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Kansas

STATE HIGH COST/PREDATORY LENDING REGULATIONS

Last Updated: 2/22/2018 By: BH

Coded: 2/27/2017 By: ZB

Reviewed: 3/1/2018 By: BH

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

LOAN AMOUNT COVERED: No limitation

BORROWERS COVERED:

Individuals Trusts
 Organizations Other:

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

Loan Amount as defined in HOEPA 226.32 Note Amount
 Loan Amount as defined in HCML 1026.32 Other:

LOAN TYPES COVERED:

Conventional FHA
 VA RHS
 Other:

LOAN PURPOSES COVERED:

Purchase Construction to Perm
 Builder Refinance
 Equity Out Home Equity Closed End
 One Time Closing Modification
 Purchase Plus Improvements Refinance Plus Improvements
 Lot Loan Home Improvement
 Borrower Interim One Time Closing with Modification
 HELOC Assumption

BRIDGE LOANS COVERED

Yes No

PROPERTY OCCUPANCY COVERED:

Primary Residence Second Home
 Investment Raw Land

APR THRESHOLDS:

APR Unteased APR Other:

First Lien: N/A %

Subordinate Lien: N/A %

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APR COMPARED AGAINST:

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

DATE FOR APR TEST:

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

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

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | Use HC Flag |
| <input type="checkbox"/> | Use APR & Paid To (§1026.32) |
| <input checked="" type="checkbox"/> | Use APR & Paid To, except: Include ALL APR fees |

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

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

ADJUSTMENTS:

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

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

APR fees

OTHER ITEMS TO BE TESTED/CONSIDERED: Kan. Stat. Ann. 16a § 2.401(6)(a)

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