



LATE FEES

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Notes: 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.

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State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	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) <i>Cantrell v. Walker Builders, Inc.</i> , 678 So. 2d 169 (Ala. Civ. App. 1996) Op. Att'y Gen. of Alabama No. 8700293 (Aug. 31, 1987)
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) <i>Alaska Small Loans Act</i>
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 § 10242.5(a) through (b) <i>California Real Estate Law</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
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	$(LSMI \times 10\%) \times (1 + m)^{12}$	\$5	None	Cal. Bus. & Prof. Code § 10242.5(c) <i>California Real Estate Law</i>
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)
CO	Consumer Credit Transaction ¹⁵	At least secured by an interest in land ¹⁶	Insubstantial 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) <i>Uniform Consumer Credit Code</i>
CT	Any Type of Loan	Not Specified	Any	Any	Any	Reasonable	None	None	Conn. Gen. Stat. Ann. § 49-6c <i>McKeever v. Fiore</i> , 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 (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
FL	A sum of money ²²	Land ²³	\$1,000 - \$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) ; Fla. Admin. Code r. § 69V-160.015 <i>Florida Consumer Finance Act</i>
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) <i>Georgia Fair Lending Act</i>
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 <i>Uniform Consumer Credit Code - Loans</i>
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) <i>Code of Financial Institutions</i>
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. Att'y Gen. No. 87-11 <i>Idaho Credit Code – Finance Charges and Related Provisions</i>
ID	Non-precomputed, Regulated Consumer Loan ³⁷	Real property used as 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. Att'y Gen. No. 87-11 <i>Idaho Credit Code – Finance Charges and Related Provisions</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
ID	All Other Regulated Consumer Credit Transactions ³⁹	Not Specified	Any	Secondary ⁴⁰	10	5% of the unpaid amount of the installment or scheduled payment	\$15	None	Idaho Code Ann. § 28-42-301(3) <i>Idaho Credit Code – Finance Charges and Related Provisions</i>
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 <i>High Risk Home Loan Act</i>
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) <i>Interest Act</i>
IN	Consumer Loan, ⁴³ Refinance, or Consolidation	Not Specified	Any	Secondary ⁴⁴	10	Any amount on any installment or minimum payment due	None	\$19.00 ⁴⁵	Ind. Code Ann. § 24-4.5-3-203.5 <i>Uniform Consumer Credit Code - Loans</i>
IA	Open-End Credit, ⁴⁶ including a Home Equity Line of Credit ⁴⁷	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) through (6) <i>Iowa Consumer Credit Code – Finance Charges and Related Provisions</i>
IA	Precomputed Consumer Credit Transaction ⁴⁸	Not Specified	≤\$54,600 ⁴⁹	Secondary ⁵⁰	10	5% of the unpaid amount of the installment ⁵¹	None	\$30.00	Iowa Code Ann. § 537.2502(1)(a), (2) through (3) <i>Iowa Consumer Credit Code – Finance Charges and Related Provisions</i>
IA	Interest-Bearing Consumer Credit Transaction ⁵²	Not Specified	≤\$54,600 ⁵³	Secondary ⁵⁴	10	5% of the unpaid amount of the installment	None	\$30.00	Iowa Code Ann. § 537.2502(1)(b) through (3) <i>Iowa Consumer Credit Code – Finance Charges and Related Provisions</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
KS	Consumer Credit Transaction ⁵⁵	Secured by an interest in land ⁵⁶	Any, if secured by an interest in land ⁵⁷	Secondary; Primary if conditions are met ⁵⁸	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>
KS	Consumer Credit Transaction ⁵⁹ (Alternative Charge)	Secured by an interest in land ⁶⁰	Any, if secured by an interest in land ⁶¹	Secondary; Primary if conditions are met ⁶²	10	Any amount on any installment not paid in full	None	\$10 ⁶³	Kan. Stat. Ann. § 16a-2-502(2) <i>Revised Uniform Consumer Credit Code – Finance Charges and Related Provisions</i>
KY	“Consumer Loans” ⁶⁴	Not Specified	≤\$15,000	Any	7	2% of delinquent scheduled installment ⁶⁵	None ⁶⁶	None	Ky. Rev. Stat. Ann. §§ 286.4-530(4) & 286.4-533(5)
KY	Real Estate Loan ⁶⁷	Real estate	Any	Any	10	Any amount on each delinquent installment	None	None	Ky. Rev. Stat. Ann. § 286.8-110(3) <i>Mortgage Licensing and Regulation Act</i>
KY	High-Cost Home Loan ⁶⁸	Residential real property, which is the borrower’s principal dwelling ⁶⁹	\$15,000 - \$200,000 ⁷⁰	Any	15	5% of the amount of the payment past due	\$10	None	Ky. Rev. Stat. Ann. § 360.100(2)(g)
LA	Federally-related Mortgage Loans ⁷¹	Residential immovable property containing 1-to-4 family units, including immobilized mobile homes ⁷²	Any	Primary ⁷³	Any	None	None	None	La. Rev. Stat. Ann. § 6:1097(A) <i>Louisiana S.A.F.E. Residential Mortgage Lending Act</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
LA	Consumer Loan ⁷⁴	A dwelling, as defined by TILA, or residential immovable property ⁷⁵ 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) <i>Louisiana S.A.F.E. Residential Mortgage Lending Act and Louisiana Consumer Credit Law</i>
LA	Consumer Credit Transaction (excluding a Revolving Loan Account) ⁷⁶	Not Specified	Any	Any	10	5% of the unpaid amount of the delinquent installment	\$10	None	La. Rev. Stat. Ann. § 9:3527(A) <i>Louisiana Consumer Credit Law</i>
LA	Revolving Loan Account ⁷⁷	Not Specified	Any	Any	10	Any amount on any regularly scheduled payment that is delinquent	None	\$15	La. Rev. Stat. Ann. § 9:3527(B) <i>Louisiana Consumer Credit Law</i>
ME	Consumer Credit Transaction ⁷⁸ or Open-End Credit Plan ⁷⁹	Manufactured housing or an interest in land ⁸⁰	Any, if secured by manufactured housing or an interest in land ⁸¹	Secondary ⁸²	15	5% of the unpaid amount of the installment ⁸³	None	\$10 ⁸⁴	Me. Rev. Stat. Ann. tit. 9-A, § 2-502(1) through (3-A) <i>Maine Consumer Credit Code</i>
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)
MD	Secondary Mortgage Loan ⁸⁵	Real Property upon which is a 1-to-4 family unit dwelling ⁸⁶	Any	Secondary ⁸⁷	10	5% of the amount of any delinquent periodic installment	\$2	None	Md. Code Ann., Com. Law, § 12-405(c) <i>Maryland Secondary Mortgage Loan Law</i>
MD	Revolving Credit Plan ⁸⁸	Not Specified	Any	Any	Any	Any	None	None	Md. Code Ann., Com. Law, § 12-910

