May 15, 2019

Director Kathleen Kraninger
Consumer Financial Protection Bureau
1700 G Street NW
Washington, DC 20552
Submitted electronically via https://www.regulations.gov

Re: Comments on Proposal to Rescind Ability-to-Repay Requirements Governing Payday, Vehicle Title, and Certain High-Cost Installment Loans, Docket No. CFPB-2019-0006; RIN 3170-AA80

Dear Director Kraninger,

We, the undersigned 429 civil rights, consumer, labor, faith, veterans, senior, business, and community organizations from 46 states plus the District of Columbia write to vehemently oppose the proposed rescission of the common sense ability-to-repay requirements of the Consumer Financial Protection Bureau (the Bureau)’s 2017 payday and vehicle title loan rule (“Ability-to-Repay Rule” or “Rule”).

We are painfully aware of the severe harm that unaffordable payday and car title loans cause to the communities we represent. Payday lenders concentrate themselves within low-income neighborhoods and far more heavily—even controlling for income—within communities of color, making loans without assessing whether borrowers can repay them. Unaffordable payday and car title loans set debt traps—long series of loans that drive borrowers deeper into financial distress and often to financial ruin. The debt trap is the lenders’ business model.

The debt trap is associated with greater risk of delinquency on rent payments and other bills, delayed medical care, overdraft fees, loss of bank accounts, and bankruptcy. It can also inflict severe psychological harm, including distress resulting from aggressive debt collection practices. The debt trap, in the words of some who have been there, is a “living hell.”¹

Bank-issued payday loans, whose expansion the Bureau now encourages, were also typically unaffordable, leading to a cycle of repeat loans. Contrary to bank claims, we have seen no evidence that these loans gave people an alternative to non-bank payday lending or drove non-bank payday lender volume down. Rather, data suggests they simply saddled bank customers with additional unaffordable debt.

Hundreds of organizations all across the country earlier called for a strong Bureau rule to stop the debt trap, including by urging the Bureau to finalize a rule more protective of consumers than the one it issued in 2017. We have known since before the 2017 Rule was finalized that the payday lenders—a powerful, well-resourced, savvy lobby—would pull out all the stops to preserve their debt trap business model, including through Congress and through the courts.

We did not expect, however, that new Bureau leadership would side with payday and car title lenders at every turn. In December 2017, new Bureau leadership endorsed efforts in Congress to overturn the Rule—even stating that Congress was “the more appropriate place” for the repeal to happen. That effort failed. Bureau leadership then sided with industry associations in litigation challenging the Rule. That litigation, on its own, did not erase the rule. The Bureau leadership now attempts to repeal the rule through this proposal.

The Bureau’s proposed repeal relies on fabricated rationales in support of prejudged conclusions to give predatory lenders what they want. It is an abdication of the Bureau’s statutory mandate and a betrayal of every financially distressed American preyed upon by unaffordable payday and car title loans. As president and CEO of the Leadership Conference on Civil and Human Rights, Vanita Gupta, recently said, a rescission of the Ability-to-Repay Rule would be “a slap in the face to consumers—especially people of color—who have been victims of predatory business practices and abusive lenders.” The Bureau’s attack on the “unfair” and “abusive” standards broadens that betrayal to virtually every American who, at one time or another, will be harmed by unscrupulous financial practices.

Nearly 100 million Americans live in the 16 states plus the District of Columbia where laws cap rates at 36% or below, not permitting the high rates payday lenders charge. As a result, nonbank payday lenders do not operate in those states, and residents save over $2.3 billion annually on payday loans. States not permitting high-cost car title loans save their residents $2.8 billion annually. State laws in the remaining states leave their residents vulnerable to the debt trap caused by unaffordable payday loans. This is no excuse for the CFPB to roll back critical protections against the debt trap; indeed, Congress gave the CFPB a special mandate to address payday lending across the nation. Moreover, a return of unaffordable payday loans by banks, which generally do not abide by state usury caps, would threaten the financial well-being of consumers from sea to shining sea.

