Perfect Storm: Payday Lenders Harm Florida Consumers Despite State Law

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Key Findings

- Florida's payday loan law – passed in 2001 and sold as a measure to prevent the debt trap – fails to stop the wealth stripping effects of payday loans with APRs averaging 278%.
- With more payday loan stores than Starbucks, payday lenders have stripped over $2.5 billion in fees from Floridians since 2005, with over $311 million collected last year alone.
- Payday loans to trapped borrowers generate the majority of payday loan volume. Last year, over 83% Florida payday loans were to Floridians stuck in 7 or more loans.
- The economic drain of payday lending is disproportionately concentrated in Florida's black and Latino communities, and has seen significant growth among senior citizens.

Introduction

Payday loans are marketed as quick fixes for unexpected financial emergencies, but in reality create unaffordable debt traps. Payday lenders impose excessive fees on loans that many borrowers are unable payback when due. Due to the unaffordable terms payday loans carry, many borrowers are forced into a cycle of borrowing and re-borrowing just to cover the shortfall created by the previous loan.

Research shows that payday loans are associated with harmful financial consequences such as increased overdraft and bounced check fees, loss of bank accounts, default on other obligations, and increased risk of bankruptcy. Because of the significant financial harm payday loans inflict, 14 states and the District of Columbia enforce rate caps that protect against triple-digit payday loans and the ensuing cycle of debt.

Payday lenders tout Florida's payday loan law as model regulation, as it codifies what lenders claim are "best practices." Unfortunately, as explained in this brief, these "best practices" are merely smoke and mirrors that do not prevent the payday loan debt cycle. Florida's experience with payday loans clearly demonstrates how payday lenders rely on the cycle of debt as the core of their business model, and lenders continue to drain millions in fees from those that can least afford it year after year.

How Payday Loans Work

Payday loans in Florida can be issued for a maximum of $500 (exclusive of fees) and are due on the borrowers' next payday – normally in two weeks. To qualify for a payday loan, an applicant typically only needs a checking account and proof of income, generally from a job or government benefit such as Social Security. A post-dated check or electronic debit authorization covering the loan principal and fees is taken by the payday lender as collateral. If the borrower fails to pay back the loan in full when due, the lender can cash the check or debit the account for repayment. This direct access to a borrower's bank account ensures that the lender is first to get paid, before other bills and necessities.

Payday lenders do not assess a borrower's ability to repay the loan in light of the borrower's other expenses. Instead, payday lenders rely on access to a borrower's bank account to aggressively collect on a loan, regardless of the borrower's other obligations. Payday lenders rely on the fact that many borrowers will take out a subsequent payday loan before their next paycheck to fill in the budget gap caused by the previous payday loan.

Florida's Payday Loan Law: Friendly Compromise or Crafty Deception?

Some of the payday lenders licensed to make loans in Florida today began their business in the state by operating illegally, extending loans at rates well in excess of the state's 18 percent usury limit.[1] The push to bring oversight to these lenders began in earnest in the late 1990s, but nothing would be enacted for several years.

During the 2001 legislative session, with consumer advocates calling for reforms, then-Senator Lee Constantine offered a proposal to address the issue. The proposal was characterized as a compromise by payday lenders, with Sen. Constantine stating, "[w]e hope this will not only help [borrowers] put their financial situation in order, but also prevent them from getting into it again,"[2] and "[w]e're trying to keep people from falling into this insidious downward spiral of debt."[3]

Consumer advocates were told that the provisions – such as the one loan at a time limit, a 24-hour wait period between loans, inclusion of an extended payment plan and credit counseling, as well as a database to track activity and compliance with the law – would keep consumers off the debt treadmill. However, what was not apparent to advocates at the time was that ultimately, this proposal would do nothing more than codify a regulatory framework to allow payday lenders to *legally* offer the same triple-digit interest rate loans to Floridians across the state as they did before its passage.

Finally, in 2001, after a multi-year battle between payday lenders striving to maintain the status quo of lax enforcement and consumer advocates pushing for oversight and legitimate protections for borrowers, the Florida legislature passed Sen. Constantine's proposal – the Deferred Presentment Act. [4] Unfortunately, as is apparent from years of data obtained from the Florida Office of Financial Regulation, the lender-designed provisions of the law fail to provide any relief from the "downward spiral of debt" as promised by Sen. Constantine.

