



# **NEW YORKERS FOR RESPONSIBLE LENDING**

## **2026 NYRL Policy Platform**

*New Yorkers for Responsible Lending (NYRL), a statewide coalition of 160 non-profit organizations, promotes economic justice as a matter of racial and community equity.*

*NYRL's policy platform reflects NYRL members' experiences working with consumers in communities across New York State to address economic challenges, inequities, and injustices New Yorkers face.*

### **Key Priority**

- NYRL strongly supports efforts to amend New York's primary consumer protection statute (GBL § 349) to conform with the majority of state consumer protection laws, known as **Unfair, Deceptive, or Abusive Acts or Practices (UDAAP)**, that broadly prohibit unfair and abusive business practices and allow private enforcement. These predatory practices target and extract wealth from people of color, in communities with fewer safe options due to decades of systemic racism.

### **NYRL Workgroup Priorities**

#### **Consumer Finance**

- **Protect consumers from unfair debt collection.** NYRL supports reforms that will protect New York consumers from unfair debt collection and predatory debt settlement products. Accordingly, NYRL supports reforms to collection of **nursing home debt** and specifically, the **Consumer Debt Uniformity Act, A 10182 (Taylor)** which extends rules and protections for consumer credit transactions to all consumer debt. These protections include those passed in 2021 under the Consumer Credit Fairness Act, such as the three-year statute of limitations, requirement to provide proof of ownership of the debt when suing, and better notice to defendants. There is no reason why some debts, such as credit cards, should be treated differently from others, such as unpaid tuition – a debt is a debt! NYRL supports **ending debtors' prisons in New York** by reforming New York's contempt process for consumer judgment debtors. NYRL supports **S.926 (2024) (Kavanagh)/A.3318 (Dinowitz)**, which would promote accountability in consumer arbitration proceedings by requiring certain private arbitration organizations to publish data about the arbitrations that they conduct.
- **Keep predatory lending out of New York.** NYRL seeks to keep predatory lending out of New York and defend New York's historically strong usury laws. Accordingly, NYRL supports the **Stop Taking Our Pay Act, S.8939 (Brouk)/A.9644 (Raga)**, which clarifies that paycheck



advance apps are subject to New York banking laws and usury limits and the **End Loan Sharking Act, S.1726 (Brouk)/A.4918 (Raga)**, which would plug holes in New York's usury laws by clarifying that all financing transactions, such as rent to own, earned wage access, merchant cash advances, retail installment contracts, or litigation funding, are "loans" that are subject to protections against usury. Some loans shouldn't be treated differently from others – a loan is a loan! NYRL opposes efforts to exempt innovative financing transactions from New York's strong usury laws, such as bills that would define "earned wage access" (EWA) programs as not being loans.

- **Improve price transparency in New York. The New York Junk Fee Prevention Act, S.363A (Gianaris)/A.9604 (Torres)** requires clear and conspicuous pricing for products and services sold in New York State. This legislation would amend the General Business Law to add a new section 396-yy to require that businesses offering goods or services to purchasers in the state disclose the "total price," inclusive of any mandatory charges or fees that are required to complete the purchase. By ensuring that consumers can get access to the full price at the outset of the transaction, the New York Junk Fee Prevention Act will improve price transparency and empower consumers to more easily compare prices charged by competing sellers.

## **Insurance**

- **Fair Auto Insurance Pricing Act, S.6885 (2024) (Parker), A.1273 (Peoples-Stokes)**  
The bill would prohibit motor vehicle insurers from discrimination based on socioeconomic factors in determining algorithms used to construct actuarial tables, coverage terms, premiums and rates. The bill would in particular prohibit the use of credit history for auto insurance pricing and underwriting, which drives up premiums by thousands of dollars for many New York drivers who have spotless driving records, and has a profound disparate impact on low- and moderate-income drivers and drivers of color. Other states such as California, Massachusetts, Hawaii and Michigan have banned the use of credit history for auto insurance pricing, and instead give greater emphasis to driving-related factors such as miles driven per year, years of driving experience, driver safety record and claims history.
- **Consumer and Privacy Protections for Auto Insurance Telematics Programs, S.5846 (Comrie)**  
This bill would improve the transparency and accountability of auto insurance telematics programs, which offer discounts to users in exchange for letting insurers track their driving behaviors through smartphones and other monitoring devices. The bill would require insurers to disclose ratings factors and scoring methodologies to users, and confirm that ratings factors used are appropriately related to risk and not unfairly discriminatory. The bill would also protect user data by restricting its use for the purpose for which it is provided (to evaluate driving risk and calculate premium discounts).
- **Homeowners Insurance Risk Models and Risk Mitigation, S.8583A (Kavanagh) and A.9016A (Torres)** The increasing frequency of extreme weather events, combined with the rising cost of



repairs and building materials, has destabilized the home insurance market. Homeowners increasingly face skyrocketing premium prices, and many are losing coverage as adequate coverage has become unobtainable at an affordable price.