Please withdraw this unjustified repeal proposal and permit the protections against the payday and car title lending debt trap to go into effect.

National
Allied Progress
Americans for Financial Reform
American Family Voices
Avodah
Bend the Arc Jewish Action
Center for Responsible Lending
Central Conference of American Rabbis
Color Of Change
Communications Workers of America (CWA)
Consumer Action
Consumer Federation of America
Demos
Farmworker Justice
Habitat for Humanity International
Hebrew Free Loan Society
Jewish Council for Public Affairs
Jewish Women International
League of United Latin American Citizens (LULAC)
Main Street Alliance
NAACP
National Advocacy Center of the Sisters of the Good Shepherd
National Association of Consumer Advocates
National Association for Latino Community Asset Builders
National CAPACD
National Center for Law and Economic Justice
National Community Reinvestment Coalition (NCRC)
National Consumer Law Center (on behalf of its low income clients)
National Consumers League
National Council of Jewish Women
National Fair Housing Alliance
National Foundation for Credit Counseling
National Latino Farmers and Ranchers Trade Association
National NeighborWorks Association
National Rural Social Work Caucus
NETWORK Lobby for Catholic Social Justice
New Hope Collaborative
Prosperity Now
Reconstructing Judaism
Service Employees International Union
Sisters of Charity of Nazareth Congregational Leadership
Sisters of Charity of Nazareth Western Province Leadership
Southern Poverty Law Center
The Leadership Conference on Civil and Human Rights
T’ruah: The Rabbinic Call for Human Rights
Union for Reform Judaism
Uri L'Tzedek (Orthodox Social Justice)
U.S. PIRG
The Workmen's Circle

Alabama
The Alabama Appleseed Center for Law & Justice
Alabama Faith Council
The Alliance for Responsible Lending in Alabama (ARLA)
Greater Birmingham Ministries
Tuscaloosa Citizens Against Predatory Practices
YWCA Central Alabama

**Alaska**
Alaska AFL-CIO
The Alaska Center
Alaska Community Action on Toxics
Alaska Public Interest Research Group (AkPIRG)
Bristol Bay Development Fund
Cook Inlet Housing Authority
Cook Inlet Lending Center, Inc.
NAACP - Anchorage, Alaska
Northern Justice Project
Spruce Root, Inc.

**Arizona**
Arizona Coalition to End Sexual & Domestic Violence
AZ PIRG
Center for Economic Integrity
Family Housing Resources
Primavera Foundation
Take Charge America
Trellis
Wildfire: Igniting Community Action to End Poverty in Arizona
World Hunger Ecumenical Arizona Task Force, Inc (WHEAT)

**Arkansas**
Arkansans Against Abusive Payday Lending
Arkansas Community Organization

**California**
AME Church - Fifth Episcopal District
Beneficial State Foundation
California League of United Latin American Citizens
California Reinvestment Coalition
CALPIRG
CAMEO - California Association for Micro Enterprise Opportunity
Coalition for Humane Immigrant Rights (CHIRLA)
Community Development Technologies Center
Consumers for Auto Reliability and Safety
Delores Huerta Foundation
Fair Housing Council of Riverside County, Inc.
Housing and Economic Rights Advocates
Macedonia Baptist Church of Los Angeles
Mission Asset Fund (MAF)
New Economics for Women
Our Revolution San Leandro
Public Law Center
San Francisco Office of Financial Empowerment

**Colorado**
The Bell Policy Center
CoPIRG (Colorado Public Interest Research Group)
The Interfaith Alliance of Colorado
Rose of Sharon Tabernacle

**Connecticut**
Capital For Change
Connecticut Appleseed Center for Law and Justice Inc.
Connecticut Association For Human Services
Connecticut Citizen Action Group (CCAG)
Connecticut Fair Housing Center
Connecticut Legal Services, Inc.
ConnPIRG
Connecticut Veterans Legal Center
Mothers (and Others) for Justice
New Haven Legal Assistance Assoc.
Witnesses to Hunger - New Haven Chapter