As shown in the data, payday lenders blatantly skirt the spirit of the law, extracting millions each year from Floridians through a regulatory framework that fails to safeguard borrowers from sliding deeper and deeper into a cycle of debt, and permits loans with APRs in excess of 300%.

The Facts about Payday Lending in Florida

Florida's Office of Financial Regulation (OFR) maintains oversight of licensed payday lenders. Further, as required by the 2001 law, payday lenders must log all payday loan transactions into a central database. Veritec Solutions LLC, the Jacksonville-based vendor selected to develop and operate this database, annually produces reports for OFR summarizing key statistics related to payday lending in the state. The Center for Responsible Lending obtained the most recent ten reports – examining payday transaction data from September 2005 through May 2015 – through public records requests. These reports, and other data from OFR, form that basis of this paper.

What is the Cost of Payday Lending in Florida?

Payday Loans in 2014-2015	
Average Loan Size	$399.35
Average Fees	$42.73
Average APR	278%
Total Fees Extracted	$311 Million

Since September 2005, payday lenders have collected more than $2.5 billion in fees from Floridians.[5] Although the total number of licensed payday locations has declined since a peak of 1,490 in 2011, over the entire ten-year period examined, the amount of business – number of transactions, total loan volume, and total fees – has consistently increased year over year. From 2005 to 2015, yearly transactions have increased from 4.6 million to 7.9 million, annual volume has increased from $1.73 billion to $3.13 billion, and total annual fees has increased from $186.5 million to $311 million.[6]

Looking to the most recent reported one-year period – ending May 2015 – the average payday loan was for $399.35 and carried total fees averaging $42.73.[7] Assuming a 14-day term, this means that the average payday loan in Florida carried a 278% APR. Many lenders also advertise rates that reach much higher. For example, Advance America, Check 'n Go, ACE Cash Express, CashNetUSA, and The Check Cashing Store publish rates over 300% APR for 14-day loans of $300 or less in Florida.[8]

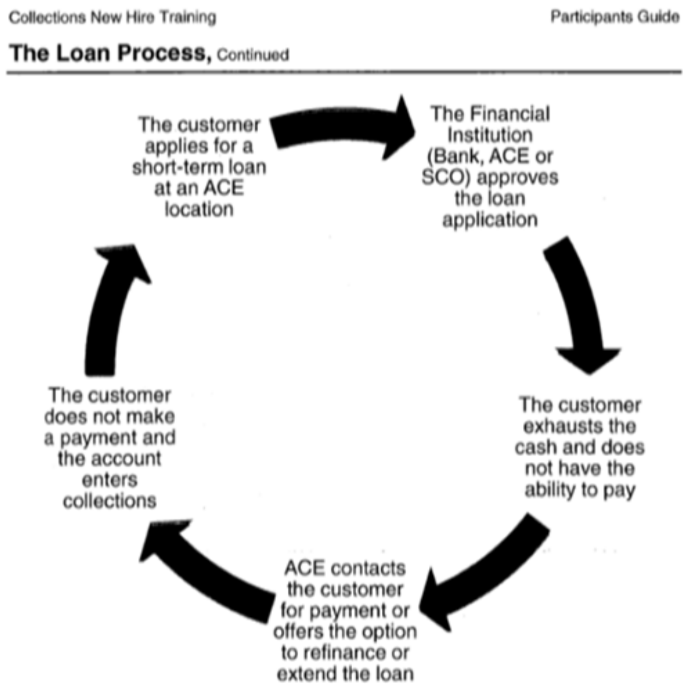
Over the same one-year period, in total, payday lenders extracted approximately $311 million in total fees from borrowers.[9]

"In practice, consumers mostly either rollover or default; very few actually repay their loans in cash on the due date."

