

The Attorney General's 2022 Annual Report to Congress on Fair Lending Enforcement



U.S. Department of Justice
Civil Rights Division

November 2023



Message from the Assistant Attorney General for Civil Rights

I am proud to report the Justice Department's significant accomplishments in fair lending enforcement in 2022 and early 2023 under the Equal Credit Opportunity Act, as well as other important lending work under the Fair Housing Act and the Servicemembers Civil Relief Act.

In particular, the Department's Combating Redlining Initiative continues to yield historic results. The Initiative represents the Department's most aggressive and coordinated enforcement effort to use federal civil rights laws to eradicate redlining, a discriminatory practice where lenders refuse to provide mortgages or other credit opportunities to neighborhoods based on the race or national origin of the residents.

In 2022 and early 2023, the Department resolved **four redlining matters, obtaining nearly \$74 million in relief**, including a \$31 million settlement with City National Bank, the single largest redlining settlement in Department history. As detailed in this report, these cases will expand access to credit nationwide, from Los Angeles, California to Newark, New Jersey. The relief provided in these matters will enable more people in underserved communities to achieve homeownership and build wealth through equity. Since the start of the Initiative in 2021, the Department has resolved ten redlining matters for relief totaling over \$107 million.

One of our keys to success has been strong partnerships with United States Attorneys' Offices, federal bank regulatory agencies, and State Attorneys General. We continue to work closely with our state and federal partners to make robust use of our fair lending authorities and to ensure lenders provide equal access to credit to all communities of color.

Assistant Attorney General for Civil Rights

I. COMBATING REDLINING INITIATIVE

“... I announced the Department’s Combating Redlining Initiative and promised that we would mobilize resources to make fair access to credit a reality in underserved neighborhoods across our country. As demonstrated by today’s historic announcement, we are increasing our coordination with federal financial regulatory agencies and State Attorneys General to combat the modern-day redlining that has unlawfully plagued communities of color.”

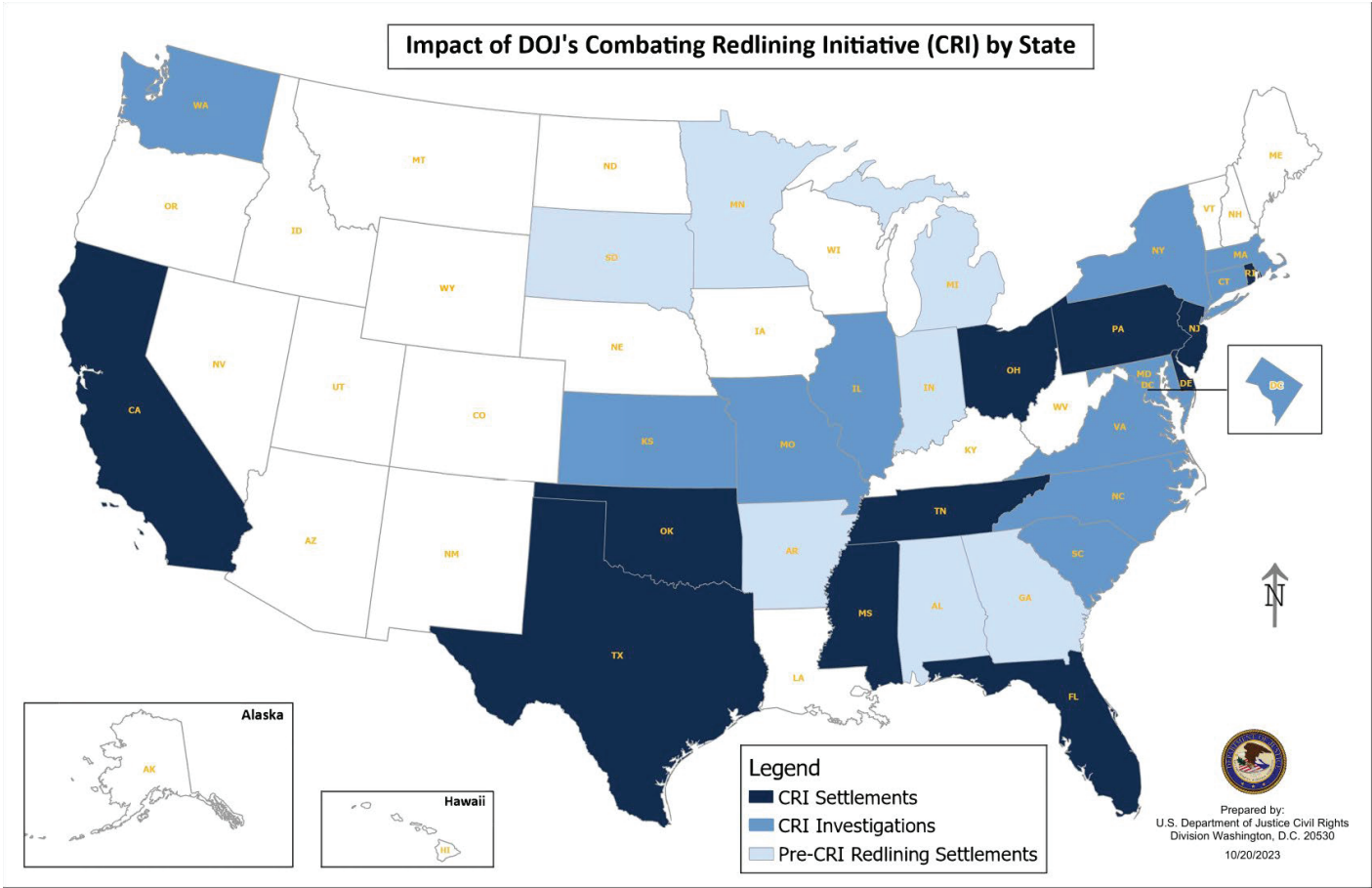
Attorney General Merrick B. Garland
On the announcement of the filing of *Consumer Financial Protection Bureau and United States v. Trident Mortgage Company LP*
July 27, 2022

The Justice Department’s [Combating Redlining Initiative](#) entered its second year in 2022, keeping its promise to bring fair access to credit to communities of color throughout the United States.

As announced at the launch of the Initiative in October 2021, the Department made a commitment to address the pervasive problem of redlining in partnership with United States Attorneys’ Offices and federal financial regulators.