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
MD	A loan (closed end credit) ⁸⁹	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 ⁹⁰	Not Specified	Any	Any	15	10% of the outstanding balance	Any	\$10	Mass. Gen. Laws Ann. ch. 140, § 114B
MA	A mortgage note ⁹¹	A 1-to-4 unit dwelling house, or a residential condo unit occupied by the mortgagor ⁹²	Any	Any	15; 10 (if pmts biweekly)	3% of the amount of principal and interest overdue	None	None	Mass. Gen. Laws Ann. ch. 183, § 59
MI	Extension of Credit ⁹³	Not Specified	Any	Any	Any	5% of the delinquent installment payment	\$15	None	Mich. Comp. Laws Ann. § 445.1856(1)(b) & (c) <i>Credit Reform Act</i>
MN	A Conventional Loan, ⁹⁴ a Loan, ⁹⁵ or Credit Sale ⁹⁶	Real property containing 1 or more residential units ⁹⁷	Any ⁹⁸	Any	10	5% of the amount of the delinquent payment	\$8.58 ⁹⁹	None	Minn. Stat. Ann. §§ 47.20(6b) , 47.59(6)(a)(4) , & 53.04(3a)(b)
MS	Loans made by a licensee under the Small Loan Regulatory Law ¹⁰⁰	Not Specified	Not Specified ¹⁰¹	Any	10	5% of the portion of the payment in default ¹⁰²	\$5.00	None	Miss. Code Ann. § 75-17-15 ; Miss. Admin. Code 5-3:1.9(1)
MS	A loan ¹⁰³	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 ¹⁰⁴	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)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
MO	Residential Real Estate Loan ¹⁰⁵	1-to-4 unit, borrower-occupied real estate, including a manufactured home considered to be real estate ¹⁰⁶	Any	Any	15	Any	None	None	Mo. Ann. Stat. § 408.052(1)
MO	Second Mortgage Loan ¹⁰⁷	Residential real estate, containing a 1-to-4-unit residence ¹⁰⁸	Any	Secondary	15	5% of any delinquent installment	\$15.00	\$50.00	Mo. Ann. Stat. § 408.233(4)
MT	Consumer Loan ¹⁰⁹	Not Specified ¹¹⁰	Any	Any	Any	5% of the amount past due	\$15.00	\$50.00	Mont. Code Ann. § 32-5-301(4) <i>Montana Consumer Loan Act</i>
NE	Residential Mortgage Loan ¹¹¹	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 ¹¹²	Any	Any	Any	Reasonable & Necessary	None	None	Neb. Rev. Stat. Ann. § 45-740(1)(m) <i>Residential Mortgage Licensing Act</i>
NE	Precomputed Installment Loan ¹¹³	Not Specified	Any	Any	10	5% of such delinquent installment	None	None	Neb. Rev. Stat. Ann. § 45-1024(2)(d) <i>Nebraska Installment Loan Act</i>
NV	Money due under a contract ¹¹⁴ and loans secured by a lien on real property ¹¹⁵	Real property	Any	Any	Any	Any	None	None	Nev. Rev. Stat. Ann. §§ 99.050 , 645B.240 , & 645E.470
NV	High-interest loan ¹¹⁶	Not Specified	Any ¹¹⁷	Any	10	Any percentage of any installment payment unpaid	None	\$15.00	Nev. Rev. Stat. Ann. § 604A.487

