

Late Fee Matrix



Important Note About the Matrix: Except for consumer loans in Oklahoma, all minimum charge amounts listed are optional. For a list of software late charge defaults, please refer to our "Late Fee ConformX Matrix" for details.

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
AL	Consumer credit transaction ¹	Not specified	Any	Any	10	5% of scheduled payment in default	\$18	\$100	Ala. Code § 5-19-4(a) Alabama "Mini-Code"
AL	A loan, forbearance of money, or credit sale	Not specified	>\$2000	Any	10	Not unconscionable	Not unconscionable	Not unconscionable	Ala. Code §§ 5-19-4(a) & 8-8-5(a) Cantrell v. Walker Builders, inc., 678 So. 2d 169 (Ala. Civ. App. 1996) Op. Atty. Gen. of Alabama No. 8799293 (Aug. 31, 1987)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
AK	Small loan ²	Not specified	≤\$25,000	Any	Any	10% of the payment due	None	\$25	Alaska Stat. Ann. § 06.20.260(a) (6) Alaska Small Loans Act
AK	Installment loan ³ (maturity ≤ 7 years)	Not specified	≤\$10,000 (excluding interest)	Any	15	5% of each delinquent installment	None	\$15	Alaska Stat. Ann. §45.45.080 (c)(1)
AZ	Consumer lender loan ⁴	Not specified	≤\$10,000	Any	7	5% of the amount of any installment not paid in full	None	None	Ariz. Rev. Stat. Ann. § 6-635(A)(1)
AZ	Closed-end loan ⁵ and revolving accounts ⁶	Not specified	≤\$5,000	Any	10	5% on each delinquent installment	None	\$10	Ariz. Stat. Ann. § 44-1205(A)(2) & (B)
AR	Industrial loan ⁷	Not specified	Any	Any	Any	5% on each default of a periodical installment	None	None	Ark. Code Ann. § 23-36-112
CA	Real property secured loan (REL) ⁸	1-to-4 unit residential buildings or a single dwelling unit in a condo or coop ⁹	Any	Any	10	10% of the principal and interest portion of an installment due	\$5	None	Cal. Bus. & Prof. Code § 1042.5(a)-(b) California Real Estate Law
CA	Delinquent balloon payment (REL) ¹⁰	1-to-4 unit residential buildings or a single dwelling unit in a condo or coop ¹¹	Any	Any	10	(LSMI x 10%) x (1+m) ¹²	\$5	None	Cal. Bus. & Prof. Code § 10242.5(c) California Real Estate Law
CA	Real property secured loan (CRMLA) ¹³	Single-family, owner-occupied dwelling ¹⁴	Any	Any	10	6% of the principal and interest portion of the installment due	\$5	None	Cal. Civ. Code § 2954.4(a)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
CO	Consumer credit transaction ¹⁵	At least secured by an interest in land ¹⁶	In-substantial in relation to value of collateral ¹⁷	Any ¹⁸	10	5% of the unpaid amount of the installment	None	None	Colo. Rev. Stat. Ann. § 5-2-203(1) Uniform Consumer Credit Code
CT	Any type of loan	Not specified	Any	Any	Any	Reasonable	None	None	Conn. Gen. Stat. Ann. § 49-6c McKeever V. Fiore, 78 Conn. App. 783 (Conn. App. Ct., 2003)
DE	Revolving credit plan ¹⁹	Not specified	Any	Any	Any	Any charge upon any single installment or portion in default	None	None	Del. Code Ann. Tit. 5, § 2222(a); 5 Del. Admin. Code § 2203-3.7
DE	Closed-end loan ²⁰	Not specified	Any	Any	Any	5% of any single installment or portion in default	None	None	Del. Code Ann. Tit. 5, § 2231(2) 5 Del. Admin. Code § 2203-4.4
DC	Any type of loan ²¹	Not specified	Any	Any	10	5% of the total amount of the principal and interest portion of the delinquent periodic installment	None	None	D.C. Code § 28-3310(b)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
FL	A sum of money ²²	Land ²³	\$1000-25,000 ²⁴	Any	10	Any on each payment in default	None	Depends on the payment structure: \$15/\$7.50/\$5 ²⁵	Fla. Stat. Ann. § 516.031(3) (a)(9) Florida Consumer Finance Act
GA	Home loan ²⁶	1-to-4 family unit structure, which is the borrower's principal dwelling ²⁷	FNMA conforming loan limit for a single-family dwelling ²⁸	Any	10	5% of the amount of the late payment	None	None	Ga. Code Ann. § 7-6A-3(3) Georgia Fair Lending Act
GU	Precomputed consumer loan ²⁹	Not specified ³⁰	Any	Any	10	5% of the unpaid amount of delinquent installment ³¹	\$2.00	\$5.00	14 Guam Code Ann. §3203(1) 15 Guam Admin. R. & Regs. §2109 Uniform Consumer Credit Code - Loans
HI	Consumer loans ³²	Real property or personal property used as the borrower's principal dwelling ³³	Any ³⁴	Any	Any	5% of the delinquent installment	None	None	Haw. Rev. Stat. §412:9-304(1) Code of Financial institutions

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
ID	Precomputed regulated consumer credit transaction ³⁵	Not specified	Any	Secondary ³⁶	10	5% of the unpaid amount of the installment	\$12.50	None	Idaho Code Ann. § 28-42-301(1) Idaho Op. Atty. Gen. No. 87-11 <i>Idaho Credit Code – Finance Charges And Related Provisions</i>
ID	Non-precomputed, regulated consumer loan ³⁷	Real property used the residence of the debtor	Any	Secondary ³⁸	15	5% of the unpaid amount of the installment	\$15	None	Idaho Code Ann. § 28-42-301(2) Idaho Op. Atty. Gen. No. 87-11 <i>Idaho Credit Code – Finance Charges And Related Provisions</i>
ID	All other regulated consumer credit transactions ³⁹	Not specified	Any	Secondary ⁴⁰	10	5% of the unpaid amount of the installment	\$15	None	Idaho Code Ann. § 28-42-301(3) <i>Idaho Credit Code – Finance Charges And Related Provisions</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
IL	High risk home loan ⁴¹	A consumer's principal dwelling ⁴²	Any	Any	15	4% of the payment past due	None	None	815 Ill. Comp. Stat. Ann. 137/80 High Risk Home Loan Act
IL	A loan	Not specified	Any	Any	10	5% of each loan installment in default	None	None	815 Ill. Comp. Stat. Ann. 205/4.1a(f) Interest Act
IN	Consumer loan ⁴³ , refinance, or consolidation	Not specified	Any	Secondary ⁴⁴	10	Any amount on any installment or minimum payment due	None	\$25.00	Ind. Code Ann. § 24-4.5-3-203.5(1)(b)(ii) & (iii)
IN	Biweekly consumer loan ⁴⁵ , refinance, or consolidation	Not specified	Any	Secondary ⁴⁶	10	Any amount on any installment or minimum payment due	None	\$5.00	Ind. Code Ann. § 24-4.5-3-203.5(1)(b)(i) Uniform Consumer Credit Code - Loans
IA	Open-end credit ⁴⁷ , including a home equity line of credit ⁴⁸	Not specified	Any	Any	Any	Any amount on any payment not paid in full	None	\$30.00	Iowa Code Ann. §§ 535.10 (3)(b) and 537.2502(4) - (6) Iowa Consumer Credit Code - Finance Charges and Related Provisions