The Combating Redlining Initiative has continued to yield significant results. From 2021 to date, the Department’s redlining settlements have required lenders to invest more than \$94 million in loan subsidy funds alone, providing much needed credit and capital back into previously redlined communities.

These efforts build on the Department’s prior redlining settlements and have resulted in investigations and settlements nationwide, as demonstrated by the figure below. The Department’s redlining resolutions can lead to mutually beneficial and sustainable change for lenders and communities, highlighted by the success of the 2011 resolution in *United States v. Midwest BankCentre*, which continues to bear fruit today.



As discussed in more detail below, the Department's cases in 2022 and early 2023 represent a range of lenders, depository and non-depository, and coordination with a range of partners, from United States Attorneys' Offices to the Consumer Financial Protection Bureau (CFPB).

The Midwest BankCentre Story

In 2011, Midwest BankCentre (Midwest) entered into a consent order resolving the United States' allegations that it had redlined majority-Black neighborhoods in the City of St. Louis and North St. Louis County. As part of this settlement, Midwest opened a branch in the City of Pagedale, a part of the County that had never had a bank branch, and invested in partnerships with trusted community leaders to increase its lending in Pagedale and the surrounding neighborhoods. Within the first two years of opening, four hundred community members had established their first relationship with a bank. This branch helped spur other economic activity in the immediate area, including: a movie theatre; credit union; restaurants; a health care center; and the Carter Commons—a commercial development that houses numerous minority-owned businesses including shops, a food court, and a fitness center.



The Pagedale Town Center has transformed the community in every way—vacant lots and abandoned buildings have grown into attractive structures that meet residents' needs, and instill pride, optimism, and a renewed feeling of community for Pagedale's long-term residents. www.beyondhousing.org

Based on the success of the Pagedale Branch, in 2016, Midwest opened a branch on the campus of the Friendly Temple in the City of St. Louis. As of 2023, Midwest now operates five branches in majority-Black neighborhoods in and around the City of St. Louis. Midwest's branches in these communities have helped reduce by half the rate of unbanked Black households in the St. Louis area.



"Midwest's existence encourages citizens of our community to trust systems that have historically denied them opportunities. [The partnership with Midwest] allows us to continue to create pathways for current and future community business owners and entrepreneurs, and those wanting to purchase their first homes or restore their properties for future wealth and investment."

Pastor Michael Jones, Friendly Temple

By fulfilling—and going beyond—its obligations under the consent order, Midwest was able to expand its market, serve the Black community, and make money at the same time.

A study by Washington University of St. Louis found that by 2020, the two branches [Pagedale and Friendly Temple] created approximately \$11.3 million in additional regional revenue and more than \$9.7 million in consumer wealth, helping to plant seeds for future generational wealth.

"Providing access to capital and access to mainstream banking is about helping lift entire neighborhoods. It's about jobs, more education, more opportunities."

Alex Fennoy, Executive VP of Community and Economic Development at Midwest

II. FAIR LENDING ENFORCEMENT

The Equal Credit Opportunity Act (ECOA) prohibits creditors from discriminating against credit applicants, including discouraging applications for credit on the basis of race, color, religion, national origin, sex, marital status, age, because an applicant receives income from a public assistance program, or because an applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Fair Housing Act (FHA) prohibits discrimination in home mortgage loans, home improvement loans, and other home credit transactions because of race, color, religion, sex, national origin, familial status, or disability.

The Justice Department has authority to prosecute a pattern or practice of discrimination under both ECOA and the FHA on its own initiative or upon referral from another federal agency. This authority extends to discrimination in the mortgage market, including redlining and discriminatory underwriting and pricing, as well as discrimination in non-mortgage lending contexts like auto loans, unsecured consumer loans, student loans, and credit card products.

In 2022 and through February 2023, the Department filed and settled five cases, including four redlining cases.

2022 and early 2023 Redlining Filings and Settlements

As a continuation of our efforts to combat redlining, the Department filed and settled the following four redlining cases.

Trident Mortgage Company

On July 27, 2022, the Department announced a significant, multi-agency resolution with [Trident Mortgage Company](#), which is owned by Berkshire Hathaway Inc. This is the Department's first resolution with a mortgage company and the second largest redlining settlement in the Department's history. Mortgage companies are lenders that do not provide depository services. The *Trident* case alleged redlining discrimination in the Philadelphia metropolitan area, including neighborhoods in Philadelphia, Pennsylvania, Camden, New Jersey, and Wilmington, Delaware.

The complaint alleged that, from at least 2015 to 2019, Trident failed to provide mortgage lending services to neighborhoods of color in the Philadelphia metropolitan area, that its offices were concentrated in majority-white neighborhoods, and that its loan officers did not serve the credit needs of neighborhoods of color. The complaint

also alleged that loan officers and other employees sent and received work emails containing racial slurs and referring to communities of color as “ghetto.”

The CFPB referred the matter to the Department and the two agencies investigated, filed, and settled the matter in coordination with the State Attorneys General of Pennsylvania, New Jersey, and Delaware.

Under the consent order entered by the court, Trident will invest:

- at least \$18.4 million in a loan subsidy fund to increase credit for home mortgage, improvement, and refinance loans for residents of neighborhoods of color in the Philadelphia metropolitan area;
- \$750,000 for development of community partnerships to provide services that increase access to residential mortgage credit;
- \$875,000 for advertising and outreach; and
- \$375,000 for consumer financial education.

The settlement also requires Trident to ensure that it employs at least four mortgage loan officers dedicated to serving neighborhoods of color in and around Philadelphia, Camden, and Wilmington; maintains at least four office locations in those neighborhoods; and employs a full-time manager of community lending who will oversee the continued development of lending in neighborhoods of color in the Philadelphia metropolitan area.

This settlement is a stark reminder that redlining is not a problem from a bygone era. Trident’s unlawful redlining activity denied communities of color equal access to residential mortgages, stripped them of the opportunity to build wealth, and devalued properties in their neighborhoods.

Assistant Attorney General Kristen Clarke, July 27, 2022

Lakeland Bank

On September 28, 2022, the Department announced its next redlining resolution, [*United States v. Lakeland Bank*](#), a case investigated and filed jointly with the United States Attorney's Office for the District of New Jersey.

