

# Michigan Community Reinvestment Corporation

PO Box 351274 Detroit, Michigan 48235 313-534-1356 [micMCRC@aol.com](mailto:micMCRC@aol.com)

55

April 13, 2004

Public Information Room  
Office of the comptroller of the Currency  
250 E Street, S.W. Mailstop 1-5  
Washington, DC 20219  
Docket #04-05

Mr. Robert E. Feldman  
Executive Secretary  
Attention: Comments, FDIC  
550 17<sup>th</sup> Street, N.W.  
Washington, DC 20429

Ms. Jennifer J. Johnson  
Secretary, Board of Governors of the  
Federal Reserve System  
20<sup>th</sup> Street and constitution Ave., N.W.  
Washington, DC 20551  
Docket # R-1180

Regulation Comments  
Chief Counsel's Office  
Office of Thrift Supervision  
1700 G Street, N.W.  
Washington, DC 20552  
Docket #2003-67

RE: Comment regarding the Economic Growth and Regulatory Paperwork Reduction Act of 1996.

As a board member of the National Community Reinvestment Coalition, MICHIGAN COMMUNITY REINVESTMENT CORPORATION is sending this comment in response to the notice of Regulatory Review as required by the Economic Growth and Regulatory Paperwork Reduction Act (EGRPRA) of 1996. In response to the second series, "consumer Protection: Lending-Related Rules" we respectfully request that the federal banking agencies retain their regulations concerning Fair Housing, Equal Credit Opportunity Act (ECOA), Home Mortgage Disclosure Act (HMDA), Truth in Lending Act (TILA) and Unfair or Deceptive Acts or Practices.

MICHIGAN COMMUNITY REINVESTMENT CORPORATION favors expanding data reporting requirements that will assist in achieving the goals of these fair lending statues and substantially benefit consumers with little regulatory burden. Under EGRPRA, the federal agencies must identify "outdated" regulations. The incomplete data collection under HMDA and ECOA is outdated and frustrates the purpose of this statute to prevent discrimination. While increasing data reporting requirements, the federal agencies must not limit the consumer protections currently available under these regulations. Any streamlining of these protections would interfere with the agencies ability to fulfill their statutory obligations.

A series of federal statutes including the Fair Housing Act, the Home Mortgage Disclosure Act, the Equal Credit Opportunity Act, and the Truth-in-Lending Act have established a solemn congressional intent and purpose of eliminating abusive and discriminatory lending. In light of the recent decision by the Office of the Comptroller of the Currency to preempt all state anti-predatory lending legislation, these protections have become even more important to consumers. The

MICHIGAN COMMUNITY REINVESTMENT CORPORATION does not believe these statutes provide enough protection; therefore any regulatory streamlining would further put consumers at risk.

Page 2 EGRPRA

#### IN CONCLUSION

Finally, in 2001, the Federal Reserve Board made valuable improvements to their regulation implementing the Home Ownership and Equity Protection Act (HOEPA), which amended TILA. Among other benefits, the changes applied HOEPA's protections to more subprime loans, including most loans with single premium credit insurance. Since abusive lending continues to increase, the federal agencies must preserve the changes to HOEPA. The regulatory agencies must also preserve the critical right of rescission under TILA. This right empowers borrowers at the closing table, enabling them to bargain with lenders and eliminate onerous terms and conditions in their loans. The right of rescission provides vital protection in the event that a borrower desires to cancel an abusive loan up to three days after closing.

Likewise, the agencies must not weaken HMDA, ECOA, TILA or protections in regulations implementing the Fair Housing and Unfair Deceptive Practices Acts. Data disclosure under these laws must become more comprehensive in order to identify and uproot discrimination.

Sincerely,

Veronica L. Williams  
President  
Michigan Community Reinvestment Corporation