

Credit Discrimination

Unfair credit discrimination still permeates the American marketplace. Every day, countless individuals and families are denied access to mainstream credit because they are not white or because they are women, seniors, or disabled. In addition to perpetuating historical discrimination against minority groups, credit discrimination destroys the financial well-being of its victims. Without access to reasonably priced credit, it becomes measurably more difficult to achieve homeownership and build assets, pay for college education or vocational training, or even buy a reliable car for transportation to work.

Credit Discrimination



Examines the ECOA, Fair Housing Act, civil rights statutes, HMDA, Community Reinvestment Act, and state discrimination laws.

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Policy Analysis

Policy Briefs, Reports, & Press Releases

- Issue Brief: Credit Invisibility and Alternative Data: Promises and Perils, July 2019

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Comments

- Comments to the CFPB re: Financial Institutions' Use of Artificial Intelligence and Machine Learning, Jul. 1, 2021
- Group comments to CFPB re: Comments on the Request for Information on the Equal Credit Opportunity Act and Regulation B, Dec. 1, 2020
- Group comments to federal banking regulators OCC and FDIC re: Notice of Proposed Rulemaking, Community Reinvestment Act, April 8, 2020
- NCLC comments to the Office of the Comptroller of the Currency opposing proposed changes that will weaken the Community Reinvestment Act, Jan. 28, 2020
- Comments to CFPB on proposed technical changes to the Home Mortgage Disclosure Act (HMDA), May 25, 2017
- Consumer comments to CFPB re aligning the requirements of the Equal Credit Opportunity Act (ECOA) with the data collection requirements of the Home Mortgage Disclosure Act

(HMDA), May 4, 2017 || Additional Comments, May 25, 2017

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Testimony

- Testimony of NCLC Associate Director Lauren Saunders before the U.S. House Financial Services Committee on Data Aggregators, Nov. 21, 2019

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Letters

- Group Letter to the CFPB re: Financial Institutions' Use of Artificial Intelligence and Machine Learning, July 1, 2021
- Letter opposing H.R. 2133, Community Lending Enhancement and Regulatory Relief Act, July 11, 2017

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Litigation

- American Insurance Association v. U. S. Department of Housing and Urban Development, Case No. 1:13-cv-00966-RJL (D.D.C.) NCLC joined an amicus brief drafted by the NAACP Legal Defense and Educational Fund and the American Civil Liberties Union, also joined by the National Community Reinvestment Coalition, in support of the defendant's motion to dismiss or, in the alternative, for summary judgment in this case challenging HUD's Discriminatory Effects Rule under the Fair Housing Act. (2/20/2014)
- Township of Mount Holly, New Jersey v. Mt. Holly Gardens Citizens in Action, Inc., U.S. Supreme Court, No. 11-1507
NCLC and ACLU filed an amicus brief, joined by seven other advocacy groups, supporting the respondents' position that the U.S. Court of Appeals for the Third Circuit decided correctly in ruling that the Fair Housing Act authorizes disparate impact civil rights claims as a means to combat housing discrimination.
- Subprime Mortgage Discrimination: National class action cases brought under the Fair Housing Act and the Equal Credit Opportunity Act against certain subprime mortgage lenders
- Autofinance Discrimination: National class action cases brought under the Equal Credit Opportunity Act against certain auto finance companies and banks.
- *Magner v. Gallaher*, U.S. Supreme Court No.1032
NCLC has joined an amicus brief prepared by the Lawyers' Committee for Civil Rights Under Law with other national civil rights organizations arguing that the Fair Housing Act properly is interpreted to authorize disparate impact claims and that the Eighth Circuit applied the correct burden shifting approach to litigating disparate impact claims consistent with the way Title VII cases are litigated and HUD's proposed regulation governing this subject. Brief. NCLC also consulted with the ACLU (which cites NCLC's Credit Discrimination manual and references NCLC's sub-prime mortgage discrimination disparate impact cases brought under the Fair Housing Act) and the Department of Justice with regards to the preparation of the amicus briefs they separately prepared and filed with the Supreme Court in the appeal. Briefs.

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