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
NH	Precomputed Consumer Credit Transaction ¹¹⁸	Not Specified ¹¹⁹	Any	Any	Any	Any	None	None	N.H. Rev. Stat. Ann. § 358-K:2(IV)
NJ	Secondary Mortgage Loan ¹²⁰	Residential real estate containing a 1-to-4 family unit dwelling (as defined under TILA) ¹²¹	Any	Secondary	Any	5% of the amount of payment in default	None	None	N.J. Stat. Ann. § 17:11C-80(c) ; N.J. Admin. Code § 3:15-9.2 <i>New Jersey Residential Mortgage Lending Act</i>
NJ	Home Loan ¹²²	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 ¹²³	Any	Any	15	5% of the amount of the payment past due	None	None	N.J. Stat. Ann. § 46:10B-25(d) <i>New Jersey Home Ownership Security Act of 2002</i>
NM	Mortgage Loan ¹²⁴	A 1-to-4-unit dwelling or residential real estate upon which is such a dwelling ¹²⁵	Any	Any	Any	Any	None	None	N.M. Stat. Ann. § 58-21-18 <i>Mortgage Loan Company Act</i>
NM	Home Loan ¹²⁶	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 ¹²⁷	FNMA Conforming Loan Limit for a Single-Family Dwelling ¹²⁸	Any	15	5% of the amount of the payment past due	None	None	N.M. Stat. Ann. § 58-21A-4(K) <i>Home Loan Protection Act</i>
NY	Mortgage on Real Property, ¹²⁹ a Junior Mortgage, ¹³⁰ and a Mortgage Loan ¹³¹	1-to-6 family residence occupied by the owner or a coop ownership in residential real estate ¹³²	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, §§ 80.8(i) ¹³³ & 419.10(d)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
NC	A loan, ¹³⁴ purchase money loan, ¹³⁵ or home loan ¹³⁶	Not Specified ¹³⁷	<\$300,000 ¹³⁸	Any	15	4% of the amount of the payment past due ¹³⁹	None	None	N.C. Gen. Stat. Ann. §§ 24-1.1A(c1) & (c2) , 24-10.1 , 54B-156 , & 54C-125 <i>Savings and Loan Associations and Savings Banks</i>
NC	Equity Line of Credit ¹⁴⁰ offered by a bank and Exempt Loan transactions ¹⁴¹	Real property ¹⁴²	≥\$11,000 for equity line of credit ¹⁴³ ≥\$300,000 for exempt loan ¹⁴⁴	Any	Any	As agreed to	None	None	N.C. Gen. Stat. Ann. § 24-9(b) & (c)
NC	Open-End Credit Plan or Similar Plan ¹⁴⁵	Not Specified ¹⁴⁶	<\$300,000 ¹⁴⁷	Any	30	Any	None	\$5 OR \$10, ¹⁴⁸ but no more than the outstanding balance	N.C. Gen. Stat. Ann. §§ 24-9(d) & 24-11(d1)
NC	A loan ¹⁴⁹	Real Property ¹⁵⁰	Any ¹⁵¹	Any	15	A reasonable charge	None	None	N.C. Gen. Stat. Ann. §§ 54B-156 & 54C-125 <i>Savings and Loan Associations and Savings Banks</i>
ND	Legal Indebtedness	Not Specified	Any	Any	Any	As agreed to	None	None	N.D. Cent. Code Ann. § 47-14-05
OH	Unsecured and secured loans ¹⁵²	Vacant property upon which a dwelling will not be built within 2 years ¹⁵³	Any	Any	10	5% of the scheduled installment	\$15	Any	Ohio Rev. Code Ann. §§ 1321.57(K) & 1321.58(C)(3)
OH	Consumer Transaction ¹⁵⁴ related to a Residential Mortgage ¹⁵⁵	Real property containing 1-to-2 residential units, including single condo and coop units ¹⁵⁶	Any	Any	Any	Any	Any	Any	Ohio Rev. Code Ann. § 1345.031(B)(7)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
OK	Precomputed Consumer Loan, ¹⁵⁷ Refinancing, or Consolidation	At least secured by an interest in land ¹⁵⁸	Any ¹⁵⁹	Any	10	5% of the unpaid amount of the installment	\$5	\$25.50 ¹⁶⁰	Okla. Stat. Ann. tit. 14A, § 3-203(1) <i>Uniform Consumer Credit Code - Loans</i>
OK	Non-precomputed Consumer Loan, ¹⁶¹ Refinancing, Consolidation, or Revolving Loan Account	At least secured by an interest in land ¹⁶²	Any ¹⁶³	Any	10	5%	\$5	\$25.50 ¹⁶⁴	Okla. Stat. Ann. tit. 14A, § 3-203(5) <i>Uniform Consumer Credit Code - Loans</i>
OR	Mortgage ¹⁶⁵	A single-family, owner-occupied dwelling and appurtenances ¹⁶⁶	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 ¹⁶⁷	Personal or Real Property ¹⁶⁸	Any	Any	Any	Reasonable and bona fide	None	None	Or. Rev. Stat. Ann. § 725.340(1)(b) <i>Oregon Consumer Finance Act</i>
OR	Precomputed Loan Contract ¹⁶⁹	Not Specified	Any	Any	10	5% of the unpaid amount of the installment	None	\$5	Or. Rev. Stat. Ann. § 725.340(2)(a) <i>Oregon Consumer Finance Act</i>
PA	Secondary Mortgage Loan ¹⁷⁰	A dwelling (as defined under TILA) or real property upon which is such a dwelling ¹⁷¹	Any	Secondary ¹⁷²	15	10% of each payment	\$20.00	None	7 Pa. Cons. Stat. § 6125(b)(2)(iii) <i>Mortgage Licensing Act</i>
PR ¹⁷³	A loan ¹⁷⁴	Not specified	Any	Any	15	5% of the payment due	None	None	P.R. Reg. 5722, art. 12