– Hilary Miller, CEO of lender-supported Consumer Credit Research Foundation & President of the Payday Loan Bar Association

This level of financial drain is a direct result of the payday loan business model which relies on unaffordable loans and borrowers becoming trapped in a cycle of debt. In 2007, the then-CEO of Cash America stated, "the theory in the [payday loan] business is you've got to get the customer in, work to turn him into a repetitive customer, long-term customer, because that's really where the profitability is."[10] In a 2011 email, Hilary Miller, chairman of the payday lender-supported Consumer Credit Research Foundation and president of the Payday Loan Bar Association, admits to the reality of the unaffordability of payday loans: "[i]n practice, consumers mostly either rollover or default; very few actually repay their loans in cash on the due date."[11]

This business model has even been incorporated into payday lenders' operating documents, as seen in this graphic (below) from an ACE Cash Express new hire training manual, educating employees on how to cycle a borrower from one unaffordable payday loan to the next.[12] Ace Cash Express operates 143 payday loan locations in Florida.



What Drives Payday Lending in Florida?

Florida data clearly shows that the overwhelming majority of payday loan volume comes from repeat lending. According to the 2015 Veritec report, the average borrower takes out more than 8 loans per year.[13] Additionally, a full 83% of total payday loan transactions were generated by borrowers trapped in 7 or more loans; 57% of loan transactions were generated by borrowers stuck in 12 or more loans.[14] These figures held constant over the entire 10-year period examined. See Table 1.

Table 1: Loans to Trapped Borrowers Generate Most Payday Lending Volume[15]

	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
Loans to borrowers with 7 or more loans per year	83%	84%	85%	85%	85%	85%	84%	83%	81%	81%
Loans to borrowers with 12 or more loans per year	57%	59%	61%	62%	63%	63%	61%	60%	58%	58%

These figures persist despite lender-supported provisions in Florida law such as the rollover ban and extended payment grace period. Florida law provides for a grace period extending the term of the loan for 60-day at no additional charge, if the borrower informs the lender that they are unable to pay the total amount when due and agree to attend credit counseling. Payday loans in Florida are rarely placed into this plan. In the most recent reporting year, fewer than one half of one-percent (0.5%) of total transactions were placed into a grace period.[16]

The pace at which these subsequent loans are taken out is also alarming. Historically, a full 88% of repeat payday loans in Florida are originated before the borrower receives their next two-week paycheck.[17] This is a strong indicator that repeat payday loans are not providing new credit or resolving multiple financial emergencies throughout the year (as characterized by lenders), but rather the new payday loan is filling the budget shortfall caused by the previous payday loan. In other words, payday loans do not alleviate financial burdens, they create new financial emergencies every two weeks.

It is clear that the payday lender "best practices" implemented in the 2001 legislation – those protections that were intended to keep borrowers off the debt treadmill – have failed. The 24-hour waiting period between payday loans does not change the shortfall faced by the large number of repeat borrowers that find themselves in need of a new loan even before their next paycheck. Additionally, although there are clear signs of struggle amongst borrowers, less than 0.5% of payday loan transactions are placed into the extended grace period. And finally, the payday loan database has been successful in exposing the debt trap, however its usefulness as an enforcement tool is lacking due to the weaknesses of the underlying law.

The Impact of Payday Loans on Florida Communities

Research has shown that payday borrowers are more prone to suffer from a number financial issues and complications than similarly situated people that avoid using payday loans. The budget shortfall from payday fees leads to delinquency on credit cards and other bills,[18] as well as delayed medical care and prescription drug purchases.[19] Given the lenders' direct access to the bank account, payday loans lead to increase likelihood of overdraft fees and loss of bank accounts.[20] Payday borrowers are also more likely to file for bankruptcy.[21] Instead of being a helping hand out of debt, payday loans lead borrowers into a deeper state of financial ruin.

Evidence of this type of harm to the military community has been clearly documented by the U.S. Department of Defense (DoD). In 2006, the DoD issued a report to Congress on the impact of predatory lending practices on military personnel which stated, in part, "[p]redatory lending undermines military readiness, harms the morale of troops and their families, and adds to the cost of fielding an all volunteer fighting force," and "[i]ndeed, the [payday lending] industry relies on revenue from borrowers caught in a debt trap."[22]

The findings in that report solidified the case for the 2006 Talent-Nelson Amendment to the 2007 National Defense Authorization bill, sponsored by Senators Jim Talent (R-MO) and Bill Nelson (D-FL). Recognizing the dangers these high cost loan products posed to members of the military community, this bipartisan bill – which capped the rates on consumer credit to active duty members of the military at 36% – passed unanimously out of the U.S. Senate on June 22, 2006 and signed into law by President George W. Bush. Unfortunately, similar protections have not been afforded to veterans or the broader American public.