This important bill would direct insurers to provide more detailed data about the catastrophic risk models and scoring methods used for homeowners insurance to the Department of Financial Services, and improve policyholders' ability to obtain discounts for taking certain actions to mitigate the risk of losses. The bill would also require an annual report on the housing insurance market for multifamily and nonprofit housing providers.

## **Homeownership**

- **Fund the Homeowner Protection Program (HOPP) in the budget:** HOPP supports the continued funding of the HOPP program as proposed in the Governor's proposed budget, and supports **A.1625 (Solages) / S.2627 (Kavanagh)**, which would codify the program amongst New York's other tools combating threats to homeownership, ensuring the continuation of New York's HOPP program, which ensures homeowners have access to free, reputable assistance from housing counseling and legal services in every county of New York State. Codifying the HOPP program is essential to ensure that distressed homeowners are not left at the mercy of deed theft, loan modification, and partition scammers who target vulnerable seniors and homeowners in communities of color.
- **Combat predatory "zombie" second foreclosures:** NYRL advocates for legislation to curb abuses associated with foreclosures on "zombie" second mortgages, a phenomenon that threatens the stable homeownership of tens and thousands of New York homeowners, mostly first-time homebuyers in communities of color who were targeted for origination of predatory "80/20" loans in the mid-2000s. Abandoned after the inception of the foreclosure crisis, these loans are now being bought by unscrupulous debt buyers because of the increase in home values, sometimes 10 or 15 years after the homeowner resolved their debts on their first mortgages. The bill would require debt buyers to disclose important information about their acquisition and purchase of the second mortgage before being able to foreclose, to give homeowners a fair shot at negotiating a home-saving resolution with these entities, most of whom are speculators looking to strip equity from long standing homeowners in communities with appreciating real estate values, disproportionately impacting seniors and homeowners of color.
- **Make DFS mortgage servicing requirements enforceable:** NYRL supports **A.3348 (Dinowitz) / S.70 (Kavanagh)** which allows homeowners to raise as a defense to a foreclosure action material violations of New York State's mortgage servicing regulations (3 NYCRR Part 419) or bring an affirmative claim when the violation harms the homeowner. The regulations are often flagrantly violated by mortgage services who lack incentive to comply because the homeowner has no recourse, in contrast to comparable federal regulations which have a private right of action.
- **Continue to work towards solving property tax lien issues:** NYRL supports the **Tax Lien Foreclosure Bill of Rights, A.4935 (2024) (Weinstein) / S.5214 (2024) (Thomas)**. The Bill of



Rights would provide for a pre-foreclosure notice, settlement conference process, lower default interest rate, and ensures the homeowner has access to excess funds from a sale, consistent with recent U.S. Supreme Court precedent. Struggling New York homeowners are threatened by tax lien sales and foreclosure that have one common failing – the absence of home-saving protections applicable to mortgage foreclosures. Tax lien foreclosures disproportionately impact seniors, low-income homeowners, and communities of color. No home should be lost without basic protections, such as notice of resources and an opportunity to negotiate a resolution. We will endeavor to make property tax lien issues tractable and fair for homeowners. Diluted legislation embodied in last years' budget legislation failed to address the problem coherently, and NYRL urges enacting comprehensive legislation that would address the need to replicate protections taken for granted in mortgage foreclosure cases in the tax lien foreclosure context.

## **Student Lending**

- **Sustained Funding for the Education Debt Consumer Assistance Program (EDCAP):** EDCAP provides outreach, education, and direct assistance to student debt borrowers across NYS to manage (and potentially eliminate) their debt. With the new federal policy changes creating confusion and the inefficient resumption of student loan repayment post COVID-19, the need for EDCAP's services has never been greater. NYRL supports \$3.5 million in funding for EDCAP for FY26 to continue this vital program.
- **Private Student Loan Consumer Protections:** NYRL supports **A.3155 (2024) (Zebrowski) / S.362 (2024) (Thomas)** which instills consumer protections for student borrowers of private loans and their co-signors (primarily seniors). The bill requires basic information to be provided in lawsuits by debt collectors and prohibits robo-signing. The bill also includes enhanced disclosures, simplifies the process for co-signers to be released, and prohibits acceleration based on a co-signer's death or bankruptcy.
- **Direct-to-School Debt:** When students owe debt directly to their institution, they are often barred from readmission and subjected to aggressive collection practices. Preventing readmission unless the balance is paid in full creates a significant disadvantage for students, particularly those in rural areas with no other higher education options. We must address these challenges in NYS, particularly for SUNY and CUNY students.
- **Student Debt Forgiveness Tax Exemption:** All student debt forgiven under a federal relief program should be exempt from NYS income tax. An existing bill has protected borrowers that received this kind of forgiveness from tax implications up until 2025. NYRL supports extending this exemption indefinitely.