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
RI	High-Cost Home Loan ¹⁷⁵	Real estate which contains a 1-to-4 family unit structure (or a manufactured home), occupied by the borrower as a principal dwelling ¹⁷⁶	Any	Any	15 10 (if pmts biweekly)	3% of the payment past due	None	None	R.I. Gen. Laws Ann. § 34-25.2-6(k) <i>Rhode Island Home Loan Protection Act</i>
SC	Consumer Loan ¹⁷⁷ (and refinancing or consolidation of such)	An interest in land ¹⁷⁸	Any	Secondary ¹⁷⁹	10	5% of the unpaid amount of the delinquent installment	\$7.40 ¹⁸⁰	\$18.50 ¹⁸¹	S.C. Code Ann. § 37-3-203(1) & (2) <i>South Carolina Consumer Protection Code - Loans</i>
SD	A Loan ¹⁸²	Real or personal property ¹⁸³	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 ¹⁸⁴	Real or personal property ¹⁸⁵	Any	Any	5	5% for each default in the payment	\$15.00	None	Tenn. Code Ann. § 45-5-403(a)(4) <i>Industrial Loan and Thrift Companies Act</i>
TN	High-Cost Home Loan ¹⁸⁶	Real estate containing a 1-to-4 family unit structure, occupied as the borrower's principal dwelling ¹⁸⁷	The lesser of \$350,000 or the FNMA conforming loan size limit for a single-family dwelling ¹⁸⁸	Any	10	5% of the payment past due	\$15	None	Tenn. Code Ann. § 45-20-103(15) <i>Tennessee Home Loan Protection Act</i>
TX	A Loan ¹⁸⁹	Not Specified	Any ¹⁹⁰	Any	10	5% of the amount of the delinquent payment	\$7.50	None	Tex. Fin. Code Ann. § 302.001(d) <i>Texas Credit Title</i>
TX	Secondary Mortgage Loan ¹⁹¹	Real property, containing a 1-to-4 family unit dwelling ¹⁹²	Any	Secondary ¹⁹³	10	5% of a scheduled, delinquent installment	None	None	Tex. Fin. Code Ann. § 342.302 ; 7 Tex. Admin. Code § 83.703(d) <i>Texas Credit Title</i>

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
UT	Consumer Credit Agreement ¹⁹⁴	Not specified	≤\$54,600 ¹⁹⁵	Open-End: Any Closed-End: Secondary ¹⁹⁶	Any	5% ¹⁹⁷	\$30 ¹⁹⁸	None	Utah Code Ann. § 70C-2-102(1) <i>Utah Consumer Credit Code</i>
VT	A first lien loan subject to 12 USCA § 1735f-7a	Real estate	Any	Primary ¹⁹⁹	*	*	*	*	Vt. Stat. Ann. tit. 8, § 2216(1)
VT	All other loans	Real estate	Any	Any ²⁰⁰	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 ²⁰¹	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 ²⁰²	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(4) <i>Consumer Loan Act</i>
WV	Precomputed Consumer Loan, ²⁰³ including subordinate loans ²⁰⁴	An interest in land or a factory-built home ²⁰⁵	Any	Any	10	5% of the unpaid amount of the installment ²⁰⁶	None	\$30 ²⁰⁷	W. Va. Code Ann. §§ 31-17-8(e) & 46A-3-112 <i>West Virginia Consumer Credit and Protection Act</i>
WV	Non-precomputed Consumer Loan, ²⁰⁸ including subordinate loans ²⁰⁹	An interest in land or a factory-built home ²¹⁰	Any	Any	10	5% of the unpaid amount of the installment	None	\$30	W. Va. Code Ann. §§ 31-17-8(e) & 46A-3-113 <i>West Virginia Consumer Credit and Protection Act</i>
WI	Precomputed Loan ²¹¹	Not Specified	Any	Any	10	5% of the unpaid amount of the installment	None	None	Wis. Stat. Ann. § 138.09(7)(e)(1)

State	Loan Type	Property and Occupancy Type	Loan Amount	Lien Type	Days Late (Minimum)	Maximum Percentage	Minimum Charge	Maximum Charge	Legal Reference
WI	Non-precomputed Loan ²¹²	Not Specified	Any	Any	Any	9.5%/8% computed upon the unpaid principal balance exclusive of interest ²¹³	None	None	Wis. Stat. Ann. § 138.09(7)(e)(2)
WI	A loan ²¹⁴	A 1-to-4 family dwelling, used as the borrower's principal residence ²¹⁵	Any	Primary ²¹⁶	15	5% of the unpaid amount of any installment	None	None	Wis. Stat. Ann. § 138.052(6)
WI	Consumer Credit Transaction, ²¹⁷ including precomputed consumer loans ²¹⁸	Real or personal property ²¹⁹	≤\$25,000 ²²⁰	Secondary ²²¹	10	5% of the unpaid amount of the installment	None	\$10	Wis. Stat. Ann. §§ 138.09(7)(e)(3) & 422.203(1) <i>Wisconsin Consumer Act – Consumer Credit Transactions</i>
WY	Consumer Loan ²²²	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) ²²³	Any ²²⁴	Any	10	5% of the unpaid amount of the installment	\$10	None	Wyo. Stat. Ann. § 40-14-312(a) <i>Uniform Consumer Credit Code - Loans</i>

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, as well as [Colo. Att’y Gen. Memorandum dated March 13, 2002](#).

