paid To, except: Include ALL APR fees

FEE TEST THRESHOLDS: Kan. Stat. Ann. 16a § 2.401

All liens: 5 % of APR fees paid to lender \geq TLA
8 % max APR fees \geq TLA

ADJUSTMENTS:

No Yes | How:

FEES INCLUDED IN TEST: Kan. Stat. Ann. 16a § 2.401

APR fees

OTHER ITEMS TO BE TESTED/CONSIDERED: Kan. Stat. Ann. 16a § 2.401

(a) For a consumer loan secured by a first mortgage or a second mortgage, or a consumer loan secured by an interest in a manufactured home as defined by 42 U.S.C. § 5402(6), prepaid finance charges in an amount not to exceed 8% of the amount financed may be charged, provided that the aggregate amount of prepaid finance charges payable to the lender or any person related to the lender do not exceed 5% of the amount financed

SPECIAL NOTES: [INCLUDE SOURCE LINKS OR SECTION NUMBER]