The inability of borrowers to pay their way out of the payday loan debt trap is not only a problem for the individual borrower and their families, but in the aggregate, can have a larger impact on their surrounding communities. Neighborhoods in Florida and across the country continue to suffer the economic drain of these predatory loan products. In 2013, the Insight Center for Community Economic Development examined the net impact payday lending had, in terms of value added, on the national economy and jobs. According to this study, in 2011 payday lending in Florida had a negative impact of more than $76 million in lost economic activity, and resulted in the estimated loss of 1,117 jobs.[23]

> "In 2011 payday lending in Florida had a negative impact of more than $76 million in lost economic activity, and resulted in the estimated loss of 1,117 jobs."
> *– Insight Center for Community Economic Development*

Impact on Florida Communities of Color

Prior research has shown that payday lender activity is particularly acute in communities of color.[24] This fact is also true in Florida. These patterns become apparent by mapping the location of payday stores against census data about the racial demographics of the area.[25] See Appendix A. The maps and the analysis below are based on payday loan locations provided by the OFR, as of January 2016, reflecting more than 1,100 stores. Two payday lenders – Amscot and Advance America – own nearly 500 of these stores.[26] By comparison, Starbucks has 642 Florida locations.[27]

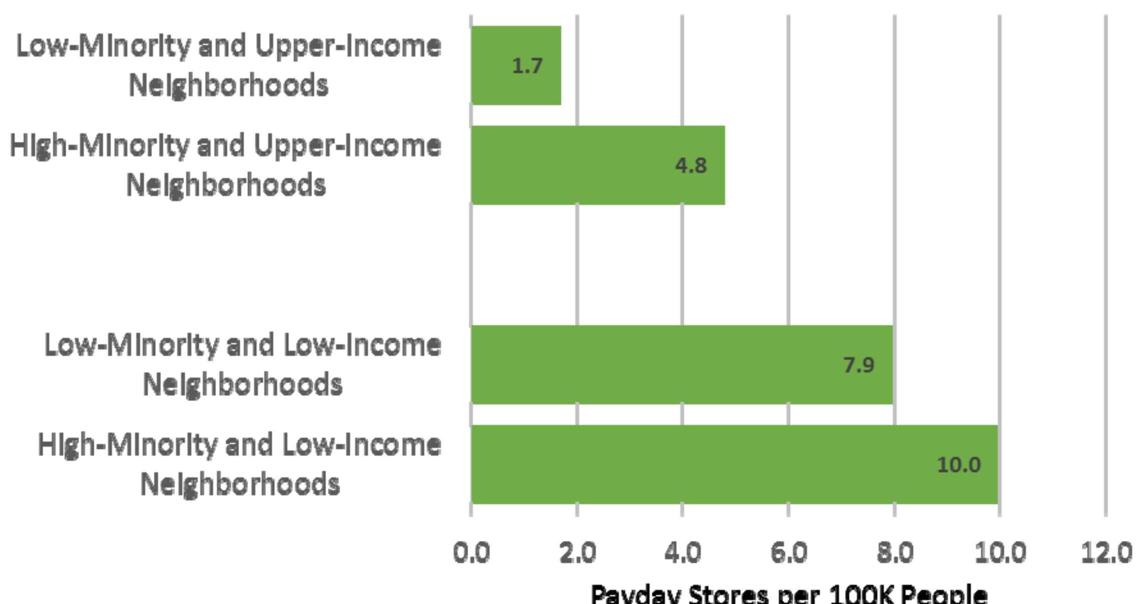
Further, as shown below, a Florida payday lenders are more highly concentrated in communities with significant black and Latino communities, even when accounting for income. High-minority areas in Florida (over 50% black and Latino) have 8.1 stores per 100,000 people, compared to 4.0 stores for neighborhoods that are mostly white (below 25% black and Latino). Considering that payday lenders focus their marketing efforts on financially strapped consumers, it is not surprising to find that low-income neighborhoods have significantly higher concentrations of payday stores. Low-income areas (below 80% of Florida's household median income) have 9.6 payday stores per 100,000 people, whereas upper-income neighborhoods (over 120% of the state household median income) only have 2.4 stores per 100,000 people. See Chart 1.