¹⁸ See Colo. Att’y Gen. Memo dated March 13, 2002; available at https://coag.gov/sites/default/files/contentuploads/cp/ConsumerCreditUnit/UCCC/General/OpinionLetters/2002-03-13_loans_primarily_secured_by_an_interest_in_land.pdf.

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](#)

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- 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 This dollar amount adjusts each July 1st, in accordance with Ind. Code Ann. § [24-4.5-1-106](#). Every new adjustment is published in 750 Ind. Admin. Code [1-1-1](#).
- ⁴⁶ Iowa Code Ann. § [537.1301\(32\)](#). For exemptions, see *Ibid.* § [537.1202](#)
- ⁴⁷ Iowa Code Ann. § [535.10\(1\)](#). Must not be a “consumer credit transaction” defined under *Ibid.* § [537.1301](#).
- ⁴⁸ Iowa Code Ann. §§ [537.1301\(12\)](#), [\(13\)](#), [\(14\)](#), & [\(15\)](#) and [537.2102](#). For exemptions, see *Ibid.* §§ [537.1202](#) & [537.2502\(1\)](#)
- ⁴⁹ 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](#)).
- ⁵⁰ Iowa Code Ann. §§ [537.1301\(12\) & \(15\)](#)
- ⁵¹ 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](#).
- ⁵² Iowa Code Ann. §§ [537.1301\(12\)](#), [\(13\)](#), [\(14\)](#), & [\(15\)](#) and [537.2102](#). For exemptions, see *Ibid.* §§ [537.1202](#) & [537.2502\(1\)](#)
- ⁵³ 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](#)).
- ⁵⁴ Iowa Code Ann. §§ [537.1301\(12\) & \(15\)](#)
- ⁵⁵ 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\(17\)\(b\)](#).
- ⁵⁶ See Kan. Stat. Ann. § [16a-1-301\(17\)\(a\)](#).
- ⁵⁷ See Kan. Stat. Ann. § [16a-1-301\(17\)\(a\)](#).
- ⁵⁸ 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.
- ⁵⁹ 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\(17\)\(b\)](#).
- ⁶⁰ See Kan. Stat. Ann. § [16a-1-301\(17\)\(a\)](#).
- ⁶¹ See Kan. Stat. Ann. § [16a-1-301\(17\)\(a\)](#).
- ⁶² 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.
- ⁶³ If the scheduled payment amount is \$25 or less, then the cap is reduced to \$5.
- ⁶⁴ Ky. Rev. Stat. Ann. § [286.4-420](#). For exemptions, see *Ibid.* § [286.4-410](#).
- ⁶⁵ Alternatively, 5% of each scheduled installment or \$15, whichever is greater (see Ky. Rev. Stat. Ann. § [286.4-533\(5\)](#)).
- ⁶⁶ Alternatively, 5% of each scheduled installment or \$15, whichever is greater (see Ky. Rev. Stat. Ann. § [286.4-533\(5\)](#)).
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- ⁶⁷ For exemptions, see Ky. Rev. Stat. Ann. § [286.8-020](#).
- ⁶⁸ Ky. Rev. Stat. Ann. § [360.100\(1\)\(a\)](#)
- ⁶⁹ Ky. Rev. Stat. Ann. § [360.100\(1\)\(a\)\(4\)](#)
- ⁷⁰ Ky. Rev. Stat. Ann. § [360.100\(1\)\(a\)\(1\)](#)
- ⁷¹ 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](#).
- ⁷² La. Rev. Stat. Ann. § [6:1083\(6\) & \(17\)](#)
- ⁷³ See La. Rev. Stat. Ann. § [6:1083\(6\)](#)
- ⁷⁴ “. . . 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](#).
- ⁷⁵ 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\(17\)](#).
- ⁷⁶ La. Rev. Stat. Ann. § [9:3516\(12\) through \(14\)](#). For exemptions, see *Ibid.* § [9:3512](#).
- ⁷⁷ La. Rev. Stat. Ann. § [9:3516\(30\)](#)
- ⁷⁸ 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\(14\)\(B\)](#).
- ⁷⁹ Me. Rev. Stat. Ann. tit. 9-A, § [1-301\(26\)](#). For exemptions, see *Ibid.* tit. 9-A, § [1-202](#).
- ⁸⁰ See Me. Rev. Stat. Ann. tit. 9-A, § [1-301\(14\)\(A\)\(4\)](#)
- ⁸¹ See Me. Rev. Stat. Ann. tit. 9-A, § [1-301\(14\)\(A\)\(4\)](#)
- ⁸² See Me. Rev. Stat. Ann. tit. 9-A, § [1-202\(8\)](#)
- ⁸³ Alternatively, a deferral charge allowed under Me. Rev. Stat. Ann. tit. 9-A, § [2-503\(11\)](#) may be assessed instead.
- ⁸⁴ Alternatively, a deferral charge allowed under Me. Rev. Stat. Ann. tit. 9-A, § [2-503\(11\)](#) may be assessed instead.
- ⁸⁵ Md. Code Ann., Com. Law §§ [12-401\(b\)](#) & [12-405\(i\)](#). For exemptions, see Md. Code Ann., Com. Law § [12-401\(i\)\(2\)](#)
- ⁸⁶ Md. Code Ann., Com. Law § [12-401\(i\)\(1\)](#)
- ⁸⁷ Md. Code Ann., Com. Law § [12-401\(i\)\(1\)\(i\)](#)
- ⁸⁸ Md. Code Ann., Com. Law § [12-901\(l\)](#)
- ⁸⁹ Md. Code Ann., Com. Law § [12-1001\(d\) & \(i\)](#)
- ⁹⁰ Mass. Gen. Laws Ann. ch. 140, § [114B](#) & ch. 140D, § [1](#)
- ⁹¹ Mass. Gen. Laws Ann. ch. 183, § [59](#)
- ⁹² Mass. Gen. Laws Ann. ch. 183, § [59](#)
- ⁹³ Mich. Comp. Laws Ann. § [445.1852\(g\)](#)
- ⁹⁴ Minn. Stat. Ann. § [47.20\(2\) - \(3\)](#)
- ⁹⁵ Minn. Stat. Ann. §§ [47.59\(1\)\(l\)](#) & [53.04\(3a\)](#)
- ⁹⁶ Minn. Stat. Ann. § [47.59\(1\)\(i\)](#)
- ⁹⁷ 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]).
- ⁹⁸ Except in regards 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.