The complaint alleged that, from at least 2015 to 2021, Lakeland failed to provide mortgage lending services to Black and Hispanic neighborhoods in the Newark, New Jersey metropolitan area, that all its branches were in majority-white neighborhoods, and that its loan officers did not serve the credit needs of Black and Hispanic neighborhoods in and around Newark.

Under the consent order approved by the court, Lakeland will invest:

- at least \$12 million in a loan subsidy fund to increase credit for home mortgage, improvement, and refinance loans for residents of Black and Hispanic neighborhoods in the Newark area;
- \$750,000 for advertising, outreach and consumer education; and
- \$400,000 for development of community partnerships to provide services that increase access to residential mortgage credit.

The agreement with Lakeland announced today represents the Justice Department's continued commitment to addressing modern-day redlining, and to ensuring that all Americans have equal opportunity to obtain credit, no matter their race or national origin.

Attorney General Merrick
Garland, September 28, 2022

Lakeland will also open two new branches in neighborhoods of color, including at least one in the city of Newark; ensure at least four mortgage loan officers are dedicated to serving all neighborhoods in and around Newark; and employ a full-time Community Development Officer who will oversee the continued development of lending in neighborhoods of color in the Newark area.

Lakeland will also maintain an expanded Community Reinvestment Act Assessment Area that includes Essex, Somerset, and Union Counties.

The Department independently initiated this investigation based on its statutory authority.

City National Bank

On January 12, 2023, the Department announced the filing and settlement of [*United States v. City National Bank*](#), the largest redlining settlement in Department history. The complaint alleges that City National, one of the 50 largest banks in the United States, engaged in a pattern or practice of redlining discrimination in Los Angeles County.

From 2017 through at least 2020, City National avoided providing mortgage lending services to majority-Black and Hispanic neighborhoods in Los Angeles County and discouraged residents in these neighborhoods from obtaining mortgage loans. The Department found that other banks received more than six times as many applications in majority-Black and Hispanic neighborhoods in Los Angeles County than City National each year during the same years. In addition, City National only opened one branch in a majority-Black and Hispanic neighborhood in the preceding twenty years, despite having opened or acquired 11 branches during that time. And unlike at its branches in majority-white areas, City National did not assign any employee in that branch to generate mortgage loan applications.

This settlement is historic, marking the largest settlement ever secured by the Justice Department against a bank engaged in unlawful redlining. This settlement embodies Dr. Martin Luther King Jr.'s commitment to fighting economic injustice and ensuring that Black Americans and all communities of color are able to access the American dream and freely access the credit needed to purchase a home.

Assistant Attorney General Kristen Clarke, January 12, 2023

Under the consent order entered by the court, City National will invest at least:

- \$29.5 million in a loan subsidy fund to increase credit for home mortgage, improvement, and refinance loans for residents of majority-Black and Hispanic neighborhoods in Los Angeles County;
- \$500,000 for advertising and outreach targeted toward the residents of these neighborhoods;
- \$500,000 for a consumer financial education program to help increase access to credit for residents; and
- \$750,000 for development of community partnerships to provide services that increase access to residential mortgage credit.

City National will also open one new branch in a majority-Black and Hispanic neighborhood and evaluate future opportunities for expansion within Los Angeles County; ensure at least four mortgage loan officers are dedicated to serving majority-Black and Hispanic neighborhoods; and employ a full-time Community Lending Manager who will oversee the continued development of lending in majority-Black and Hispanic neighborhoods.

The Department independently initiated this investigation based on its statutory authority and filed jointly with the United States Attorney's Office for the Central District of California.

Park National Bank

On February 28, 2023, the Department filed a complaint and proposed consent order in [*United States v. Park National Bank*](#), alleging that from at least 2015 to 2021, Park National failed to provide mortgage lending services by redlining majority-Black and Hispanic neighborhoods in the Columbus, Ohio area. Specifically, the complaint alleges that all of Park National's branches and mortgage lenders in the Columbus area were concentrated in majority-white neighborhoods, and that the bank failed to take meaningful measures to compensate for its lack of physical presence in majority-Black and Hispanic communities to serve the credit needs of those communities. The Civil Rights Division and the U.S. Attorney's Office for the Southern District of Ohio jointly litigated this case.

Under the consent order entered by the court, Park National will invest at least:

- \$7.75 million in a loan subsidy fund to increase access to credit for home mortgage, improvement, and refinance loans, as well as home equity loans and lines of credit in majority-Black and Hispanic neighborhoods in the Columbus area;
- \$750,000 for outreach, advertising, consumer financial education, and credit counseling initiatives; and
- \$500,000 in developing community partnerships to provide services to residents of majority-Black-and-Hispanic areas that expand access to residential mortgage credit.

Park National also committed to opening a new branch and a new mortgage loan production office in majority Black-and Hispanic neighborhoods in the Columbus area; ensuring that a minimum of four mortgage lenders, at least one of whom is Spanish-speaking, are assigned to serve these neighborhoods; and maintaining the full-time position of Director of Community Home Lending and Development, which is responsible for overseeing lending in majority-Black and Hispanic areas.

2022 Other Filings, Settlements, and Statements

- On September 29, 2022, the Department announced the filing and resolution of [*United States v. Evolve Bank & Trust*](#). Evolve is a Memphis-based bank that maintains offices and provides mortgage lending services in 15 states throughout the country. The settlement resolved claims that, from at least 2014 to 2019, Evolve engaged in lending discrimination on the basis of race, sex, and national origin in the pricing of its residential mortgage loans.

The Department's complaint alleged that Evolve's loan pricing practices resulted in Black, Hispanic, and female borrowers paying more in the discretionary pricing components of home loans than white or male borrowers for reasons unrelated to their creditworthiness. "Discretionary pricing" means the parts of a loan price that are left up to a bank's loan officers and managers, including fees, charges, or rate discounts that do not relate to the borrowers' credit qualifications or loan characteristics.

Under the settlement, Evolve established a settlement fund of \$1.3 million to compensate affected borrowers and paid a \$50,000 civil penalty to the United States Treasury. The Federal Reserve Board (FRB) referred this matter to the Department.