However, when comparing areas at both ends of the income spectrum, store concentrations are notably higher in high-minority census tracts when compared to their low-minority counterparts. As illustrated in the following graph, this implies that race is still a strong factor in store location regardless of income. See Chart 2.

Chart 1: Florida Payday Store Concentrations by Race and by Income, Separately

Chart 2: Florida Payday Store Concentrations by Race and Income, Combined

Across the country, African-Americans and Latinos continue to earn less on the job and possess only a



fraction the net worth of their white counterparts.[28] In Florida and elsewhere, the difficulties of saving and accumulating wealth in these communities are compounded by the higher concentrations of payday lenders in these communities. Considering all of these facts, individuals and communities that struggle most to accumulate wealth and are less capable of breaking the cycle of debt are most geographically targeted by payday lenders.

Impact on Florida Seniors

The growth in payday use among aging Floridians is also troubling. Over the past decade, the share of payday borrowers age 65 and older more than doubled – increasing from 3.4% of borrowers in 2005 to 8.6% in 2015 (a 152.9% increase). Borrowers 65 and older were the fastest growing age group of borrowers over this period. Additionally, this growth is faster than the growth of the same segment of the population in the state overall. From 2005 to 2014, Florida's 65 and older population has only grown by 9.7%.[29]

This is cause for concern because seniors in particular may not have the ability to quickly overcome a shortfall on their monthly balance sheet. A senior that is living month-to-month on a fixed income may be less likely to have the flexibility to cover their payday loan debt by working extra hours or liquidating assets. This inevitably leads to a need for additional loans to cover all of their expenses before their next benefit check arrives.

Conclusion and Recommendations

Although promoted as meaningful reform, the 2001 Deferred Presentment Act has failed to provide relief for Floridians trapped in payday loan debt. The industry continues to drain millions of dollar in fees from those that can least afford it – particularly from communities of color and Florida's aging community.

In response to the negative impact predatory payday lending has had on families and communities across Florida, elected officials have offered proposals to rein in the harms of payday lending. In 2006, Sen. Bill Nelson co-sponsored the Talent-Nelson amendment to protect active duty military personnel from the abuses of predatory lending. In this most recent legislative session, bills in both the Florida House and Senate were offered to cap the rates on payday loans at 30% APR – bringing the rates on payday loan in line with limits on other financial products in the state.[30] Additionally, SB 626 – a bill that would equip the Florida Office of Financial Regulation with the ability to take action against payday lenders that violate the Military Lending Act, implicitly supporting protections from high-cost loan products – was passed unanimously through all committees and both chambers of the legislature.

At the federal level, the Consumer Financial Protection Bureau (CFPB) is also taking action to address the harm caused by unaffordable payday loans. While the CFPB by law cannot create a rate cap, the Bureau is engaged in rulemaking to require payday lenders to assess a borrower's ability to repay the loan.[31] A wide array of Florida organizations have fervently expressed support for the CFPB's oversight and efforts to curb the worst debt trap practices, and even called on the Congressional members to do the same.[32]

Despite the alarming statistics from the state's payday loan database and public outcry by Floridians to fix the state's payday laws, several of Florida's Congressional representatives have sponsored legislation

that would halt the CFPB's rulemaking process and would encourage the adoption of Florida regulations in other states. This federal bill, HR 4018, would delay the CFPB's rulemaking process by two years and would permanently exempt from future rulemaking in this area any state that adopts Florida-like regulations.

Florida's law – under which the average borrower is stuck in 8 loans per year, permits loans with APRs in excess of 300%, and has enabled a fee drain of over $2.5 billion from financially burdened individuals and families over the past decade – is a poor model for nationwide regulation of payday lenders.

State and Federal Policy Recommendations

State and federal lawmakers have the ability eliminate the debt trap in Florida, and should:

- Adopt responsible state-level proposals that cap payday loan interest rates at 30%, without loopholes, to bring these loans in-line with other small-dollar loans in the state.

- Reject proposals that seek to delay the CFPB's oversight and rulemaking abilities, or that engrain or encourage adoption of Florida's severely flawed regulatory framework.