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- ⁹⁹ Under Minn. Stat. Ann. § [47.59\(3\)\(j\)](#), 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 <https://mn.gov/commerce/industries/financial-institutions/interest-rates/consumer-credit-code.jsp> for the current dollar amount and <http://mn.gov/commerce-stat/pdfs/consumer-credit-historic-adjustments.pdf> for historical adjustments.
- ¹⁰⁰ See Miss. Code Ann. § [75-67-103\(b\)](#) & Miss. Admin. Code [5-3:1.2](#)
- ¹⁰¹ 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.”
- ¹⁰² 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.
- ¹⁰³ 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](#)).
- 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 Mo. Ann. Stat. §§ [408.015\(7\)](#) & [408.052\(1\)](#). For exemptions, see *Ibid.* § [408.052\(1\)](#).
- ¹⁰⁶ Mo. Ann. Stat. § [408.015\(6\)](#)
- ¹⁰⁷ Mo. Ann. Stat. § [408.231\(1\)](#). For exemptions, see Mo. Stat. Ann. § [408.237](#).
- ¹⁰⁸ Mo. Ann. Stat. § [408.231\(3\)](#)
- ¹⁰⁹ Mont. Code Ann. § 32-5-102(2). For exemptions, see *Ibid.* §§ [32-5-102\(2\)\(b\)](#) & [32-5-103\(5\)](#)
- ¹¹⁰ The definition of “consumer loan” excludes “residential mortgage loans” defined under Mont. Code Ann. § [32-9-103](#) (see *Ibid.* § [32-5-102\(2\)\(b\)\(iii\)](#)). “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\(16\)](#), [\[40\]](#), & [\[41\]](#)).
- ¹¹¹ See Neb. Rev. Stat. Ann. § [45-702\(13\)](#), [\(15\)](#), [\(16\)](#), & [\(26\)](#). For exemptions, see *Ibid.* § [45-703](#).
- ¹¹² Neb. Rev. Stat. Ann. § [45-702\(9\)](#) & [\(27\)](#)
- ¹¹³ See Neb. Rev. Stat. §§ [45-101.03](#) & [45-1002\(3\) & \(4\)](#). For exemptions, see *Ibid.* §§ [45-1002\(3\) & \(4\)](#) and [45-1003](#).
- ¹¹⁴ See Nev. Rev. Stat. Ann. § [99.050](#)
- ¹¹⁵ For exemptions, see Nev. Rev. Stat. Ann. §§ [645B.0127\(3\)](#), [645B.015](#), [645B.018](#), [645E.100\(3\)](#), [645E.150](#), & [645E.170](#)
- ¹¹⁶ Nev. Rev. Stat. Ann. § [604A.0703](#). For exemptions, see *Ibid.* §§ [604A.250](#) & [604A.480\(2\)](#).
- ¹¹⁷ 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.
- ¹¹⁸ 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.
- ¹¹⁹ N.H. Rev. Stat. Ann. § [358-K:6](#).
- ¹²⁰ 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](#).
- ¹²¹ See N.J. Stat. Ann. § [17:11C-87](#) and N.J. Admin. Code § [3:15-1.2](#).
- ¹²² N.J. Stat. Ann. § [46:10B-24](#)
- ¹²³ N.J. Stat. Ann. § [46:10B-24](#)
- ¹²⁴ N.M. Stat. Ann. § [58-21-2\(J\)](#). For exemptions, see *Ibid.* § [58-21-6](#)
- ¹²⁵ N.M. Stat. Ann. § [58-21-2\(F\) & \(J\)](#)
- ¹²⁶ N.M. Stat. Ann. § [58-21A-3\(J\)](#)
- ¹²⁷ N.M. Stat. Ann. § [58-21A-3\(J\)](#)
- ¹²⁸ N.M. Stat. Ann. § [58-21A-3\(J\)](#)
- ¹²⁹ 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\(2\)](#))
- ¹³⁰ N.Y. Comp. Codes R. & Regs. tit. 3, § [80.1\(c\)](#)
- ¹³¹ N.Y. Comp. Codes R. & Regs. tit. 3, §§ [419.1\(e\)](#) & [419.10\(d\)](#)

¹³² 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\(1\)](#))

¹³³ 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.