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
IA	Precomputed consumer credit transaction ⁴⁹	Not specified	≤\$71,900 ⁵⁰	Secondary ⁵¹	10	5% of the unpaid amount of the installment ⁵²	None	\$30.00	Iowa Code Ann. §537.2502 (1)(a), (2) - (3) <i>Iowa Consumer Credit Code – Finance Charges and Related Provisions</i>
IA	Interest-bearing consumer credit transaction ⁵³	Not specified	≤71,900 ⁵⁴	Secondary ⁵⁵	10	5% of the unpaid amount of the installment	None	\$30.00	Iowa Code Ann. §537.2502(1) (b) - (3) <i>Iowa Consumer Credit Code – Finance Charges and Related Provisions</i>
KS	Consumer credit transactions ⁵⁶	Secured by an interest in land ⁵⁷	Any, if secured by an interest in land ⁵⁸	Secondary; primary if conditions Are met ⁵⁹	10	5% of the unpaid amount of the installment	None	\$25.00	Kan. Stat. Ann. §16a-2-502(1) <i>Revised Uniform Consumer Credit Code – Finance Charges and Related Provisions</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
KS	Consumer credit transactions ⁶⁰ (alternative charge)	Secured by an interest in land ⁶¹	Any, if secured by an interest in land ⁶²	Secondary; primary if conditions are met ⁶³	10	Any amount on any installment not paid in full	None	\$10 ⁶⁴	Kan. Stat. Ann. § 16a-2-502(2) Revised Uniform Consumer Credit Code – Finance Charges and Related Provisions
KY	Consumer loans ⁶⁵	Not specified	≤\$15,000	Any	&	2% of delinquent scheduled installment ⁶⁶	None ⁶⁷	None	Ky. Rev. Stat. Ann. §§ 286.4-530(4) & 286.4-533(5)
KY	Real estate loan ⁶⁸	Real estate	Any	Any	10	Any amount on each delinquent installment	None	None	Ky. Rev. Stat. Ann. § 286.8-110(3) Mortgage Licensing and Regulation Act
KY	High-cost home loan ⁶⁹	Residential real property, which is the borrower's principal dwelling ⁷⁰	\$15,000-\$200,000 ⁷¹	Any	15	5% of the amount of the payment past due	\$10	None	Ky. Rev. Stat. Ann. § 360.100 (2)(q)
LA	Federally related mortgage loans ⁷²	Residential immovable property containing 1-to-4 family units, including immobilized mobile homes ⁷³	Any	Primary ⁷⁴	Any	None	None	None	La. Rev. Stat. Ann. § 6:1097(A) Louisiana S.A.F.E. Residential Mortgage Lending Act

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
LA	Consumer loan ⁷⁵	A dwelling, as defined by TILA, or residential immovable property ⁷⁶ which includes such a dwelling	Any	Any	Any	5% of the unpaid amount	None	None	La. Rev. Stat. Ann. §§ 6:1097(B)(2) & 9:3511(F) Louisiana S.A.F.E. Residential Mortgage Lending Act and Louisiana Consumer Credit Law
LA	Consumer credit transaction (excluding a revolving loan account) ⁷⁷	Not specified	Any	Any	10	5% of the unpaid amount of the delinquent installment	\$10	None	La. Rev. Stat. Ann. § 9:3527(A) Louisiana Consumer Credit Law
LA	Revolving loan account ⁷⁸	Not specified	Any	Any	10	Any amount on any regularly scheduled payment that is delinquent	None	\$15	La. Rev. Stat. Ann § 9:3527(B) Louisiana Consumer Credit Law
ME	Consumer credit transaction ⁷⁹ or open-end credit plan ⁸⁰	Manufactured housing or an interest in land ⁸¹	Any, if secured by manufactured housing or an interest in land ⁸²	Secondary ⁸³	15	5% of the unpaid amount of the installment ⁸⁴	None	\$10 ⁸⁵	Me. Rev. Stat. Ann. Tit. 9-A §§ 2-502(1) through (3-A) Maine Consumer Credit Code
MD	Loans made under subtitle I, title 12 of Maryland's Commercial Law	Not specified	Any	Any	15	5% of the total amount of any delinquent or late periodic installment of principal and interest	\$2	None	Md. Code Ann., Com. Law, § 12-105(c)(3)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
MD	Secondary mortgage loan ⁸⁶	Real property upon which is a 1-to-4 family unit dwelling ⁸⁷	Any	Secondary ⁸⁸	10	5% of the amount of any delinquent periodic installment	\$2	None	Md. Code Ann., Com. Law, § 12-405(c) Maryland Secondary Mortgage Loan Law
MD	Revolving credit plan ⁸⁹	Not specified	Any	Any	Any	Any	None	None	Md. Code Ann., Com. Law § 12-910
MD	A loan (closed end credit) ⁹⁰	Not specified	Any	Any	Any	Any amount on delinquent payments or portions of payments	None	None	Md. Code Ann., Com. Law, § 12-1008
MA	Open-end credit plan ⁹¹	Not specified	Any	Any	15	10% of the outstanding balance	Any	\$10	Mass. Gen. Laws Ann. Ch. 140, §114B
MA	A mortgage note ⁹²	A 1-to-4 unit dwelling house, or a residential condo unit occupied by the mortgagor ⁹³	Any	Any	15; 10 (if payment are biweekly)	3% of the amount of principal and interest overdue	None	None	Mass. Gen. Laws Ann. Ch. 183 § 59
MI	Extension of credit ⁹⁴	Not specified	Any	Any	Any	5% of the delinquent installment payment	\$15	None	Mich. Comp. Laws Ann. § 445.1856 (1)(b) & (c) Credit Reform Act
MN	A conventional loan ⁹⁵ , a loan ⁹⁶ , or credit sale ⁹⁷	Real property containing 1 or more residential units ⁹⁸	Any ⁹⁹	Any	10	5% of the amount of delinquent payment	\$9.88 ¹⁰⁰	None	Minn. Stat. Ann. §§ 47.20(6b), 47.50(6)(a)(4), & 53.04(3a)(b)
MS	Loans made by a licensee under the small loan regulatory law ¹⁰¹	Not specified	Not Specified	Any	10	5% of the portion of the payment in default ¹⁰³	\$5.00	None	Miss. Code Ann. § 75-17-15; Miss. Admin. Code 5-3:1.9(1)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
MS	A loan ¹⁰⁴	Not specified	Any	Any	15	4% of the amount of any delinquency	\$5.00	None	Miss. Code Ann. § 75-17-27; Miss. Admin. Code 5-3:1.9(2)
MS	Loan with a stated maturity of 5 years or less ¹⁰⁵	Not specified	≤\$100,000	Any	15	4% of the amount of any delinquency	\$5.00	\$50.00	Miss. Code Ann. § 75-17-27; Miss. Admin. Code 5-3:1.9(2)
MO	Residential real estate loan ¹⁰⁶	1-to-4 unit, borrower-occupied real estate, including a manufactured home considered to be real estate ¹⁰⁷	Any	Any	15	Any	None	None	Mo. Ann. Stat. § 408.052(1)
MO	Second mortgage loan ¹⁰⁸	Residential real estate, containing a 1-to-4 unit residence ¹⁰⁹	Any	Secondary	15	5% of any delinquent installment	\$15.00	\$50.00	Mo. Ann. Stat. § 408.233(4)
MT	Consumer loan ¹¹⁰	Not specified ¹¹¹	Any	Any	Any	5% of the amount past due	\$15.00	\$50.00	Mont. Code Ann. § 32-5-301(4) Montana Consumer Loan Act
NE	Residential mortgage loan ¹¹²	A 1-to-4 unit dwelling (including individual condo and coop units, mobile homes, and trailers) or residential real estate which contains such a dwelling ¹¹³	Any	Any	Any	Reasonable & necessary	None	None	Neb. Rev. Stat. Ann § 45-740(1)(m) Residential Mortgage Licensing Act