- Support strong regulations by the CFPB aimed at eliminating the cycle of debt caused by payday loans and other high-cost small dollar loan products, including provisions that:

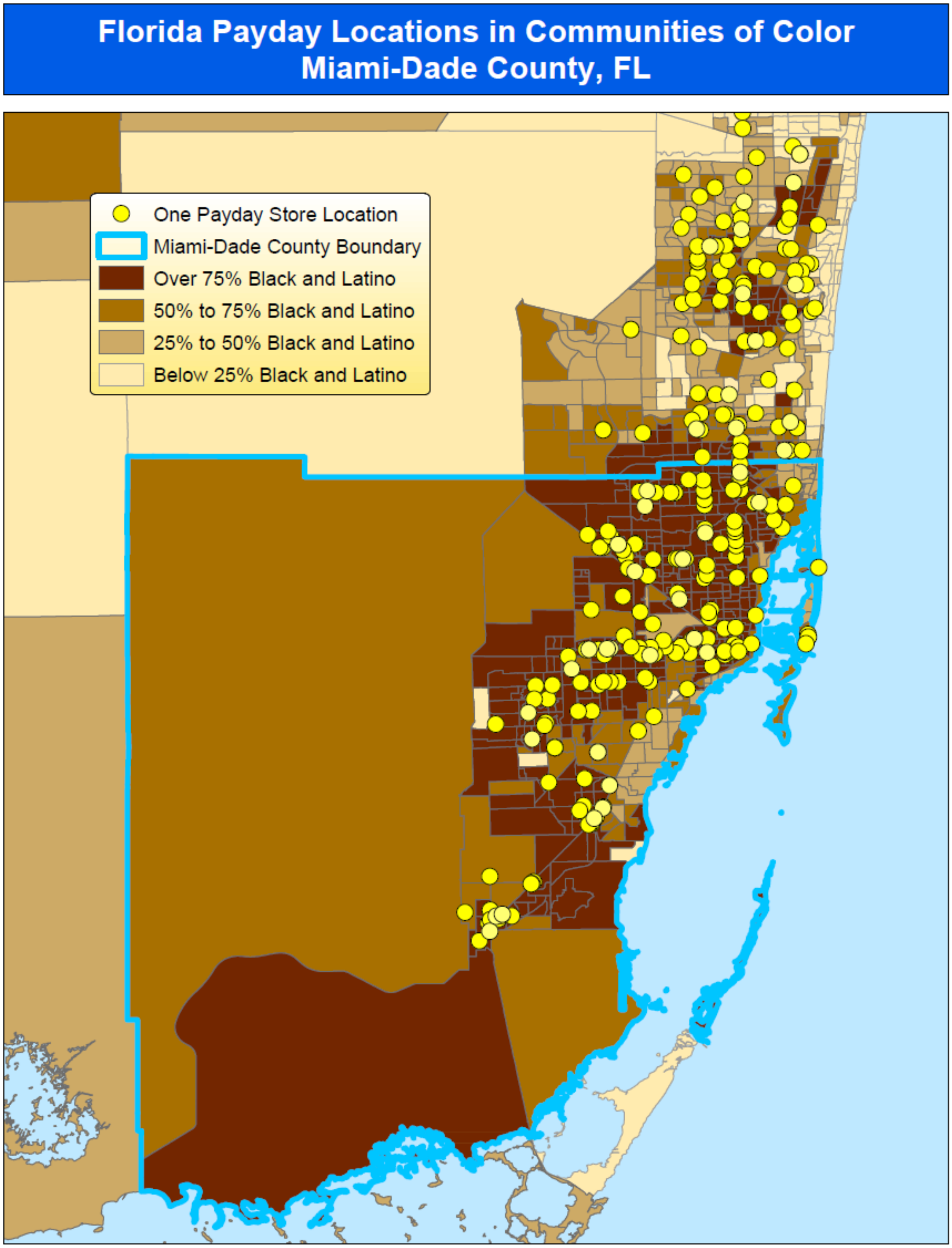
    - Require all high-cost lenders, including payday, installment and car title lenders, to confirm loans are affordable – given the borrower's income and expenses – without defaulting on other bills and without taking out a new loan.

    - Make affordability the standard for all loans, without exception. Do not allow loopholes for lenders to choose how they are regulated.

    - For short-term loans, limit the amount of time that lenders can keep borrowers in payday loan debt to no more than 90 days in a 12 month period.