- On September 12, 2022, the Department filed a statement of interest in [*Fair Housing Center of Central Indiana, et al. v. Rainbow Realty Group, et al.*](#), a case challenging the defendants' "rent-to-buy" program in Indianapolis, Indiana. The plaintiffs, including a fair housing advocacy organization, alleged that the program exploited consumers in predominantly Black and Hispanic neighborhoods by selling properties in poor condition at inflated prices through contracts that were designed to fail. The statement of interest addressed the application of ECOA to rent-to-buy contracts, which have features of leases but also involve the extension of credit.
- In February 22, 2022, the Department joined an [*Interagency Statement on Special Purpose Credit Programs*](#) reminding creditors of the ability under ECOA and ECOA's implementing regulation, 12 C.F.R. pt. 1002, to establish special purpose credit programs to meet the credit needs of specified classes of persons.

Ongoing Compliance

In 2022, the Department continued monitoring compliance with settlements in five cases.

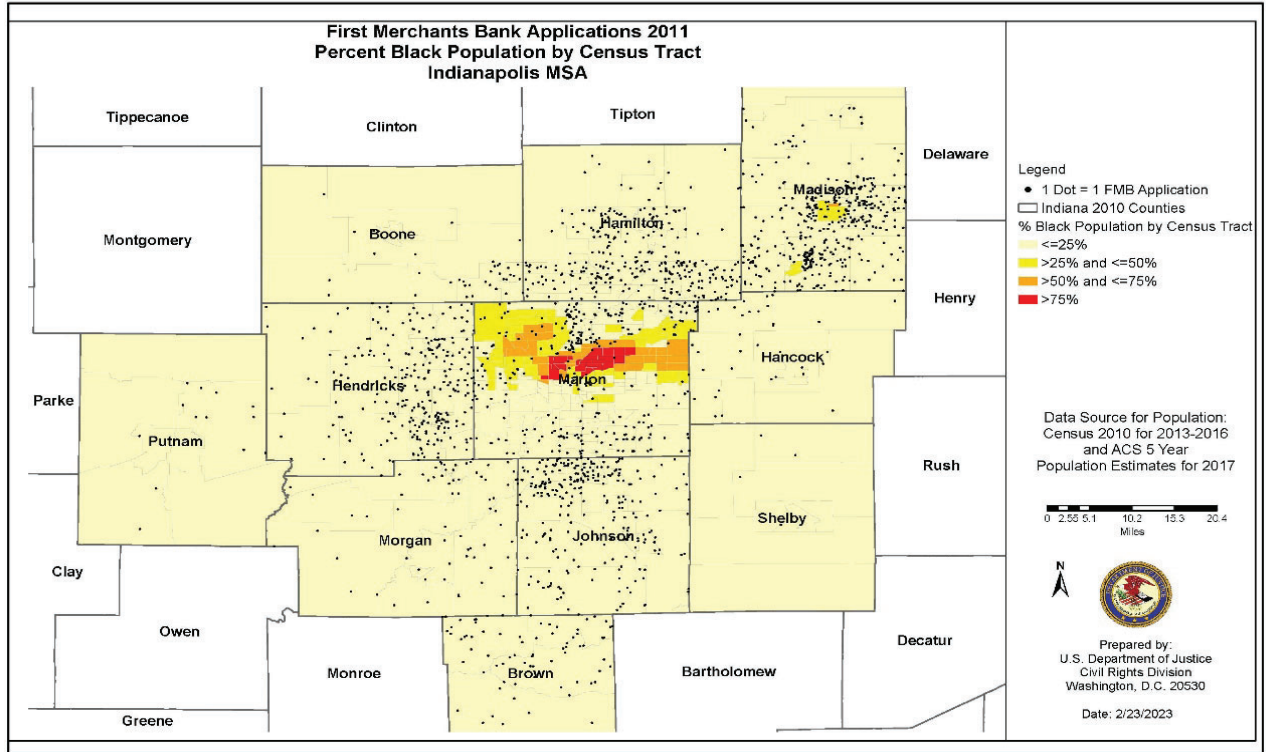
On June 13, 2019, the Department filed a complaint and proposed settlement in *United States v. First Merchants Bank*, resolving allegations that the lender engaged in discrimination by redlining predominantly Black neighborhoods in Indianapolis, Indiana. The *First Merchants* case is another example of how compliance with redlining settlements can improve a bank's lending performance in previously-redlined communities over time.

As part of implementing the settlement, First Merchants expanded its marketing efforts, lending, and banking services to specifically include predominantly Black neighborhoods in Indianapolis; provided more than \$1.12 million in loan subsidies to increase credit opportunities to residents of predominantly Black neighborhoods; devoted \$500,000 toward advertising, community outreach, and credit repair and education; opened a branch and a loan production office to serve the banking and credit needs of residents in predominantly Black neighborhoods in Indianapolis; and employed a director of community lending and development to oversee these efforts and work in close consultation with the Bank's leadership.