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
NE	Precomputed installment loan ¹¹⁴	Not specified	Any	Any	10	5% of such delinquent installment	None	None	Neb. Rev. Stat. Ann. § 45-1024(2)(d) Nebraska Installment Loan Act
NV	Money due under a contract ¹¹⁵ and loans secured by a lien on real property ¹¹⁶	Real property	Any	Any	Any	Any	None	None	Nev. Rev. Stat. Ann. §§99.050, 645B.240, & 645E.470
NV	High-interest loan ¹¹⁷	Not specified	Any ¹¹⁸	Any	10	Any percentage of any installment payment unpaid	None	\$15.00	Nev. Rev. Stat. Ann. § 604A.487
NH	Precomputed consumer credit transaction ¹¹⁹	Not specified ¹²⁰	Any	Any	Any	Any	None	None	N.H. Rev. Stat. Ann. § 358-K:2(IV)
NJ	Secondary mortgage loan ¹²¹	Residential real estate containing a 1-to-4 family unit dwelling (as defined under TILA) ¹²²	Any	Secondary	Any	5% of the amount of payment in default	None	None	N.J. Stat. Ann. §§ 17:11C-80(c) & 17:16F-38(b); N.J. Admin. Code § 3:15-9.2 New Jersey Residential Mortgage Lending Act

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
NJ	Home loan ¹²³	Either: (1) real estate upon which is a 1-to-6 family dwelling, occupied as the borrower's principal residence; or (2) a manufactured home used as the borrower's principal residence ¹²⁴	Any	Any	15	5% of the amount of the payment past due	None	None	N.J. Stat. Ann. §§ 17:16F-38(b) & 46:10B-25(d) New Jersey Home Ownership Security Act of 2002
NM	Mortgage loan ¹²⁵	A 1-to-4 unit dwelling or residential real estate upon which is such a dwelling ¹²⁶	Any	Any	Any	Any	None	None	N.M. Stat. Ann. § 58-21-18 Mortgage Loan Company Act
NM	Home loan ¹²⁷	Either: (1) real estate upon which is a 1-to-4 family structure occupied by the borrower; or (2) a manufactured home that is occupied by the borrower ¹²⁸	FNMA Conforming Loan Limit for A Single-Family Dwelling ¹²⁹	Any	15	5% of the amount of the payment past due	None	None	N.M. Stat. Ann. § 58-21A-4(K) Home Loan Protection Act
NY	Mortgage of real property ¹³⁰ , a junior mortgage ¹³¹ , and a mortgage loan ¹³²	1-to-6 family residence occupied by the owner or a coop ownership in residential real estate ¹³³	Any	Any	15	2% of a delinquent installment	None	None	N.Y. Real Prop. Law § 254-b(1) & (2); N.Y. Comp. Codes R. & Regs. Tit. 3, §§ 8-8(i) ¹³⁴ & 419.10(d)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
NC	A loan ¹³⁵ , purchase money loan ¹³⁶ , or home loan ¹³⁷	Not specified ¹³⁸	<\$300,000 ¹³⁹	Any	15	4% of the amount of the payment past due ¹⁴⁰	None	None	N.C. Gen. Stat. Ann. §§24-1.1A(c1) & (c2), 24-10.1, 54B-156, & 54C-125 Savings and Loan Associations and Savings Banks
NC	Equity line of credit ¹⁴¹ offered by a bank and exempt loan transactions ¹⁴²	Real property ¹⁴³	≥\$11,000 for equity line of credit ¹⁴⁴ ≥\$300,000 for exempt loan ¹⁴⁵	Any	Any	As agreed to	None	None	N.C. Gen. Stat. Ann. § 24-9(b) & (c)
NC	Open-end credit plan or similar plan ¹⁴⁶	Not specified ¹⁴⁷	<\$300,000 ¹⁴⁸	Any	30	Any	None	\$5 or \$10 ¹⁴⁹ , but no more than the outstanding balance	N.C. Gen. Stat. Ann. §§ 24-9(d) & 24-11(d1)
NC	A loan ¹⁵⁰	Real property ¹⁵¹	Any ¹⁵²	Any	15	A reasonable charge	None	None	N.C. Gen. Stat. Ann. §§ 54B-156 & 54C-125 Savings and Loan Associations and Savings Banks
ND	Legal indebtedness	Not specified	Any	Any	Any	As agreed to	None	None	N.D. Cent. Code Ann. § 47-14-05
ND	Legal indebtedness	Not specified	≤\$50,000	Any	Any	As agreed to	None	\$20	N.D. Cent. Code Ann. § 13-04.1-09.3
OH	Unsecured and secured loans ¹⁵³	Vacant property upon which a dwelling will not be built within 2 years ¹⁵⁴	Any	Any	10	5% of the scheduled installment	\$15	Any	Ohio Rev. Code Ann. §§ 1321.57(K) & 1321.58(C)(3)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
OH	Consumer transaction ¹⁵⁵ related to a residential mortgage ¹⁵⁶	Real property containing 1-to-2 residential units, including single condo and coop units ¹⁵⁷	Any	Any	Any	Any	Any	Any	Ohio Rev. Code Ann. § 1345.031 (B)(7)
OK	Precomputed consumer loan ¹⁵⁸ , refinancing, or consolidation	At least secured by an interest in land ¹⁵⁹	Any ¹⁶⁰	Any	10	5% of the unpaid amount of the installment	\$5	\$33 ¹⁶¹	Okl. Stat. Ann. Tit. 14A, § 3-203(1) Uniform Consumer Credit Code – Loans
OK	Non-precomputed consumer loans ¹⁶² , refinancing, consolidation, or revolving loan	At least secured by an interest in land ¹⁶³	Any ¹⁶⁴	Any	10	5%	\$5	\$33 ¹⁶⁵	Okl. Stat. Ann. Tit. 14A, § 3-203(5) Uniform Consumer Credit Code – Loans
OR	Mortgage ¹⁶⁶	A single-family, owner-occupied dwelling and appurtenances ¹⁶⁷	Any	Any	15	5% of the sum of principal and interest of the delinquent periodic installment	None	Amount in note/mortgage, if <5%	Or. Rev. Stat. Ann. § 86.165
OR	Consumer finance loan ¹⁶⁸	Personal or real property ¹⁶⁹	Any	Any	Any	Reasonable and bona fide	None	None	Or. Rev. Stat. Ann. § 725.340(1)(b) Oregon Consumer Finance Act
OR	Precomputed loan contract ¹⁷⁰	Not specified	Any	Any	10	5% of the unpaid amount of the installment	None	\$5	Or. Rev. Stat. § 725.340(2)(a) Oregon Consumer Finance Act

