

## PUBLICATION UPDATE

Route to:

---

# Federal Fair Lending and Credit Practices Manual

Publication 4758   Release 33

January 2024

## HIGHLIGHTS

- This release updates the Federal Fair Lending and Credit Practices Manual, Revised Edition, with compliance guidance for recent changes in a wide range of fair lending laws and regulations.
- Please see below for details regarding new and updated material included in this release.

### Chapter 1, Home Mortgage Disclosure Act

The Consumer Financial Protection Bureau published the 2024 Home Mortgage Disclosure Act (HMDA) Filing Instructions Guide, a technical resource to help financial institutions file HMDA data collected in 2024 and reported in 2025. Also, the Bureau filed a lawsuit against Freedom Mortgage Corporation for

violations of the HMDA.

### Chapter 2, Community Reinvestment

On May 5, 2022, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the FDIC issued a joint notice of proposed rulemaking to strengthen and modernize the Community Reinvestment Act (CRA) regulatory framework.

### Chapter 3, Fair Housing Act

The Tenth Circuit recently held that whether a zoning ordinance is facially discriminatory is a legal issue that can be discerned from the face of the ordinance; it requires no more proof of discriminatory motive.

The Tenth Circuit held that where an attorney contended that most of the work responding to a motion to strike could not be compensated un-

der 28 U.S.C.S. § 1927, a reduction in fees was warranted because the motion challenged multiple affirmative defenses, not just the real-party-in-interest defense, which was the only sanctionable conduct.

#### **Chapter 4, Purpose and Scope of the Equal Credit Opportunity Act (ECOA)**

The Consumer Financial Protection Bureau launched an initiative in late 2023 to better understand the financial experiences of immigrants in the United States. The CFPB and Justice Department issued a joint statement that reminds financial institutions that all credit applicants are protected from discrimination on the basis of their national origin, race, and other characteristics covered by the Equal Credit Opportunity Act, regardless of their immigration status.

#### **Chapter 5, Rules Governing the Taking of Credit Applications**

The Sixth Circuit has held that § 1981 does not create an independent cause of action against a governmental entity.

#### **Chapter 6, Rules Concerning Evaluation of Creditworthiness**

The CFPB recently issued guidance about certain legal requirements that lenders must adhere to when using artificial intelligence and other complex models. The guidance describes the way in which lenders

must use specific and accurate reasons when taking adverse actions against consumers.

#### **Chapter 7, Notification by Creditors to Applicants and Debtors**

The CFPB recently published a document concerning franchising which communicates the extent to which the Equal Credit Opportunity Act (ECOA) and its implementing Regulation B apply with respect to franchisees seeking credit to finance their businesses.

#### **Chapter 8, Prohibition Against Discriminatory Credit and Reporting Practices**

A number of settlements for lending discrimination redlining are discussed.

#### **Chapter 9, Administrative Enforcement and ECOA Civil Penalties**

The Justice Department announced a settlement agreement to resolve allegations that American Bank of Oklahoma engaged in a pattern or practice of lending discrimination by redlining in Tulsa, Oklahoma. The impacted area includes the historically Black neighborhoods that were the site of the 1921 Tulsa Race Massacre. This resolution is part of the department's nationwide Combating Redlining Initiative launched by Attorney General Merrick B. Garland in October 2021.

---

Matthew Bender provides continuing customer support for all its products:

- Editorial assistance—please consult the “Questions About This Publication” directory printed on the copyright page;
- Customer Service—missing pages, shipments, billing or other customer service matters, +1.800.833.9844.
- Outside the United States and Canada, +1.518.487.3385, or fax (+1.800.828.8341) or email (international@bender.com);
- Toll-free ordering (+1.800.223.1940) or visit [www.lexisnexis.com/BrowseUs](http://www.lexisnexis.com/BrowseUs).



[www.lexis.com](http://www.lexis.com)

---

---

Copyright © 2024 Matthew Bender & Company, Inc., a member of the LexisNexis Group.  
Publication 4758, Release 33, January 2024

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc., used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.



## FILING INSTRUCTIONS

# Federal Fair Lending and Credit Practices Manual

Publication 4758 Release 33

January 2024

Check  
As  
Done

- 1. Check the Title page in the front of your present Volume 1. It should indicate that your set is filed through Release Number 32. If the set is current, proceed with the filing of this release. If your set is not filed through Release Number 32, DO NOT file this release. Please call Customer Services at 1-800-833-9844 for assistance in bringing your set up to date.
- 2. This Release Number 33 contains only White Revision pages.
- 3. Circulate the "Publication Update" among those individuals interested in the contents of this release.
- 4. Please pay particular attention to the instructions listed on page FI-2 prior to filing this release.