¹³⁴ See N.C. Gen. Stat. Ann. §§ [24-1.1](#), [24-10.1](#), [24-1.1A](#), [54B-156](#), & [54C-125](#).

¹³⁵ See N.C. Gen. Stat. Ann. § [24-1.1](#)

¹³⁶ 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](#)

¹³⁷ 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](#))

¹³⁸ 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 sections provisions.

¹³⁹ N.C. Gen. Stat. Ann. § [24-10.1\(b\)\(2\)](#) stipulates an alternative: “[No lender may charge a late payment charge] In excess of the amount disclosed with particularity to the borrower pursuant to the provisions of the Federal Consumer Credit Protection Act if the transaction is one to which the provisions of that act apply, which in no event shall exceed four percent (4%).”

¹⁴⁰ N.C. Gen. Stat. Ann. § [24-9\(a\)\(2\)](#)

¹⁴¹ N.C. Gen. Stat. Ann. § [24-9\(a\)\(3\)](#)

¹⁴² N.C. Gen. Stat. Ann. § [24-9\(a\)\(2\)\(b\)](#)

¹⁴³ N.C. Gen. Stat. Ann. § [24-9\(a\)\(2\)\(e\)](#)

¹⁴⁴ N.C. Gen. Stat. Ann. § [24-9\(a\)\(3\)](#).

¹⁴⁵ 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\(c\)](#).

¹⁴⁶ 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\(d\)](#)).

¹⁴⁷ See N.C. Gen. Stat. Ann. § [24-9\(a\)\(3\) & \(b\)](#)

¹⁴⁸ “\$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\(d1\)](#)

¹⁴⁹ See N.C. Gen. Stat. Ann. §§ [54B-156](#) & [54C-125](#).

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

¹⁵¹ 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.

¹⁵² The restrictions are applicable to a “registrant”, who is authorized to make a wide variety of loans under Ohio Rev. Code Ann. § [1321.52](#).

¹⁵³ 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.

¹⁵⁴ Ohio Rev. Code Ann. § [1345.01\(A\)](#). For exemptions, see *Ibid.* § [1345.12](#)

¹⁵⁵ Ohio Rev. Code Ann. § [1345.01\(I\)](#)

¹⁵⁶ Ohio Rev. Code Ann. § [1345.01\(I\)](#)

¹⁵⁷ Okla. Stat. Ann. tit. 14A, §§ [3-104](#) & [3-105](#). For exemptions, see Okla. Stat. Ann. tit. 14A, § [1-202](#)

¹⁵⁸ 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](#).

¹⁵⁹ 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](#)).

¹⁶⁰ If greater, the same amount as a permissible deferral charge, authorized under Okla. St. Ann. tit. 14A, § [3-204\(3\)](#). The \$25.50 amount is subject to change each year and the new amount can be found in the Appendices of Okla. Admin. Code § [160:20](#).

¹⁶¹ Okla. Stat. Ann. tit. 14A, §§ [3-104](#) & [3-105](#). For exemptions, see Okla. Stat. Ann. tit. 14A, § [1-202](#)

¹⁶² 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](#).