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
PA	Secondary mortgage loan ¹⁷¹	A dwelling (as defined under TILA) or real property upon which is such a dwelling ¹⁷²	Any	Secondary ¹⁷³	15	10% of each payment	\$20.00	None	7 PA. Cons. Stat. § 6125(b) (2)(iii) Mortgage Licensing Act
PR ¹⁷⁴	A loan ¹⁷⁵	Not specified	Any	Any	15	5% of the payment due	None	None	P.R. Reg. 5722, Art. 12
RI	High-cost home loan ¹⁷⁶	Real estate which contains a 1-to-4 family unit structure (or a manufactured home), occupied by the borrower as a principal dwelling ¹⁷⁷	Any	Any	15 10 (if payments biweekly)	3% of the payment past due	None	None	R.I. Gen. Laws Ann. § 34-25.2-6(k) Rhode Island Home Loan Protection Act
SC	Consumer loan ¹⁷⁸ (and refinancing or consolidation of such)	An interest in land ¹⁷⁹	Any	Secondary ¹⁸⁰	10	5% of the unpaid amount of the delinquent installment	\$10.20 ¹⁸¹	\$25.50 ¹⁸²	S.C. Code Ann. § 37-3-203(1) & (2) South Carolina Consumer Protection Code - Loans
SD	A loan ¹⁸³	Real or personal property ¹⁸⁴	Any	Any	Any	None	None	None	S.D. Codified Laws § 54-4-58(8)
TN	Loans made by a registrant under the Industrial Loan and Thrift Companies Act ¹⁸⁵	Real or personal property ¹⁸⁶	Any	Any	5	5% for each default in the payment	\$15.00	None	Tenn. Code Ann. § 45-5-403(a)(4) Industrial Loan and Thrift Companies Act
TN	High-cost home loan	Real estate containing a 1-to-4 family unit structure, occupied as the borrower's principal dwelling ¹⁸⁸	The lesser of \$350,000 or the FNMA conforming loan size limit for a single-family dwelling ¹⁸⁹	Any	10	5% of the payment past due	\$15	None	Tenn. Code Ann. § 45-20-103(15) Tennessee Home Loan Protection Act

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State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
TX	A loan ¹⁹⁰	Not specified	Any ¹⁹¹	Any	10	5% of the amount of the delinquent payment	\$7.50	None	Tex. Fin. Code Ann. §302.001(d) Texas Credit Title
TX	Secondary mortgage loan ¹⁹²	Real property containing a 1-to-4 family unit dwelling ¹⁹³	Any	Secondary ¹⁹⁴	10	5% of a scheduled, delinquent installment	None	None	Tex. Fin. Code Ann § 342.302; 7 Tex. Admin. Code § 83.703(d) Texas Credit Title
UT	Consumer credit agreement ¹⁹⁵	Not specified	≤\$71,900 ¹⁹⁶	Open-end: any closed-end: secondary ¹⁹⁷	Any	5% ¹⁹⁸	\$30 ¹⁹⁹	None	Utah Code Ann. § 70C-2-102(1) Utah Consumer Credit Code
VT	A first lien loan subject to 12 USCA § 1735f-7a	Real estate	Any	Primary ²⁰⁰	*	*	*	*	Vt. Stat. Ann. Tit. 8, § 2216(1)
VT	All other loans	Real estate	Any	Any ²⁰¹	Any	Reasonable	None	None	Vt. Stat. Ann. tit. 8 § 2216(1) & (2) and tit. 9, § 44
VA	Any type of debt, including a subordinate mortgage or deed of trust ²⁰²	Not specified	Any	Any	7	5% of the amount of such installment payment	None	None	Va. Code Ann. §§ 6.2-328(A)(2) & 6.2-400
WA	Consumer loan ²⁰³	Not specified	Any	Any	10	10% of any installment payment delinquent	None	None	Wash. Rev. Code Ann. §31.04.105(6); Wash. Admin. Code § 208-620-555(3)(c) Consumer Loan Act

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State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
WV	Precomputed consumer loan ²⁰⁴ , including subordinate loans ²⁰⁵	An interest in land or a factory-built home ²⁰⁶	Any	Any	10	5% of the unpaid amount of the installment ²⁰⁷	None	\$30 ²⁰⁸	W. Va. Code Ann. § 31-17-8(e) & 46A-3-112 West Virginia Consumer Credit and Protection Act
WV	Non-precomputed consumer loan ²⁰⁹ , including subordinate loans ²¹⁰	An interest in land or a factory-built home ²¹¹	Any	Any	10	5% of the unpaid amount of the installment	None	\$30	W. VA. Code Ann. §§ 31-17-8(e) & 46A-3-113 West Virginia Consumer Credit and Protection Act
WI	Precomputed loan ²¹²	Not specified	Any	Any	10	5% of the unpaid amount of the installment	None	None	Wis. Stat. Ann. § 138.09(7) (e)(1)
WI	Non-precomputed loan ²¹³	Not specified	Any	Any	Any	9.5%/8% computed upon the unpaid principal balance exclusive of interest ²¹⁴	None	None	Wis. Stat. Ann. § 138.09(7) (e)(2)
WI	A loan	A 1-to-4 family dwelling, used as the borrower's principal residence ²¹⁶	Any	Primary ²¹⁷	15	5% of the unpaid amount of any installment	None	None	Wis. Stat. Ann. §138.052(6)
WI	Consumer credit transaction ²¹⁸ , including precomputed consumer loans ²¹⁹	Real or personal property ²²⁰	≤\$25,000 ²²¹	Secondary ²²²	10	5% of the unpaid amount of the installment	None	\$10	Wis. Stat. Ann. §§ 138.09(7) (e)(3) & 422.203(1) Wisconsin Consumer Act – Consumer Credit Transactions

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State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Min)	Maximum percent	Minimum charge	Maximum charge	Legal Reference
WY	Consumer loan ²²³	An interest in land or a 1-to-4 unit dwelling, including individual condo and coop units, a mobile home, and a trailer (if used as a residence) ²²⁴	Any ²²⁵	Any	10	5% of the unpaid amount of the installment	\$10	None	Wyo. Stat. Ann. § 40-14-312(a) Uniform Consumer Credit Code - Loans

1. Ala. Code § 5-19-1(2), (4) & (9). See Ibid. § 5-19-31 for exemptions.
2. Alaska Stat. § 06.20.010(a). See Ibid. § 06.20.330 for exemptions.
3. Alaska Stat. § 45.45.080(b)
4. Ariz. Rev. Stat. §§ 6-601(5), (6), (7), (9), & (12) and 6-603(A). See Ibid. § 6-602 for exemptions.
5. Excludes closed-end loans subject to Ariz. Rev. Stat. §§ 6-601 through 6-675 (commonly referred to as "consumer lender loans"). See Ibid. § 44-1205(A)
6. See Ariz. Rev. Stat. Ann. § 44-1205(B)
7. Ark. Code Ann. § 23-36-101
8. Cal. Bus. & Prof. Code §§ 10240.1 & 10240.2
9. See Cal. Bus. & Prof. Code §§ 10240.1 & 10240.2
10. Cal. Bus. & Prof. Code §§ 10240.1 & 10240.2
11. See Cal. Bus. & Prof. Code §§ 10240.1 & 10240.2
12. "...The charge shall not exceed an amount equal to the maximum late charge that could have been assessed with respect to the largest single monthly installment previously due, other than the balloon payment, multiplied by the sum of one plus the number of months occurring since the late-payment charge began to accrue. For purposes of this subdivision, 'month' means the period between a particular day of a calendar month and the same day of the next calendar month." (Cal. Bus. & Prof. Code § 10242.5[c])
13. Cal. Civ. Code § 2954.4(a) & (f). See Ibid. § 2954.4(e) for exemptions.