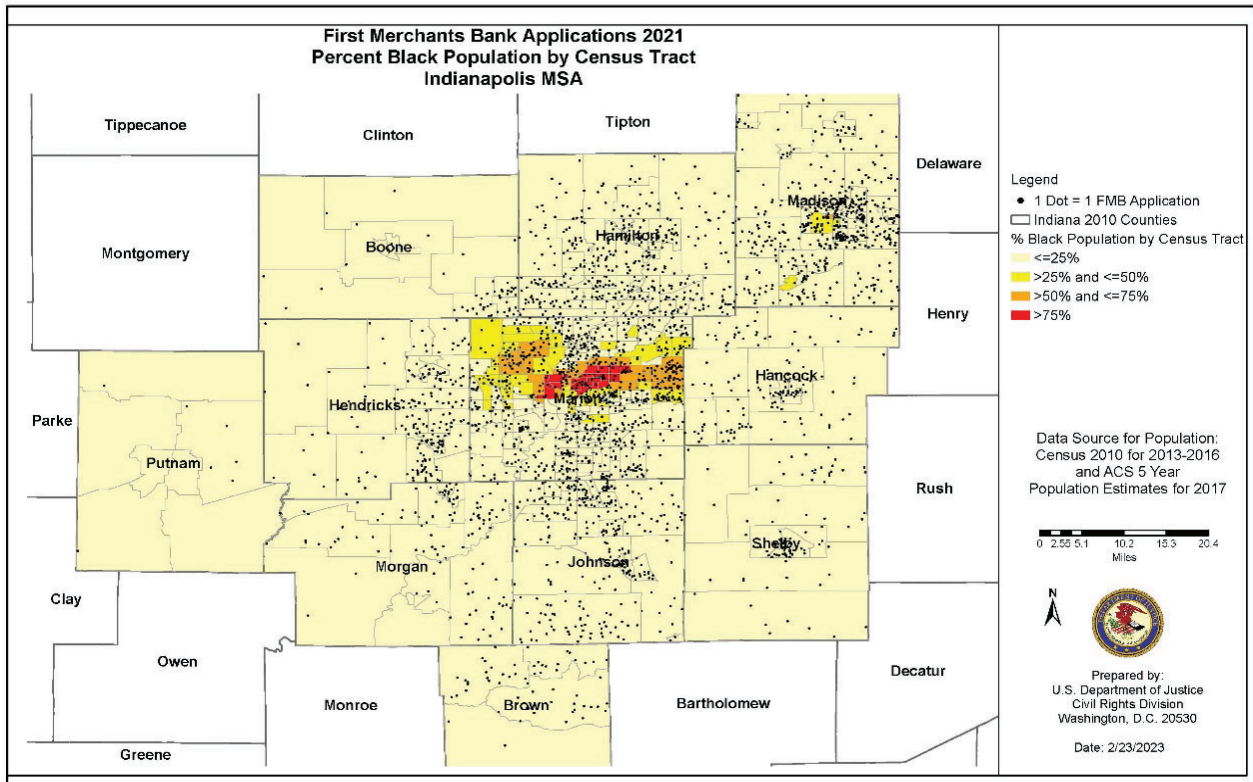
As the maps below demonstrate, First Merchant's lending to majority-Black communities has improved significantly from 2011 to 2021, with the Bank generating far more mortgage loan applications in majority-Black neighborhoods in Indianapolis-Marion County, Indiana.

On January 28, 2022, the United States District Court for the Southern District of Indiana entered an Order approving early termination of the settlement agreement, citing full compliance with the settlement terms.

First Merchants Bank- Bank Applications in 2011



First Merchants Bank - Bank Applications in 2021 (Two Years Post Consent Order)



III. REFERRALS

Under ECOA, the bank regulatory agencies are required to refer matters to the Justice Department when they have reason to believe a lender has engaged in a pattern or practice of discrimination. The Federal Trade Commission (FTC) may also refer lending matters to the Department under ECOA. A number of agencies, including the Department of Housing and Urban Development (HUD), refer similar matters to the Department under the FHA. From 2001 through 2022, the bank regulatory agencies, the FTC, and HUD referred a total of 520 matters involving a potential pattern or practice of lending discrimination to the Department. Of these referrals, 172 involved discrimination on the basis of race or national origin.

In 2022, the Department received 24 fair lending referrals: 12 from the Federal Deposit Insurance Corporation (FDIC), five each from the CFPB and the National Credit Union Administration (NCUA); and one each from the FRB and the Office of the Comptroller of the Currency (OCC). When the Department receives a referral from a regulatory agency, it determines whether to open an investigation or return the matter to the regulator for administrative enforcement.

Factors Considered When Evaluating Referrals

The Department considers numerous factors in deciding whether to retain or return a referral. As a general matter, referrals that are most likely to be returned have the following characteristics:

- The practice has ceased and there is little chance that it will be repeated;
- The violation may have been accidental or arose from ignorance of the law's more technical requirements; examples of such violations may involve spousal signature violations and minor price breaks for certain age groups not entitled to preferential treatment; and
- There were either few potential victims or *de minimis* harm to potential victims.

As a general matter, the Department retains referrals that do not meet the criteria set forth above, and have one or more of the following characteristics:

- The practice is serious in terms of its potential for either financial or emotional harm to members of protected classes (for example, discrimination in underwriting, pricing, or provision of lender services);

- The practice is not likely to cease without court action;
- The protected class members harmed by the practice cannot be fully compensated without court action;
- Damages for victims, beyond out-of-pocket losses, are necessary to deter the lender (or others like it) from treating the cost of detection as a cost of doing business; or
- The agency believes the practice to be sufficiently common in the lending industry, or raises an important issue, so as to require action to deter lenders.

These considerations also apply to matters originating under the Department's independent authority to initiate investigations.

2022 Referrals

Of the 24 fair lending matters referred to the Department in 2022, nine involved discrimination on the basis of race or national origin, and the rest, as set forth in the charts appended to this report, involved various types of protected classes and a range of alleged discriminatory conduct, including redlining and discriminatory underwriting and pricing.

The Department returned 20 of the 24 referrals to the referring agency for enforcement without opening an investigation. This number includes matters where the agency specifically requested we defer to it for administrative enforcement. For each returned referral, the Department evaluated the facts and circumstances of the matter in light of the factors described above. The returned referrals are also described, by agency, in the charts following this report. In addition to these referrals, the Federal Housing Finance Agency referred two matters to the Department under the FHA.

IV. LENDING RIGHTS OF MILITARY SERVICEMEMBERS



Upholding the rights of those who serve our nation in the military is a priority of the Justice Department and Civil Rights Division. The Servicemembers Civil Relief Act (SCRA) protects the housing and credit rights of servicemembers so they can focus their full attention on their military responsibilities without adverse financial consequences for themselves or their families. The SCRA's benefits and protections include: a six percent interest rate cap on financial obligations that were incurred prior to military service; the ability to postpone civil court proceedings; protections related to default judgments; protections related to residential and motor vehicle lease terminations; and special requirements related to evictions, mortgage foreclosures, and installment contracts, including auto loans.

The Division's enforcement of the SCRA provides critical protections to the servicemembers who make great personal sacrifices on behalf of our country. No one should return from military service to find their credit ruined, their car repossessed, or their home loan foreclosed in violation of the SCRA.

Servicemembers and Veterans Initiative

In 2014, the Department established the Servicemembers and Veterans Initiative (SVI) to coordinate and expand our efforts to protect servicemembers, veterans, and their families. In December 2020, Congress passed the SVI Act, which legislatively established the initiative within the Division and expanded its mission and responsibilities. The SVI now conducts outreach and training, supports policy development, coordinates with federal partners, and works to ensure that servicemembers and their families understand their rights and how to protect them.

