This treatise examines federal and state restrictions on consumer credit transactions, and federal preemption of the state restrictions. It focuses on interest rates, fees, third-party charges, rebates of unearned interest, late charges and other credit terms for non-mortgage credit. Other NCLC treatises detail limits on creditor remedies where a consumer defaults on a credit obligation—debt collection, collection lawsuits, repossessions, credit reporting, and garnishment. This treatise focuses on the origination of non-mortgage credit obligations and their terms.

Consumer Credit Regulation Part I analyzes issues of general applicability, including an examination of interest, a survey of applicable legal claims, an analysis of what state law applies and federal preemption, the basics of credit math, credit insurance, and litigation issues. Part II focuses on particular forms of consumer credit:

- Credit cards;
- Payday loans and credit union small loans;
- Installment loans not involving sales of goods or services;
- Automobile sales financing;
- Manufactured home sales financing;
- Other installment sales;
- Auto title pawns;
- Rent-to-own and lease transactions;
- “Sales” of future income streams;
- Refund anticipation and other tax-time loans.

A number of topics are covered in other NCLC treatises. Most significantly, origination of home mortgages, home equity lines of credit, and other loans taking a home as security are covered in another NCLC treatise in this series, Mortgage Lending. Other books in this series also cover certain specialized forms of consumer credit. Student loans are analyzed in NCLC’s Student Loan Law. Consumer Banking and Payments Law covers bank charges where a bank processes a check or a debit, ATM, or prepaid card transaction, where there are insufficient funds in the consumer’s account. Access to Utility Service examines credit related to the provision of gas, electric, water, telephone, and other utilities.

Consumer Credit Regulation focuses only on the substantive limits on interest rates and other credit terms. Disclosure requirements are detailed in NCLC’s Truth in Lending. Consumer claims for discrimination in the extension of credit are detailed in NCLC’s Credit Discrimination.

Separate NCLC treatises in this series address consumer rights where a debt is disputed or the creditor claims the loan is in default: Fair Debt Collection sets out consumer rights concerning debt collection contacts; Collection Actions concerns collection lawsuits, garnishment, and other post-judgment remedies; and Fair Credit Reporting concerns a creditor’s furnishing of negative information to reporting agencies. Credit card dispute rights and claims for unauthorized charges are set out in Truth in Lending. Consumer rights concerning repossessions of motor vehicles, manufactured homes and other personal property are set out in NCLC’s Repossessions, while issues of home foreclosures are detailed in NCLC’s Home Foreclosures. Issues with mortgage servicing and mortgage loan modifications are examined in NCLC’s Mortgage Servicing and Loan Modifications. The right to discharge secured and unsecured debts in bankruptcy is set out in NCLC’s Consumer Bankruptcy Law and Practice.

Several treatises deal with issues that will arise in almost any type of credit litigation:

- Does a state unfair and deceptive acts and practices statute apply and offer relief, as set out in NCLC’s Unfair and Deceptive Acts and Practices?
- Does an arbitration agreement force the litigation out of court and into individual arbitration, as examined in NCLC’s Consumer Arbitration Agreements?
- How to proceed as a class action, as laid out in NCLC’s Consumer Class Actions.

Footnotes

1.1.2 Topics Covered and Relation to Other NCLC Treatises


**Source:** National Consumer Law Center, Consumer Credit Regulation [2d ed.], updated at www.nclc.org/library

**Source URL:** https://library.nclc.org/ccr/010102-0

**Links**
[1] https://library.nclc.org/nclc/link/ML

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1.1.2 Topics Covered and Relation to Other NCLC Treatises

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