14. See Cal. Civ. Code § 2954.4(a) & (f)
15. Colo. Rev. Stat. Ann. § 5-1-301(11), (12), (14), & (15). For exemptions, see Ibid. § 5-1-202, 5-1-301(15)(b), (15)(c), & (26), and 5-2-102.
16. See Colo. Rev. Stat. Ann. § 5-1-301(12) & (15)(a)(IV).
17. Excluded from the definition of "consumer loan" is a "loan primarily secured by an interest in land." This means that the "value of the collateral [at the time the loan is made] is substantial in relation to the amount of the loan" and "is secured by a first mortgage or deed of trust." Thus, the loan amount must be insubstantial in comparison to the collateral and either: (1) the lien must be secondary; or (2) the finance charge does not exceed 12% per year per the statutorily prescribed calculation method. See Colo. Rev. Stat. Ann. § 5-1-301(15)(a) & (26)(a) for details.
18. See Colo. Atty. Gen. Memo dated March 13, 2002
19. Del. Code Ann. tit. 5, § 2214(1). For exemptions, see Ibid. § 2202 and 5 Del. Admin. Code § 2201-1.0
20. Del. Code Ann. tit. 5, § 2227(2). For exemptions, see Ibid. § 2202 and 5 Del. Admin. Code § 2201-1.0
21. See D.C. Code Ann. § 28-3315
22. Fla. Stat. Ann. § 516.031(1). For exemptions, see Ibid. § 516.02(4).
23. Fla. Stat. Ann. § 516.031(1)
24. Fla. Stat. Ann. § 516.031(1)
25. The charges are: \$15 for monthly payments, \$7.50 if the payments are semimonthly, and \$7.50 if biweekly, but no more than \$5 if three payments are due within the same month. See Fla. Stat. Ann. § 516.031(3)(a)(9)
26. Ga. Code Ann. § 7-6A-2(8). For exemptions, see Ibid. § 7-66A-2(8) & 7-6A-12
27. Ga. Code Ann. § 7-6A-2(8)
28. Ga. Code Ann. § 7-6A-2(8)
29. See 14 Guam Code Ann. §§ 3104 & 3107. For exemptions, see Ibid. & 15 Guam Admin. R. & Regs. § 2102. It is not clear from the administrative rules as to whether the late fee restrictions apply to other loans subject to the Uniform Consumer Credit Code or just precomputed consumer loans.
30. Cannot be secured by an interest in land unless the value of the land is insubstantial in relation to the loan amount or the finance charge on the loan exceeds 10% per year. See 14 Guam Code Ann. § 3104(b) for details.
31. Must be provided for in the loan agreement. See 15 Guam Admin. R. & Regs. § 2109.
32. Haw. Rev. Stat. § 412:9-100

33. Haw. Rev. Stat. § 412:9-100

34. Haw. Rev. Stat. § 412:9-100. Note that while “consumer loans” are limited to \$25,000 or less, this limitation does not apply if the loan is “secured by real property, or by personal property used or expected to be used as the borrower’s principal dwelling.”

35. Idaho Code Ann. § 28-41-301(12), (34), & (37). Note that in the case of this restriction, “regulated consumer credit transaction” is one for a consumer purpose (see Ibid. § 28-41-204). For exemptions, see Ibid. §§ 28-41-202 & 28-41-301(12).

36. See Idaho Code Ann. §§ 28-41-204 and 28-41-301(12) & (34)

37. Idaho Code Ann. § 28-41-301(12), (35), & (39). Note that in the case of this restriction, “regulated consumer loan” is one for a consumer purpose (see Ibid. § 28-41-204). For exemptions, see Ibid. §§ 28-41-202 & 28-41-301(12).

38. See Idaho Code Ann. §§ 28-41-204 and 28-41-301(12), (35), & (39).

39. Idaho Code Ann. § 28-41-301(12), (34), & (37). Note that in the case of this restriction, “regulated consumer credit transaction” is one for a consumer purpose (see Ibid. § 28-41-204). For exemptions, see Ibid. §§ 28-41-202 & 28-41-301(12).

40. See Idaho Code Ann. §§ 28-41-204 and 28-41-301(12) & (34)

41. 815 Ill. Comp. Stat. Ann. 137/10. For exemptions, see Ibid.

42. 815 Ill. Comp. Stat. Ann. 137/10

43. Ind. Code Ann. §§ 24-4.5-3-105 & 24-4.5-1-301.5(9). For exemptions, see Ibid. §§ 24-4.5-1-202(b) & 24-4.5-1-301.5(9)

44. May include primary lien loans, if such loans are made subject to the Indiana Uniform Consumer Credit Code (see Ind. Code Ann. § 24-4.5-3-105 for details).

45. Ind. Code Ann. §§ 24-4.5-3-105 & 24-4.5-1-301.5(9). For exemptions, see Ibid. §§ 24-4.5-1-202(b) & 24-4.5-1-301.5(9)

46. May include primary lien loans, if such loans are made subject to the Indiana Uniform Consumer Credit Code (see Ind. Code Ann. § 24-4.5-3-105 for details).

47. Iowa Code Ann. § 537.1301(32). For exemptions, see Ibid. § 537.1202

48. Iowa Code Ann. § 535.10(1). Must not be a “consumer credit transaction” defined under Ibid. § 537.1301.

49. Iowa Code Ann. §§ 537.1301(12), (13), (14), & (15) and 537.2102. For exemptions, see Ibid. §§ 537.1202 & 537.2502(1)

50. This amount is based on the “threshold amount,” which is the amount used to determine whether a loan is subject to Federal Regulation Z under 12 CFR § 1026.3(b) (see Iowa Code Ann. § 537.1301[47]). This amount changes yearly on January 1st (see 12 CFR Pt. 1026, Supp. I, Paragraph 3[b] – 1).

51. Iowa Code Ann. §§ 537.1301(12) & (15)

52. Alternatively, “the deferral charge that would be permitted to defer the unpaid amount of the installment for the period that it is delinquent” may be assessed. Provisions concerning deferral charges may be found in Iowa Code Ann. § 537.2503.

53. Iowa Code Ann. §§ 537.1301(12), (13), (14), & (15) and 537.2102. For exemptions, see Ibid. §§ 537.1202 & 537.2502(1)

54. This amount is based on the “threshold amount,” which is the amount used to determine whether a loan is subject to Federal Regulation Z under 12 CFR § 1026.3(b) (see Iowa Code Ann. § 537.1301[47]). This amount changes yearly on January 1st (see 12 CFR Pt. 1026, Supp. I, Paragraph 3[b] – 1).

55. Iowa Code Ann. §§ 537.1301(12) & (15)

56. Kan. Stat. Ann. §§ 16a-1-301(14), (15), (16), & (17) and 16a-2-102. For exemptions, see Kan. Stat. Ann. §§ 16a-1-202 & 16a-1-301(17)(b).

57. See Kan. Stat. Ann. § 16a-1-301(17)(a).

58. See Kan. Stat. Ann. § 16a-1-301(17)(a).

59. First-lien mortgages are included if made subject to the Kansas UCCC by written agreement, or if they meet the following conditions: (1) the loan-to-ratio value of the loan exceeds 100% when it is made, or (2) its annual percentage rate exceeds the code mortgage rate (Kan. Stat. Ann. § 16a-1-301[17][b][i]). See Ibid. § 16a-1-301(11) for the definition of the “code mortgage rate.” See table for the current Kansas Code Mortgage Rate.

60. Kan. Stat. Ann. §§ 16a-1-301(14), (15), (16), & (17) and 16a-2-102. For exemptions, see Kan. Stat. Ann. §§ 16a-1-202 & 16a-1-301(17)(b).

61. See Kan. Stat. Ann. § 16a-1-301(17)(a).

62. See Kan. Stat. Ann. § 16a-1-301(17)(a).

63. First-lien mortgages are included if made subject to the Kansas UCCC by written agreement, or if they meet the following conditions: (1) the loan-to-ratio value of the loan exceeds 100% when it is made, or (2) its annual percentage rate exceeds the code mortgage rate (Kan. Stat. Ann. § 16a-1-301[17][b][i]). See Ibid. § 16a-1-301(11) for the definition of the “code mortgage rate.” See table for the current Kansas Code Mortgage Rate.