In 2022, the SVI coordinated and supported 23 events, meetings, and training sessions regarding military lending rights nationwide. These presentations reached members of all six branches of the military, reserve components, and the National Guard, as well as military families, state and federal agencies, and outside advocacy groups supporting the military community. The SVI also provided substantive trainings on the SCRA for legal professionals (including military attorneys), know-your-rights

presentations for enlisted servicemembers, and presentations for law school clinics and outside legal assistance organizations. Many of these events relied on the support and participation of Division staff members, as well as United States Attorneys' Offices across the country.

Auto Loans and Leases

On October 4, 2022, the Department obtained over \$3.5 million in relief for over 1,000 servicemembers in *United States v. AmeriCredit Financial Services, Inc. dba GM Financial*. GM Financial, a wholly-owned subsidiary of General Motors, is based in Texas and provides financing to consumers purchasing or leasing General Motors vehicles. The complaint alleged that GM Financial violated the SCRA by (1) improperly denying or mishandling over 1,000 servicemember vehicle lease termination requests and (2) illegally repossessing 71 vehicles owned or leased by servicemembers. The Division launched its investigation into GM Financial's practices after receiving a complaint from Army Chief Warrant Officer 3 (CW3) Thomas Gorgeny alleging that GM Financial failed to grant his request to terminate his motor vehicle lease early because he was deploying overseas for 10 months. Based on GM Financial's initial statement that his request was approved, CW3 Gorgeny returned his vehicle to the dealer. Months later, however, while he was deployed overseas, CW3 Gorgeny received a letter from GM Financial demanding that he pay more than \$15,000 to cover the entire remaining period of the lease, as well as costs associated with the sale of the vehicle. This letter caused CW3 Gorgeny significant stress while he was deployed overseas. GM Financial also improperly failed to refund lease amounts CW3 Gorgeny had paid in advance. The consent order requires GM Financial to pay over \$3.5 million to servicemembers, a \$65,480 civil penalty to the United States (the maximum allowed by statute), make changes to its SCRA policies, and train employees on servicemembers' rights.

I cannot thank you enough for all you have done and what you continue to do for us. Thanks again for all of your time and effort. Truly proof of what dedication and patience to the justice system can do.

US Army CW3 Thomas Gorgeny,
October 6, 2022



Army Chief Warrant Officer 3 Thomas Gorgeny, an AH-64 Apache pilot, instructs members of the 3d Cavalry Regiment and Fort Hood Fire Station 3 on how to properly extract a pilot in the event of a downed aircraft.

Source: DVIDS - News - Air Cav trains 3d Cavalry Regiment troopers (dvidshub.net)

Members of our Armed Forces should not have to suffer financial hardship as a result of their service to our nation. The Civil Rights Division remains steadfast in its commitment to enforcing laws that safeguard the rights of our servicemembers so that they can devote their energy and attention to the defense of our country.

Assistant Attorney General Kristen Clarke, October 5, 2022

Credit Union Lending

On March 18, 2022, the Department obtained a consent decree in *United States v. BayPort Credit Union*. BayPort Credit Union (BayPort), based in Newport News, Virginia, provides loans for automobile purchase and other purposes. The complaint alleged that BayPort violated the SCRA by (1) illegally repossessing three servicemembers' vehicles, and (2) failing to reduce 21 eligible servicemembers' interest rates to 6%. The United States initiated its investigation after receiving a complaint from an Army soldier who requested the 6% interest rate, but BayPort failed to reduce (and even initially attempted to increase) her monthly payment, failed to

correctly process the interest refund owed on one of her loans, and failed to apply the 6% rate back to the day she entered into military service on a different loan. The consent order requires BayPort to pay \$69,443 in damages to servicemembers and a \$40,000 civil penalty to the United States, change its SCRA policies, and train its employees on servicemembers' rights.

2022 Other Filings, Settlements, and Statements

On July 29, 2022, the Department and the CFPB issued a joint letter reminding auto lenders and leasing companies of their responsibilities to recognize important legal protections that exist for members of the military and their dependents under the SCRA, including the prohibition against certain vehicle repossessions, the duty to allow early vehicle lease terminations without penalty, and the duty to lower vehicle loan interest rates to 6% for pre-service loans.

V. COLLABORATION WITH FEDERAL AND STATE PARTNERS AND OUTREACH TO STAKEHOLDERS

In 2022, the Justice Department continued to collaborate with federal and state partners through interagency engagement, joint investigations, and outreach efforts. The Civil Rights Division is an active participant in the federal Interagency Task Force on Fair Lending. This task force meets bimonthly to discuss emerging fair lending issues, share methods of identifying potential violations, and coordinate approaches on fair lending issues. These meetings promote consistency among agencies and address common issues that arise in referrals to the Department, allowing the participants to benefit from other agencies' perspectives and experience. The Division also held a call with civil rights chiefs at State Attorneys General offices nationwide to discuss the Department's Combating Redlining Initiative and to identify opportunities for collaboration.

Division representatives also regularly participate in conferences, training programs, and meetings involving lenders, compliance officials, industry experts, enforcement and regulatory agencies, consumer groups, and others. These outreach activities are important opportunities to inform stakeholders and interested parties about the Department's fair lending enforcement activities. In 2022, Division staff participated in 19 such events. Additionally, in 2022, the Department participated, for the twelfth year in a row, in a national, public webinar hosted by the FRB.

