

Fair Lending General Program

EXAMINATION OBJECTIVES

To assure that the association is not discriminating on a prohibited basis in the loan decision-making process.

To assure that the association has procedures in place to assure that it is in compliance with the nondiscrimination requirements.

To assure that the association is properly completing its loan/application registers.

To aid the Community Reinvestment Act examination by determining within the assessment area, the distribution of applications received from and loans made in the community, including low/ moderate income census tracts and in determining whether there are sections of the CRA community or effective lending territory in which the association is not an active lender.

EXAMINATION PROCEDURES

On December 4, 1998, the Federal Financial Institutions Examination Council approved new Interagency Fair Lending Examination Procedures. OTS implemented these procedures effective for all examinations commencing March 1, 1999 or after. These procedures are set forth in [Section 1201](#) of this handbook.

Interagency Fair Lending Examination Procedures are designed to identify and document fair lending violations and compliance management deficiencies through a file analysis regimen. They represent a flexible framework for conducting an analysis of whether credit decisions are discriminatory in violation of the Fair Housing Act and the Equal Credit Opportunity Act. These procedures are to be integrated with the compliance examination program in an efficient and effective manner to assure appropriate oversight of all fair lending statutory and regulatory requirements in keeping with OTS' risk-focused, top-down approach.

Examiners should review the content and accuracy of the HMDA registers to ensure that the data reported is correct and can provide an appropriate basis for scoping the fair lending examination. The HMDA review should be guided by the procedures contained in [Section 1205](#) of this handbook.

Examiners should conduct the fair lending examination by following the Interagency Fair Lending Examination Procedures set forth in [Section 201](#) implemented in accordance with training and other agency guidance. During the examination, the examiner should also consider the institution's compliance with nondiscrimination obligations imposed by OTS regulations and the technical requirements of other applicable federal nondiscrimination laws and regulations.

Exam Date:	
Prepared By:	
Reviewed By:	
Docket #:	