64. If the scheduled payment amount is \$25 or less, then the cap is reduced to \$5.

65. Ky. Rev. Stat. Ann. § 286.4-420. For exemptions, see *Ibid.* § 286.4-410.

66. Alternatively, 5% of each scheduled installment or \$15, whichever is greater (see Ky. Rev. Stat. Ann. § 286.4-533[5]).

67. Alternatively, 5% of each scheduled installment or \$15, whichever is greater (see Ky. Rev. Stat. Ann. § 286.4-533[5]).

68. For exemptions, see Ky. Rev. Stat. Ann. § 286.8-020.

69. Ky. Rev. Stat. Ann. § 360.100(1)(a)

70. Ky. Rev. Stat. Ann. § 360.100(1)(a)(4)

71. Ky. Rev. Stat. Ann. § 360.100(1)(a)(1)

72. La. Rev. Stat. Ann. § 6:1083(6). Note that while *Ibid.* § 6:1097(A) limits the late fee restrictions to these types of loans, *Ibid.* § 6:1095(A) stipulates that these provisions are “applicable to residential mortgage loans”, which are defined under La. Rev. Stat. Ann. § 6:1083(17). In some regards, these two types of loans are not compatible (e.g. a “Federally related mortgage loan” may only be secured by immovable residential property; however, a “residential mortgage loan” can be secured by a dwelling defined under TILA, which can include movable dwellings). For exemptions, see *Ibid.* § 6:1087.

73. La. Rev. Stat. Ann. § 6:1083(6) & (17)

74. See La. Rev. Stat. Ann. § 6:1083(6)

75. “ . . . a consumer loan . . . which is made contractually subject to the provisions of this Chapter” is a “consumer loan” as defined under La. Rev. Stat. Ann. § 9:3516(14), per *Ibid.* § 9:3511(F). For exemptions, see *Ibid.* § 9:3512.

76. Title 9 of Louisiana’s Revised Statutes does not define “residential immovable property.” However, Title 6 (which is the title that a consumer loan under Title 9 would be subjected to by agreement, for these late fee restrictions to apply) defines this phrase at La. Rev. Stat. Ann. § 6:1083(17).

77. La. Rev. Stat. Ann. § 9:3516(12) through (14). For exemptions, see *Ibid.* § 9:3512.

78. La. Rev. Stat. Ann. § 9:3516(30)

79. Me. Rev. Stat. Ann. tit. 9-A, §§ 1-301(11) through (14) & 2-102. For exemptions, see *Ibid.* tit. 9-A, §§ 1-202 & 1-301(14)(B).

80. Me. Rev. Stat. Ann. tit. 9-A, § 1-301(26). For exemptions, see *Ibid.* tit. 9-A, § 1-202.

81. See Me. Rev. Stat. Ann. tit. 9-A, § 1-301(14)(A)(4)

82. See Me. Rev. Stat. Ann. tit. 9-A, § 1-301(14)(A)(4)

83. See Me. Rev. Stat. Ann. tit. 9-A, § 1-202(8)

84. Alternatively, a deferral charge allowed under Me. Rev. Stat. Ann. tit. 9-A, § 2-503(11) may be assessed instead.

85. Alternatively, a deferral charge allowed under Me. Rev. Stat. Ann. tit. 9-A, § 2-503(11) may be assessed instead.

86. Md. Code Ann., Com. Law §§ 12-401(b) & 12-405(i). For exemptions, see Md. Code Ann., Com. Law § 12-401(i)(2)

87. Md. Code Ann., Com. Law § 12-401(i)(1)

88. Md. Code Ann., Com. Law § 12-401(i)(1)(i)

89. Md. Code Ann., Com. Law § 12-901(l)

90. Md. Code Ann., Com. Law § 12-1001(d) & (j)

91. Mass. Gen. Laws Ann. ch. 140, § 114B & ch. 140D, § 1

92. Mass. Gen. Laws Ann. ch. 183, § 59

93. Mass. Gen. Laws Ann. ch. 183, § 59

94. Mich. Comp. Laws Ann. § 445.1852(g)

95. Minn. Stat. Ann. § 47.20(2) - (3)

96. Minn. Stat. Ann. §§ 47.59(1)(l) & 53.04(3a)

97. Minn. Stat. Ann. § 47.59(1)(i)

98. Note that in the case of a loan subject to so-called "Minnesota Industrial Loan and Thrift Companies Act," these restrictions only apply "if the proceeds of a loan secured by a first lien on the borrower's primary residence are used to finance the purchase of the borrower's residence" (Minn. Stat. Ann. § 53.04[3a][b]).

99. Except in regard to a "conventional loan" defined under Minn. Stat. Ann. § 47.20(2) – (3), in which case the loan amount is limited to an amount less than \$100,000.

100. Under Minn. Stat. Ann. § 47.59(3)(i), the minimum dollar amount specified in Ibid. § 47.59(6)(a)(4) is subject to change "periodically" on July 1st of even-numbered years. See Maine Consumer Credit Code Website for the current dollar amount and for historical adjustments.

101. See Miss. Code Ann. § 75-67-103(b) & Miss. Admin. Code 5-3:1.2

102. Despite its name, the "Small Loan Regulatory Law" is not limited to loans of a certain amount. A clear illustration of this is set forth in Miss. Admin. Code 5-3:1.6(1), which permits fees on loans with amounts "greater than Ten Thousand Dollars."

103. Licensees under the "Small Loan Regulatory Law" are permitted to assess late fees based on the other restrictions under Mississippi law. See Miss. Admin. Code 5-3:1.9 for details.

104. Includes, but is not limited to, loans made under the Mississippi Small Loan Regulatory Law and Small Loan Privilege Tax Law (see Miss. Admin. Code 5-3:1.1 & 5-3:1.2).

105. Includes, but is not limited to, loans made under the Mississippi Small Loan Regulatory Law and Small Loan Privilege Tax Law (see Miss. Admin. Code 5-3:1.1 & 5-3:1.2).

106. Mo. Ann. Stat. §§ 408.015(7) & 408.052(1). For exemptions, see Ibid. § 408.052(1).

107. Mo. Ann. Stat. § 408.015(6)

108. Mo. Ann. Stat. § 408.231(1). For exemptions, see Mo. Stat. Ann. § 408.237.

109. Mo. Ann. Stat. § 408.231(3)

110. Mont. Code Ann. § 32-5-102(2). For exemptions, see Ibid. §§ 32-5-102(2)(b) & 32-5-103(5)

111. The definition of "consumer loan" excludes "residential mortgage loans" defined under Mont. Code Ann. § 32-9-103 (see Ibid. § 32-5-102[2][b][ii]). "Residential mortgage loans" are basically defined as loans secured by a dwelling (defined under TILA) or residential real estate upon which a dwelling is (or will be) constructed (see Ibid. § 32-9-103[16], [40], & [41]).

112. See Neb. Rev. Stat. Ann. § 45-702(13), (15), (16), & (26). For exemptions, see Ibid. § 45-703.

113. Neb. Rev. Stat. Ann. § 45-702(9) & (27)

114. See Neb. Rev. Stat. §§ 45-101.03 & 45-1002(3) & (4). For exemptions, see Ibid. §§ 45-1002(3) & (4) and 45-1003.

115. See Nev. Rev. Stat. Ann. § 99.050

116. For exemptions, see Nev. Rev. Stat. Ann. §§ 645B.0127(3), 645B.015, 645B.018, 645E.100(3), 645E.150, & 645E.170

117. Nev. Rev. Stat. Ann. § 604A.0703. For exemptions, see Ibid. §§ 604A.250 & 604A.480(2).

118. A "high-interest loan" can be a loan in any amount, but only loans with an APR of more than 40% are considered to be a "high-interest loan." See Nev. Rev. Stat. Ann. § 604A.0703(1) for details.