**Delaware**
Delaware Community Reinvestment Action Council, Inc.

**District of Columbia**
Legal Aid Society of the District of Columbia
Tzedek DC

**Florida**
Brevard County Legal Aid
Capital Good Fund
Catalyst Miami
Florida Alliance for Consumer Protection
Florida Alliance for Retired Americans
Florida Consumer Action Network
Florida Council of Churches
Florida Legal Services
Florida PIRG
Florida Prosperity Partnership
Jacksonville Area Legal Aid
Latino Leadership, Inc.
Legal Aid Society of Orange County Bar Association
Legal Aid Society of Palm Beach County
Legal Service of Broward County
Progress Florida
Solita’s House

**Georgia**
Atlanta Legal Aid Society, Inc.
Economic Empowerment Initiative, Inc.
Georgia Sustainable Community Ventures
Georgia PIRG
Georgia Watch
Sconiers Homeless Preventative Organization Inc
Urban Asset Builders, Inc.

**Hawaii**
Hawai’i Alliance for Community-Based Economic Development
Hawaii Appleseed Center for Law & Economic Justice
Hawaiian Community Assets

**Illinois**
CEDA of Cook County, Inc.
Center for Changing Lives
Heartland Alliance for Human Needs & Human Rights
Housing Action Illinois
Illinois PIRG
Legal Council For Health Justice
Oak Park Regional Housing Center
Partners In Community Building
Project IRENE
Woodstock Institute
Indiana
All Souls Unitarian Church
Citizens Action Coalition of Indiana
Community, Faith and Labor Coalition
Fair Housing Center of Central Indiana
GCC Foundation
Grace Church
Habitat for Humanity Clark & Floyd Indiana, Inc
Habitat for Humanity of Indiana
HomesteadCS
Hoosier Action
Indiana Assets & Opportunity Network
Indiana Association of Area Agencies on Aging
Indiana Catholic Conference
Indiana Coalition Against Domestic Violence, Inc.
Indiana Community Action Association
Indianapolis Worker Justice Center
Indiana PIRG
Indian Creek Christian Church
LifeStream Services, Inc.
Lincoln Hills Development Corporation
Marion County Commission on Youth, Inc.
The Military / Veterans Coalition of Indiana
Northwest Indiana Reinvestment Alliance
Prosperity Indiana
Southeast Community Services
StarkePulaski Habitat for Humanity
Wayne Township Trustee of Wayne County
West Indianapolis Development Corp.

Iowa
Iowa Citizens for Community Improvement
Iowa PIRG

Kansas
Advocates for Immigrant Rights and Reconciliation
Consumer Credit Counseling Service, Inc
Kansas Appleseed
Kansas Legal Services, Inc.
Unitarian Universalist Fellowship of Manhattan, KS
Kentucky
Citizens of Louisville Organized & United Together
Kentucky Center for Economic Policy
Kentucky Coalition Against Domestic Violence
Kentucky Equal Justice Center
Redbud Financial Alternatives, Inc.

Louisiana
Louisiana Budget Project
United Way - Southeast Louisiana

Maine
Coastal Enterprises, Inc.
Maine Center for Economic Policy
Maine People's Alliance
Maine Small Business Coalition

Maryland
Asian-American Homeownership Counseling, Inc.
CASH Campaign of Maryland
CCCSMD (Guidewell Financial Solutions)
Congregation of Our Lady of the Good Shepherd, US Provinces
Housing Options & Planning Enterprises, Inc.
Maryland Consumer Rights Coalition
Maryland PIRG
Neighborhood Housing Services of Baltimore
Prince George's CASH Campaign
Progressive Maryland
Public Justice Center
Workplace Fairness