Civil Rights Division Partners

Bank regulatory agencies

- CFPB - Consumer Financial Protection Bureau
- FDIC - Federal Deposit Insurance Corporation
- FRB – Federal Reserve Board
- NCUA – National Credit Union Administration
- OCC – Office of the Comptroller of the Currency

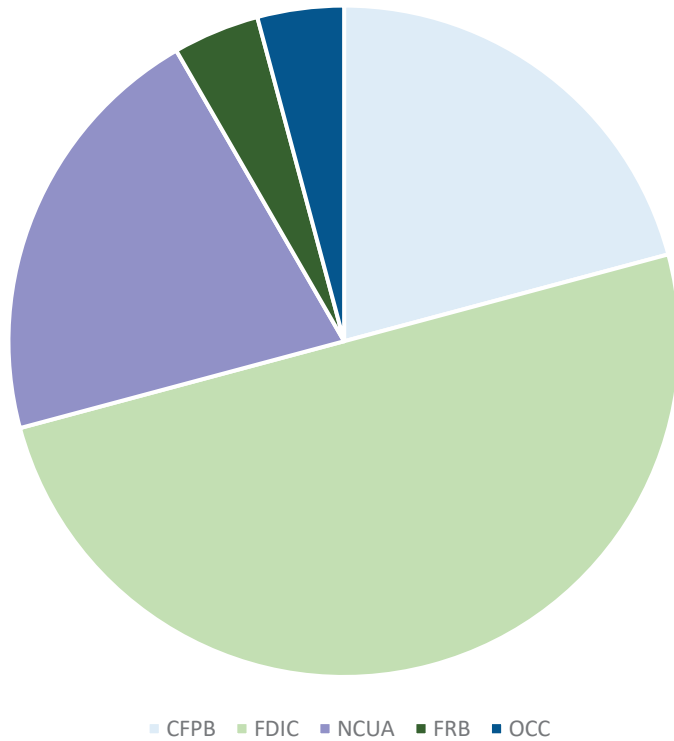
Other partners

- FHFA – Federal Housing Finance Agency
- FTC - Federal Trade Commission
- HUD – Department of Housing and Urban Development

VI. CONCLUSION

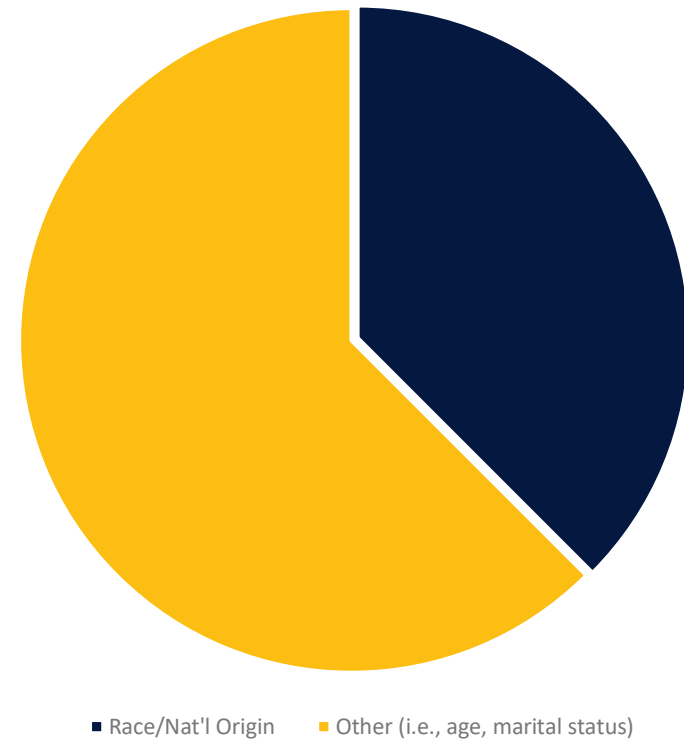
The Justice Department submits this report to Congress pursuant to 15 U.S.C. § 1691f. Our mission continues to be an unwavering commitment to addressing fair lending issues that span the breadth of our enforcement authority. As we entered into our second year of the Combating Redlining Initiative, we continue to expand our work in this area, sending a clear message to all lenders, large and small, depository and non-depository, that our goal is to eradicate redlining discrimination across the country. Our work under the Servicemembers and Veterans Initiative also continues to grow as we fulfill our commitment to uphold the rights of those who serve in our armed forces.