119. N.H. Rev. Stat. Ann. §§ 358-K:1(V), (VI), (X), 358-K:2(V), & 358-K:6. For exemptions, see Ibid. § 358-K:6. Note that this late fee restriction only applies to loans consummated between July 1, 1984 and July 1, 1985.

120. N.H. Rev. Stat. Ann. § 358-K:6.

121. N.J. Stat. Ann. § 17:11C-53 and N.J. Admin. Code § 3:15-1.2. For exemptions, see Supra § 17:11C-55 and Ibid. § 3:15-2.1.

122. See N.J. Stat. Ann. § 17:11C-87 and N.J. Admin. Code § 3:15-1.2.

123. N.J. Stat. Ann. § 46:10B-24

124. N.J. Stat. Ann. § 46:10B-24

125. N.M. Stat. Ann. § 58-21-2(J). For exemptions, see Ibid. § 58-21-6

126. N.M. Stat. Ann. § 58-21-2(F) & (J)

127. N.M. Stat. Ann. § 58-21A-3(J)

128. N.M. Stat. Ann. § 58-21A-3(J)

129. N.M. Stat. Ann. § 58-21A-3(J)

130. N.Y. Real Prop. Law § 2(1). Note that this late fee restriction does "not apply to any loan or forbearance insured by the federal housing commissioner or for which a commitment to insure has been made by the federal housing commissioner or to any loan or forbearance insured or guaranteed pursuant to the provisions of an act of congress entitled 'Servicemen's Readjustment Act of 1944', or to the extent the provisions of this section are inconsistent with any other federal law or regulation." (Ibid. § 254-b[2])

131. N.Y. Comp. Codes R. & Regs. tit. 3, § 80.1(c)

132. N.Y. Comp. Codes R. & Regs. tit. 3, §§ 419.1(e) & 419.10(d)

133. Alternatively, the mortgage may be secured by "a note representing a loan for the purpose of financing the purchase of an ownership interest in, a proprietary lease from, a corporation or partnership formed for the purpose of the cooperative ownership of residential real estate." (N.Y. Real Prop. Law § 254-b[1])

134. This administrative law applies to "junior mortgage loans" and does not contain any restrictions on late charges. However, a "junior mortgage loan", as defined in N.Y. Comp. Codes R. & Regs. tit. 3, § 80.1(c), is a loan secured by a one-to-four family dwelling; therefore, the restrictions that apply in the statutory law apply to junior mortgage loans as well.

135. See N.C. Gen. Stat. Ann. §§ 24-1.1, 24-10.1, 24-1.1A, 54B-156, & 54C-125.

136. See N.C. Gen. Stat. Ann. § 24-1.1

137. See N.C. Gen. Stat. Ann. § 24-1.1A(a)(3), (a)(4), & (e). For exemptions to this late fee restriction, see Ibid. § 24-9

138. Note: While no property is specified for "a loan" or "purchase money loan" under N.C. Gen. Stat. Ann. §§ 24-1.1 & 24-10.1, a "home loan" is secured by "real property upon which there is located or there is to be located one or more single-family dwellings or dwelling units or secured by an equivalent first security interest in a manufactured home." (Ibid. § 24-1.1A[e]) In addition, a loan by a savings and loan association may be secured by real property (see Ibid. §§ 54B-150 & 54B-151), as is a loan by a savings bank (see Ibid. § 54C-125)

139. N.C. Gen. Stat. Ann. §§ 24-1.1A & 24-9. Note that while Ibid. §§ 54B-156 & 54C-125 does not specify any loan limits, they do require loans subject to Ibid. § 24-10.1 (which would be loans less than \$300,000) to comply with such section's provisions.

140. N.C. Gen. Stat. Ann. § 24-10.1(b)(1)(a) stipulates that the amount charged cannot exceed: "The amount disclosed with particularity to the borrower pursuant to the federal Consumer Credit Protection Act, Chapter 41 of Title 15 of the United States Code, (Truth in Lending Act) and the regulations adopted under it, if that act applies to the transaction."

141. N.C. Gen. Stat. Ann. § 24-9(a)(2)

142. N.C. Gen. Stat. Ann. § 24-9(a)(3)

143. N.C. Gen. Stat. Ann. § 24-9(a)(2)(b)

144. N.C. Gen. Stat. Ann. § 24-9(a)(2)(e)

145. N.C. Gen. Stat. Ann. § 24-9(a)(3).

146. See N.C. Gen. Stat. Ann. §§ 24-9(d) & 24-11(a). Note that despite the fact Ibid. § 24-9(d) stipulates that "revolving credit card plans offered by banks" are exempt, this exemption does not apply "to a revolving credit card plan that is secured by a mortgage or deed of trust on real property." Thus, revolving credit card plans offered by banks are subject to this late fee restriction for mortgage loan purposes; however, equity lines of credit offered by banks are exempt under Ibid. § 24-9(c).

147. A revolving credit card plan offered by a bank must be secured by real property in order for this late fee restriction to apply (see N.C. Gen. Stat. Ann. § 24-9[d]).

148. See N.C. Gen. Stat. Ann. § 24-9(a)(3) & (b)

149. "\$5 on accounts having an outstanding balance of less than \$100 and \$10 on accounts having an outstanding balance of \$100 or more." N.C. Gen. Stat. Ann. § 24-11(d1)

150. See N.C. Gen. Stat. Ann. §§ 54B-156 & 54C-125.

151. See N.C. Gen. Stat. Ann. §§ 54B-150, 54B-151, & 54C-125)

152. Note that while Ibid. §§ 54B-156 & 54C-125 does not specify any loan limits, they do require loans subject to Ibid. § 24-10.1 (which would be certain loans less than \$300,000) to comply with such sections provisions on late charges.

153. The restrictions are applicable to a “registrant”, who is authorized to make a wide variety of loans under Ohio Rev. Code Ann. § 1321.52.

154. A registrant may make secured loans other than those secured by “residential real estate” or a “dwelling”, as both terms are defined under Ohio Rev. Code Ann. § 1322.01 (see Ibid. § 1321.52(C)). When both definitions are considered in the context of real property, the only real estate which may be secured is vacant land upon which a dwelling will not be constructed within two years of acquisition.

155. Ohio Rev. Code Ann. § 1345.01(A). For exemptions, see Ibid. § 1345.12

156. Ohio Rev. Code Ann. § 1345.01(I)

157. Ohio Rev. Code Ann. § 1345.01(I)

158. Okla. Stat. Ann. tit. 14A, §§ 3-104 & 3-105. For exemptions, see Okla. Stat. Ann. tit. 14A, § 1-202

159. See Okla. Stat. Ann. tit. 14A, § 3-104. Note that the loan cannot be primarily secured by an interest in land, under Ibid. § 3-105.

160. A “consumer loan” does not include a “loan primarily secured by an interest in land,” if at the time the loan is made the value of this collateral is substantial in relation to the amount of the loan . . .” (Okla. Stat. Ann. tit. 14A, § 3-105).

161. If greater, the same amount as a permissible deferral charge, authorized under Okla. St. Ann. tit. 14A, § 3-204(3). The maximum charge amount is subject to change each year and the new amount can be found in the Appendices of Okla. Admin. Code § 160:20.

162. Okla. Stat. Ann. tit. 14A, §§ 3-104 & 3-105. For exemptions, see Okla. Stat. Ann. tit. 14A, § 1-202

163. See Okla. Stat. Ann. tit. 14A, § 3-104. Note that the loan cannot be primarily secured by an interest in land, under Ibid. § 3-105.