Massachusetts
MASSPIRG
Urban Edge

Michigan
Baxter Community Center
Circles Grand Rapids
Community Economic Development Association of Michigan (CEDAM)
Grand Rapids Opportunities for Women (GROW)
Home Repair Service - Grand Rapids
Inner City Christian Foundation
Pennies From Heaven Foundation
PIRG in Michigan (PIRGIM)
Project GREEN

**Minnesota**

Jewish Community Action
Lakes Area Habitat For Humanity

**Mississippi**

Mississippi Center for Justice
North Montgomery Citizens United for Prosperity (MCUP)

**Missouri**

The Housing Partnership, Inc.
Missouri Faith Voices
MoPIRG

**Montana**

AFSCME Montana Council 9
Agadas Integrated Wellness
Andrea J. Olsen, Attorney at Law Missoula, MT
Angela’s Piazza
Billings First Congregational Church - UCC
Billings Rises
Bitter Root RC & D
Cheyenne Trailriders
Emmaus Campus Ministry, ELCA
Greater Yellowstone Central Labor Council
Har Shalom Congregation
Harvest House, Inc
Homeword, Inc.
IBEW 233
Montana AFL-CIO
Montana Fair Housing
Montana Federation of Public Employees
Montana Native Vote
Montana Organizing Project
MontPIRG
Montana Voter Policy Institute
MT-NWy Conference - UCC
Native American Development Corporation
Rural Dynamics, Inc.
SEIU 775
United Campus Ministry at MSU Billings
Western Native Voice

**Nebraska**
Nebraska Appleseed Center for Law & Justice
Nebraska Voices for Children

**Nevada**
Nevada Partners, Inc.
Progressive Leadership Alliance of Nevada

**New Hampshire**
NH Legal Assistance
NHPIRG

**New Jersey**
New Jersey Citizen Action
New Jersey Community Capital
NJPIRG

**New Mexico**
Centro Savila
Native American Voters Alliance Education Project
New Mexico Center on Law & Poverty
New Mexico Voices for Children
NMPIRG
Northern New Mexico College
Partnership for Community Action
Prosperity Works

**New York**
Buffalo Urban League
Community Development Venture Capital Alliance
District Council 37 Municipal Employees Legal Services
Empire Justice Center
The Financial Clinic
Habitat for Humanity in Nassau County NY, Inc.
Housing and Family Services of Greater New York, Inc.
Legal Services NYC
Local Initiatives Support Corporation (LISC)
New Economy Project
New York Public Interest Research Group (NYPIRG)

**North Carolina**
Asheville Area Habitat for Humanity
BPFNA ~ Bautistas por la Paz
Carolina Community Impact, Inc.
Carolina Jews for Justice
Charlotte Center for Legal Advocacy
The Collaborative North Carolina Assets Alliance
Democracy Greensboro
Elizabeth City Habitat for Humanity
Fulbright Financial Consulting, PA
Habitat for Humanity Charlotte
Habitat for Humanity of North Carolina
Habitat for Humanity of Orange County
Mountain BizWorks
NAREB - Eastern Carolina Board of Realtist
NCPIRG
North Carolina Coalition on Aging
North Carolina Conference of the United Methodist Church
North Carolina Council of Churches
North Carolina Housing Coalition
North Carolina Justice Center
North Carolina NAACP
North Carolina State AFL-CIO
Olive Hill Community Economic Development Corporation, Inc
OnTrack WNC Financial Education & Counseling
Person County Habitat for Humanity
Pisgah Legal Services
Reinvestment Partners
Rutherford County Habitat for Humanity

**North Dakota**
High Plains Fair Housing Center
North Dakota Economic Security and Prosperity Alliance

**Ohio**
COHHIO
Detroit Shoreway Community Development Organization
Fair Housing Center for Rights & Research
Famicos Foundation
Homeport
Home Repair Resource Center
NeighborWorks - Toledo Region
Ohio CDC Association
Ohio PIRG
Policy Matters Ohio

**Oklahoma**
CAIR Oklahoma
Catholic Charities Archdiocese of Oklahoma City
Catholic Conference of Oklahoma
Citizen Potawatomi Community Development Corporation
Fellowship Congregational UCC
VOICE-OKC