Check  
As  
Done

#### **SPECIAL FILING INSTRUCTIONS**

**DO NOT PROCEED WITH THE FILING OF THIS RELEASE  
UNTIL YOU HAVE COMPLETED THE FOLLOWING STEPS**

##### **DELETION OF TAB CARDS FOR VOLUMES 1 AND 2**

- 1. Your set contains 2 volumes. Assemble all volumes next to each other.
- 2. Beginning with Volume 1, page through your volume and remove any tab cards currently in the volume and set them aside.
- 3. Repeat step 2 for each volume in your set.
- 4. Please recycle the removed tab cards. We no longer support tab cards for this product.
- 5. Once completed, please continue with the regular filing of your Release 33.

**Check**  
**As**  
**Done**

*Remove Old  
Pages Numbered*

*Insert New  
Pages Numbered*

## **VOLUME 1**

### **Revision**

<input type="checkbox"/>	Title page thru 1-1 . . . . .	Title page thru 1-2.1
<input type="checkbox"/>	1-22.11 thru 1-22.13. . . . .	1-22.11 thru 1-22.13
<input type="checkbox"/>	1-71 thru 1-73 . . . . .	1-71 thru 1-75
<input type="checkbox"/>	2-1. . . . .	2-1 thru 2-2.1
<input type="checkbox"/>	2-11 . . . . .	2-11 thru 2-12.1
<input type="checkbox"/>	2-16.3 . . . . .	2-16.3
<input type="checkbox"/>	3-6.1 thru 3-8.1 . . . . .	3-7 thru 3-8.1
<input type="checkbox"/>	3-27 . . . . .	3-27 thru 3-28.1
<input type="checkbox"/>	3-39 thru 3-51 . . . . .	3-39 thru 3-52.1
<input type="checkbox"/>	3-61 . . . . .	3-61 thru 3-62.1
<input type="checkbox"/>	3-79 . . . . .	3-79 thru 3-80.1
<input type="checkbox"/>	3-123 thru 3-131 . . . . .	3-123 thru 3-132.1
<input type="checkbox"/>	4-3 thru 4-5. . . . .	4-3 thru 4-6.1
<input type="checkbox"/>	4-27 thru 4-34.1. . . . .	4-27 thru 4-34.1
<input type="checkbox"/>	4-42.1 thru 4-45. . . . .	4-43 thru 4-46.1
<input type="checkbox"/>	5-28.1 thru 5-28.5. . . . .	5-28.1 thru 5-28.5
<input type="checkbox"/>	5-43 . . . . .	5-43 thru 5-44.1
<input type="checkbox"/>	6-3 thru 6-4.1 . . . . .	6-3 thru 6-4.1
<input type="checkbox"/>	6-13 . . . . .	6-13 thru 6-14.1
<input type="checkbox"/>	6-35 thru 6-42.1. . . . .	6-35 thru 6-42.3
<input type="checkbox"/>	7-1. . . . .	7-1
<input type="checkbox"/>	7-15 thru 7-16.1. . . . .	7-15 thru 7-16.1
<input type="checkbox"/>	7-45 thru 8-9 . . . . .	7-45 thru 8-10.1
<input type="checkbox"/>	8-46.7 . . . . .	8-46.7 thru 8-46.11
<input type="checkbox"/>	9-1 thru 9-117 . . . . .	9-1 thru 9-133

## **VOLUME 2**

### **Revision**

<input type="checkbox"/>	Title page. . . . .	Title page
<input type="checkbox"/>	I-1 thru I-49 . . . . .	I-1 thru I-47

FILE IN THE FRONT OF THE FIRST VOLUME  
OF YOUR SET

To order missing pages log on to our self service center, [www.lexisnexis.com/printcdsc](http://www.lexisnexis.com/printcdsc) or call Customer Services at 1 (800) 833-9844 and have the following information ready:

- (1) the publication title;
- (2) specific volume, chapter and page numbers; and
- (3) your name, phone number, and Matthew Bender account number.

Please recycle removed pages.

MISSING FILING INSTRUCTIONS?  
FIND THEM AT [www.lexisnexis.com/printcdsc](http://www.lexisnexis.com/printcdsc)

Use the search tool provided to find and download missing filing instructions, or sign on to the Print & CD Service Center to order missing pages or replacement materials. Visit us soon to see what else the Print & CD Service Center can do for you!



[www.lexis.com](http://www.lexis.com)

---

Copyright © 2024 Matthew Bender & Company, Inc., a member of the LexisNexis Group.  
Publication 4758, Release 33, January 2024

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc., used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.