164. A “consumer loan” does not include a “loan primarily secured by an interest in land,” if at the time the loan is made the value of this collateral is substantial in relation to the amount of the loan . . .” (Okla. Stat. Ann. tit. 14A, § 3-105).

165. If greater, the same amount as a permissible deferral charge, authorized under Okla. St. Ann. tit. 14A, § 3-204(3). The maximum charge amount is subject to change each year and the new amount can be found in the Appendices of Okla. Admin. Code § 160:20.

166. Or. Rev. Stat. §§ 86.160 & 86.175. Does not include “loans insured, guaranteed or purchased by an instrumentality of the federal government, whose regulations establish late charge limitations.” (Ibid. § 86.185)

167. See Or. Rev. Stat. §§ 86.160(4) & 86.175

168. Or. Rev. Stat. Ann. § 725.010(2)

169. Or. Rev. Stat. Ann. § 725.010(2)

170. Open-end loan plans are exempt from these late fee restrictions. See Or. Rev. Stat. Ann. § 725.345(4)

171. 7 Pa. Cons. Stat. § 6102. For exemptions, See Ibid. §§ 6101(a) & 6112.

172. See 7 Pa. Cons. Stat. § 6102

173. See 7 Pa. Cons. Stat. § 6102

174. Note: This late fee restriction is set forth in Puerto Rico's regulations, which are only published in Spanish. Due to language restrictions, the summary of this restriction will not be as comprehensive as the other restrictions in this Matrix.

175. For exemptions, see P.R. Reg. 5722, art. 3

176. R.I. Gen. Laws Ann. § 34-25.2-4(l) & (m). For exemptions, see Ibid. §§ 34-25.2-4(m) & 34-25.2-11

177. See R.I. Gen. Laws Ann. § 34-25.2-4(m)

178. S.C. Code Ann. § 37-3-104. For exemptions, see Ibid. §§ 37-1-202 & 37-3-105

179. See S.C. Code Ann. § 37-3-104.

180. See S.C. Code Ann. § 37-3-105

181. Amount current 7/1/2024 to 6/30/2026. If the minimum charge exceeds 5% of the unpaid amount of the installment, it may still be collected. Per S.C. Code Ann. § 37-1-109 & S.C. Reg. § 28-62, this dollar amount is subject to change each even-numbered year, effective on July 1st. The new amount is published on the South Carolina Department of Consumer Affairs website.

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183. See S.D. Codified Laws § 54-4-36(12). For exemptions, see S.D. Codified Laws §§ 54-4-37 & 54-4-64

184. See S.D. Codified Laws § 54-4-36(12)

185. Tenn. Code Ann. § 45-5-102(8) - (10) & (20). For exemptions, see Ibid. § 45-5-104

186. See Tenn. Code Ann. § 45-5-301(1)

187. Tenn. Code Ann. § 45-20-102(8) & (9). For exemptions, see Ibid. § 45-20-102(9)(D)

188. Tenn. Code Ann. § 45-20-102(8) & (9)(C)

189. Tenn. Code Ann. § 45-20-102(8) & (9)(A)

190. Tex. Fin. Code Ann. § 301.002(10)

191. The interest rate must be less than 10% per year. A delinquency fee is considered to be a part of interest. See Tex. Fin. Code Ann. §§ 302.001(d) & 302.103

192. Tex. Fin. Code Ann. § 342.001(4) & 7 Tex. Admin. Code §§ 83.101 & 83.703(c). For exemptions, see Supra §§ 342.004, 342.005, & 342.006.

193. See Tex. Fin. Code § 342.001(4). See also 7 Tex. Admin. Code § 83.101(b).

194. See Tex. Fin. Code § 342.001(4)(A)

195. Utah Code Ann. § 70C-1-201. For exemptions, see Utah Code Ann. § 70C-1-202(2).

196. Amount adjusts annually by the Utah Department of Financial Institutions. See also Utah Code Ann. § 70C-1-202(2)(d)(ii) for details.

197. Utah Code Ann. § 70C-1-202(2)(b)

198. A contract renewed, executed, or modified after May 3, 1999 by a depository institution can contract for a delinquency charge that exceeds the statutory limitations. See Utah Code Ann. § 70C-2-102(1)(b)

199. A contract renewed, executed, or modified after May 3, 1999 by a depository institution can contract for a delinquency charge that exceeds the statutory limitations. See Utah Code Ann. § 70C-2-102(1)(b)

200. First lien loans falling under the purview of 12 U.S.C.A. § 1735f-7a are subject to Federal late fee restrictions. The types of loans subject to this act are too complex to include a summary in this document.

201. Any loan that is not subject to 12 U.S.C.A. § 1735f-7a is subject to these restrictions. See endnote directly above for more details.

202. See Va. Code Ann. § 6.2-300

203. See Wash. Rev. Code Ann. §§ 31.04.015(12) & 31.04.035. For exemptions, see Ibid. § 31.04.025(2) & Wash. Admin. Code § 208-620-104

204. W. Va. Code Ann. § 46A-1-102(15) & (33)

205. W. Va. Code Ann. § 31-17-1(o). For exemptions, see Ibid. §§ 31-17-2 & 46A-1-105.

206. W. Va. Code Ann. § 46A-1-102(15)(d); see also Ibid. § 31-17-1(o)

207. Alternatively, an amount equal to the deferral charge that is permitted to defer the unpaid amount of the installment for the period that is delinquent may be charged. See W. Va. Code Ann. § 46A-3-114.

208. Alternatively, an amount equal to the deferral charge that is permitted to defer the unpaid amount of the installment for the period that is delinquent may be charged. See W. Va. Code Ann. § 46A-3-114.

209. W. Va. Code Ann. § 46A-1-102(15)

210. W. Va. Code Ann. § 31-17-1(o). For exemptions, see Ibid. §§ 31-17-2 & 46A-1-105.

211. W. Va. Code Ann. § 46A-1-102(15)(d); see also Ibid. § 31-17-1(o)

212. Wis. Stat. Ann. § 138.09(7)(a)(1). For exemptions, see Wis. Stat. Ann. § 138.09(1a)

213. For the definition of a precomputed loan, see Wis. Stat. Ann. § 138.09(7)(a)(1). For exemptions, see Wis. Stat. Ann. § 138.09(1a)

214. 9.5% for the first \$1,000 of the loan and 8% for all amounts beyond this (see Wis. Stat. Ann. § 138.09[b][1] for details). It can only be assessed against the unpaid principal balance exclusive of interest.

215. Wis. Stat. Ann. § 138.052(1)(b). For exemptions, see Ibid. § 138.052(8) & (10)

216. Wis. Stat. Ann. § 138.052(1)(b)

217. Wis. Stat. Ann. § 138.052(1)(b)

218. Wis. Stat. Ann. §§ 421.301(10), (12), & (13) and 422.102. For exemptions, see Ibid. §§ 421.202, 421.203, & 422.203(1)

219. Wis. Stat. Ann. § 138.09(7)(a). For exemptions, see Ibid. § 138.09(1a)

220. Wis. Stat. Ann. § 421.301(10)

221. Wis. Stat. Ann. § 421.202(6)

222. See Wis. Stat. Ann. § 421.202(7)

223. Wyo. Stat. Ann. §§ 40-14-302 & 40-14-304. For exemptions, see Ibid. § 40-14-121, 40-14-304, & 40-14-305

224. Wyo. Stat. Ann. § 40-14-304(a)(iv)

225. Except if the loan is secured by a primary lien, in which case the value of the property must be insubstantial in relation to the amount of the loan for it not to be considered a "loan primarily secured by an interest in land," which is generally exempt from the definition of "consumer loan.". See Wyo. Stat. Ann. §§ 40-14-304 & 40-14-305.