**Oregon**
CASA of Oregon
Hacienda Community Development Corporation
Neighborhood Partnerships
Oregon Food Bank
Oregon PIRG (ORPIRG)

**Pennsylvania**
Bucks County Women's Advocacy Coalition
Brith Sholom Jewish Center, Erie, PA
Clarifi
Community Legal Services, Inc. of Philadelphia
THE ONE LESS FOUNDATION
PennPIRG
Pennsylvania Council of Churches

**Rhode Island**
Economic Progress Institute (Rhode Island)
RIPIRG

**South Carolina**
Henderson County Habitat for Humanity, Inc.
South Carolina Appleseed Legal Justice Center
St. Francis Catholic Outreach
Tennessee
Good Neighbor Foundation-HOC
Tennessee Citizen Action

Texas
Anti-Poverty Coalition of Greater Dallas
Avenue CDC
BCL of Texas
Brazos Valley Affordable Housing Corp.
Brazos Valley Financial Fitness Center
Center for Public Policy Priorities
Center for Transforming Lives
Central Texas Housing Consortium
CitySquare
City Wide Community Development Corporation
Community Development Corp. of Brownsville
Family Promise of Longview, Inc.
Foundation Communities
Habitat for Humanity Texas
Harvest Community Development Corporation
Heart of Texas Defense Alliance
Hispanic Baptist Convention of Texas
Housing Opportunities of Fort Worth, Inc.
Northeast Texas Community Development Corporation
Project LIFT
RAISE Texas
Texas Appleseed
Texas Association of Goodwills
Texas Association of Community Development Corporations
TexPIRG
United Way of Central Texas
United Way of Greater Houston
United Way of Metropolitan Dallas
United Way of Southern Cameron County
United Ways of Texas
Waco Housing Authority and Affiliates

Vermont
Vermont Public Interest Research Group
Virginia
Better Housing Coalition
Habitat for Humanity of Greater Charlottesville
Social Action Linking Together (SALT)
Virginia Organizing Project
Virginia Poverty Law Center

Washington
Columbia Legal Services
El Centro de la Raza
Equal Voice Action
Kitsap Community Resources
Lower Columbia CAP
Multi-Service Center (MSC)
Northwest Harvest
Olympic Community Action Programs (OlyCAP)
Progreso Latino Progress Alliance
Statewide Poverty Action Network
Snohomish County Asset Building Coalition
United Way of Pierce County
UNITE HERE Local 8
Washington Low Income Housing Alliance
WashPIRG
Washington State Budget & Policy Center
Washington State Community Action Partnership

West Virginia
Communications Workers of America - WV
Covenant House
Mountain State Justice
National Association of Social Workers, West Virginia Chapter
OVEC-Ohio Valley Environmental Coalition
Partnership of African American Churches
The West Virginia Center on Budget and Policy
West Virginia Citizen Action Group
West Virginia Council of Churches
West Virginia Healthy Kids and Families Coalition
West Virginians for Affordable Health Care

Wisconsin
Disability Justice
Fair Wisconsin
First Unitarian Society Madison Social Justice Ministry
Fons Law Office
Kids Forward
League of Women Voters of Wisconsin
Legal Aid Society of Milwaukee
Metropolitan Milwaukee Fair Housing Council
NeighborWorks Blackhawk Region
One Wisconsin Institute
South Central Federation of Labor
Univ. of Wisconsin Consumer Law Clinic
Urban Economic Development Association of Wisconsin (UEDA)
Wisconsin Alliance for Women’s Health
Wisconsin Catholic Conference
Wisconsin Council of Churches
Wisconsin Community Action Program Association (WISCAP)
Wisconsin Faith Voices for Justice
Wisconsin Network for Peace, Justice & Sustainability
WISPIRG
Worker Justice Wisconsin
9to5, National Association of Working Women - Wisconsin Chapter