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- ¹⁶³ 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](#)).
- ¹⁶⁴ If greater, the same amount as a permissible deferral charge, authorized under Okla. St. Ann. tit. 14A, § [3-204\(3\)](#). The \$25.50 amount is subject to change each year and the new amount can be found in the Appendices of Okla. Admin. Code § [160:20](#).
- ¹⁶⁵ 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](#))
- ¹⁶⁶ See Or. Rev. Stat. §§ [86.160\(4\)](#) & [86.175](#)
- ¹⁶⁷ Or. Rev. Stat. Ann. § [725.010\(2\)](#)
- ¹⁶⁸ Or. Rev. Stat. Ann. § [725.010\(2\)](#)
- ¹⁶⁹ Open-end loan plans are exempt from these late fee restrictions. See Or. Rev. Stat. Ann. § [725.345\(4\)](#)
- ¹⁷⁰ 7 Pa. Cons. Stat. § [6102](#). For exemptions, See *Ibid.* §§ [6101\(a\)](#) & [6112](#).
- ¹⁷¹ See 7 Pa. Cons. Stat. § [6102](#)
- ¹⁷² See 7 Pa. Cons. Stat. § [6102](#)
- ¹⁷³ 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.
- ¹⁷⁴ For exemptions, see P.R. Reg. 5722, art. 3
- ¹⁷⁵ R.I. Gen. Laws Ann. § [34-25.2-4\(l\) & \(m\)](#). For exemptions, see *Ibid.* §§ [34-25.2-4\(m\)](#) & [34-25.2-11](#)
- ¹⁷⁶ See R.I. Gen. Laws Ann. § [34-25.2-4\(m\)](#)
- ¹⁷⁷ S.C. Code Ann. § [37-3-104](#). For exemptions, see *Ibid.* §§ [37-1-202](#) & [37-3-105](#)
- ¹⁷⁸ See S.C. Code Ann. § [37-3-104](#).
- ¹⁷⁹ See S.C. Code Ann. § [37-3-105](#)
- ¹⁸⁰ Amount current 7/1/2018 to 6/30/2020. 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 (<http://www.consumer.sc.gov/Pages/Legal.aspx>).
- ¹⁸¹ Amount current 7/1/2018 to 6/30/2020. 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 (<http://www.consumer.sc.gov/Pages/Legal.aspx>).
- ¹⁸² See S.D. Codified Laws § [54-4-36\(12\)](#). For exemptions, see S.D. Codified Laws §§ [54-4-37](#) & [54-4-64](#)
- ¹⁸³ See S.D. Codified Laws § [54-4-36\(12\)](#)
- ¹⁸⁴ Tenn. Code Ann. § [45-5-102\(8\) - \(10\) & \(20\)](#). For exemptions, see *Ibid.* § [45-5-104](#)
- ¹⁸⁵ See Tenn. Code Ann. § [45-5-301\(1\)](#)
- ¹⁸⁶ Tenn. Code Ann. § [45-20-102\(8\) & \(9\)](#). For exemptions, see *Ibid.* § [45-20-102\(9\)\(D\)](#)
- ¹⁸⁷ Tenn. Code Ann. § [45-20-102\(8\) & \(9\)\(C\)](#)
- ¹⁸⁸ Tenn. Code Ann. § [45-20-102\(8\) & \(9\)\(A\)](#)
- ¹⁸⁹ Tex. Fin. Code Ann. § [301.002\(10\)](#)
- ¹⁹⁰ 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](#)
- ¹⁹¹ 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](#).
- ¹⁹² See Tex. Fin. Code § [342.001\(4\)](#). See also 7 Tex. Admin. Code § [83.101\(b\)](#).
- ¹⁹³ See Tex. Fin. Code § [342.001\(4\)\(A\)](#)
- ¹⁹⁴ Utah Code Ann. § [70C-1-201](#). For exemptions, see Utah Code Ann. § [70C-1-202\(2\)](#).
- ¹⁹⁵ Amount adjusts annually by the Utah Department of Financial Institutions (see <http://dfi.utah.gov/non-depository/consumer-lending/>). See also Utah Code Ann. § [70C-1-202\(2\)\(d\)\(ii\)](#) for details.
- ¹⁹⁶ Utah Code Ann. § [70C-1-202\(2\)\(b\)](#)
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- ¹⁹⁷ 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\(1\)\(b\)](#).
- 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 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.
- ²⁰⁰ 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.
- ²⁰¹ See Va. Code Ann. § [6.2-300](#).
- ²⁰² 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](#).
- ²⁰³ W. Va. Code Ann. § [46A-1-102\(15\)](#) & [\(33\)](#).
- ²⁰⁴ W. Va. Code Ann. § [31-17-1\(o\)](#). For exemptions, see *Ibid.* §§ [31-17-2](#) & [46A-1-105](#).
- ²⁰⁵ W. Va. Code Ann. § [46A-1-102\(15\)\(d\)](#); see also *Ibid.* § [31-17-1\(o\)](#).
- ²⁰⁶ 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](#).
- 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 W. Va. Code Ann. § [46A-1-102\(15\)](#).
- ²⁰⁹ W. Va. Code Ann. § [31-17-1\(o\)](#). For exemptions, see *Ibid.* §§ [31-17-2](#) & [46A-1-105](#).
- ²¹⁰ W. Va. Code Ann. § [46A-1-102\(15\)\(d\)](#); see also *Ibid.* § [31-17-1\(o\)](#).
- ²¹¹ Wis. Stat. Ann. § [138.09\(7\)\(a\)\(1\)](#). For exemptions, see Wis. Stat. Ann. § [138.09\(1a\)](#).
- ²¹² For the definition of a precomputed loan, see Wis. Stat. Ann. § [138.09\(7\)\(a\)\(1\)](#). For exemptions, see Wis. Stat. Ann. § [138.09\(1a\)](#).
- ²¹³ 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.
- ²¹⁴ Wis. Stat. Ann. § [138.052\(1\)\(b\)](#). For exemptions, see *Ibid.* § [138.052\(8\)](#) & [\(10\)](#).
- ²¹⁵ Wis. Stat. Ann. § [138.052\(1\)\(b\)](#).
- ²¹⁶ Wis. Stat. Ann. § [138.052\(1\)\(b\)](#).
- ²¹⁷ Wis. Stat. Ann. §§ [421.301\(10\)](#), [\(12\)](#), & [\(13\)](#) and [422.102](#). For exemptions, see *Ibid.* §§ [421.202](#), [421.203](#), & [422.203\(1\)](#).
- ²¹⁸ Wis. Stat. Ann. § [138.09\(7\)\(a\)](#). For exemptions, see *Ibid.* § [138.09\(1a\)](#).
- ²¹⁹ Wis. Stat. Ann. § [421.301\(10\)](#).
- ²²⁰ Wis. Stat. Ann. § [421.202\(6\)](#).
- ²²¹ See Wis. Stat. Ann. § [421.202\(7\)](#).
- ²²² Wyo. Stat. Ann. §§ [40-14-302](#) & [40-14-304](#). For exemptions, see *Ibid.* § [40-14-121](#), [40-14-304](#), & [40-14-305](#).
- ²²³ Wyo. Stat. Ann. § [40-14-304\(a\)\(iv\)](#).
- ²²⁴ 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](#).