Referrals by Agency

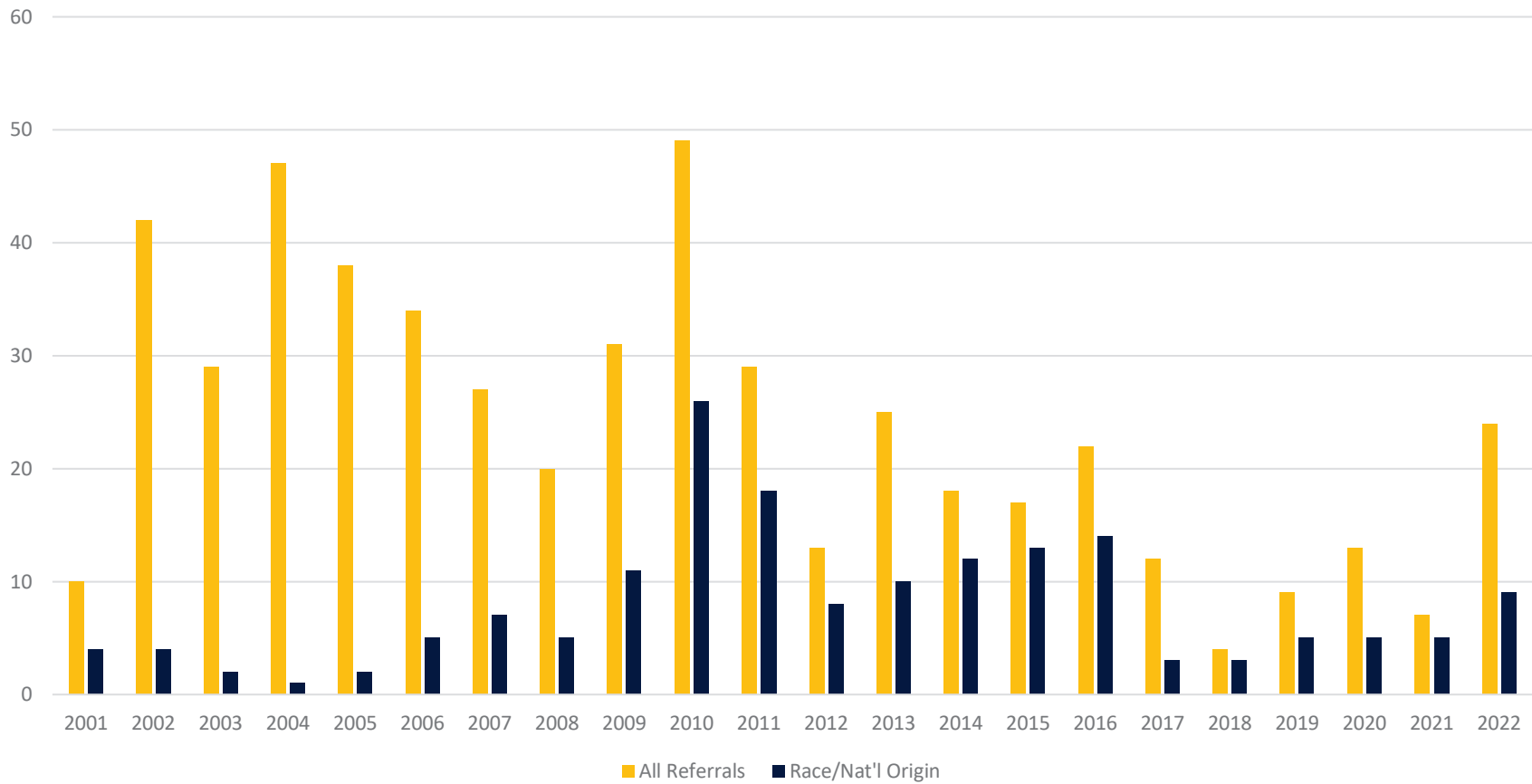


Total of 24 referrals
FTC and HUD made no referrals




Referrals by Protected Class







Historical Fair Lending Referrals to DOJ



2022 Fair Lending Referrals to DOJ

Federal Agency	2022 Referrals by Protected Class	2022 Referrals Resulting in DOJ Investigations	2022 Referrals Returned to Agency	Referrals Pending from Prior Years as of December 31, 2022
CFPB 	<p><i>5 total</i></p> <p>4 race/national origin: redlining 1 source of income: underwriting</p>	<p><i>1</i></p> <p>1 race/national origin: redlining</p>	<p><i>4</i></p> <p>3 race/national origin: redlining 1 source of income: underwriting</p>	<p><i>2</i></p> <p>1 race/gender: pricing 1 race/national origin: redlining <i>CFPB and U.S. v. Trident Mortgage Company LP Filed July 27, 20221</i></p>
FDIC 	<p><i>12 total</i></p> <p>2 race: redlining 2 national origin: pricing 2 age: underwriting 1 source of income: underwriting 2 Cons. Credit Prot. Act rights: underwriting 1 marital status: underwriting 1 marital status: underwriting/pricing 1 sex: pricing</p>	<p><i>2</i></p> <p>2 race: redlining</p>	<p><i>10</i></p> <p>2 national origin: pricing 2 age: underwriting 1 source of income: underwriting 2 Cons. Credit Prot. Act rights: underwriting 1 marital status: underwriting 1 marital status: underwriting/pricing 1 sex: pricing</p>	<p><i>1</i></p> <p>1 race: redlining</p>
FRB 	<p><i>1 total</i></p> <p>1 marital status/familial status: discouragement, underwriting</p>	<p><i>1</i></p> <p>1 marital status/familial status: discouragement, underwriting</p>	<p><i>0</i></p>	<p><i>1</i></p> <p>1 race/national origin: redlining</p>

2022 Fair Lending Referrals to DOJ (continued)

Federal Agency	2022 Referrals by Protected Class	2022 Referrals Resulting in DOJ Investigations	2022 Referrals Returned to Agency	Referrals Pending from Prior Years as of December 31, 2022
NCUA 	<i>5 total</i> 4 age: underwriting 1 age/marital status: underwriting	0	5 4 age: underwriting 1 age/marital status: underwriting	0
OCC 	1 1 race/national origin: redlining**	1 1 race/national origin: redlining	0	0
FTC 	0	0	0	0
HUD 	0	0	0	0

** This referral was made under the FHA only.

Fair Lending Referrals to DOJ 2001-2022

All Referrals

All Referrals	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	TOTAL
CFPB	—	—	—	—	—	—	—	—	—	0	1	6	15	8	8	2	0	3	4	2	5	54	
FDIC	5	33	29	42	35	29	15	12	21	33	14	8	11	3	4	4	4	1	2	3	2	12	322
FRB	1	6	0	3	2	5	9	3	6	6	7	2	6	0	4	7	3	0	1	2	1	1	75
NCUA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	1	3	2	5	14
OTS*	1	0	0	1	0	0	3	4	4	6	4	—	—	—	—	—	—	—	—	—	—	—	23
OCC	3	1	0	0	0	0	0	1	0	2	1	1	1	0	0	1	1	1	2	1	0	1	17
HUD	0	2	0	1	1	0	0	0	0	2	1	1	1	0	1	2	0	1	0	0	0	0	13
FTC	—	—	—	—	—	—	—	—	—	—	2	0	0	0	0	0	0	0	0	0	0	0	2
TOTAL	10	42	29	47	38	34	27	20	31	49	29	13	25	18	17	22	12	4	9	13	7	24	520

On July 21, 2011, the CFPB launched and the Office of Thrift Supervision (OTS) was merged into the OCC.
 “-” indicates there is no entry for that agency in the ECOA report for that year.

Fair Lending Referrals to DOJ 2001-2022

Race/National Origin Referrals

Race/Nat'l Origin	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	TOTAL
<i>Bank Regulatory Agencies</i>																							
CFPB	—	—	—	—	—	—	—	—	—	—	0	0	2	10	7	7	1	0	2	3	2	4	38
FDIC	2	1	2	0	1	3	1	2	5	14	10	5	5	2	3	2	1	1	0	0	2	4	66
FRB	1	1	0	0	0	2	4	0	3	4	2	1	3	0	3	3	0	0	1	1	1	0	30
NCUA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTS*	1	0	0	0	0	0	2	3	3	4	3	—	—	—	—	—	—	—	—	0	—	—	16
OCC	0	0	0	0	0	0	0	0	0	2	1	1	0	0	0	0	1	1	2	1	0	1	10
<i>Other Partners</i>																							
HUD	0	2	0	1	1	0	0	0	0	2	0	1	0	0	0	2	0	1	0	0	0	—	10
FTC	—	—	—	—	—	—	—	—	—	—	2	0	0	0	0	0	0	0	0	0	0	—	2
TOTAL	4	4	2	1	2	5	7	5	11	26	18	8	10	12	13	14	3	3	5	5	5	9	172

*On July 21, 2011, the CFPB launched and the Office of Thrift Supervision (OTS) was merged into the OCC.

“-” indicates there is no entry for that agency in the ECOA report for that year.