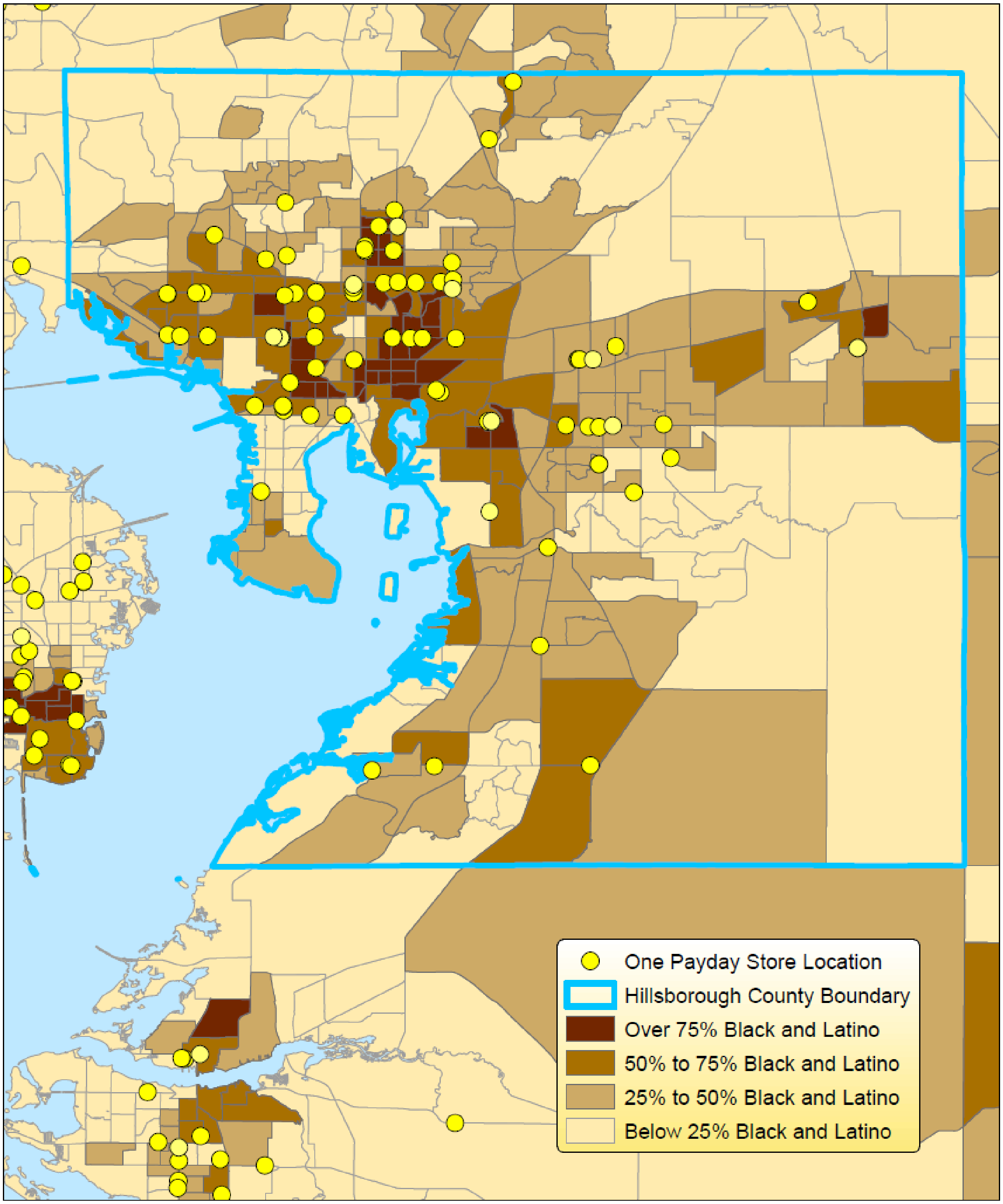
    - For longer-term loans, address re-borrowing for loans that become debt traps, and discourage loan terms in which the borrower is not making significant progress toward paying off the debt.

Appendix A: Maps of Payday Store Locations in Communities of Color for Select Florida Counties



Center for Responsible Lending 2016
Sources: U.S. Census 2010; Florida Office of Financial Regulation, Jan 2016

Florida Payday Locations in Communities of Color
Hillsborough County (Tampa), FL



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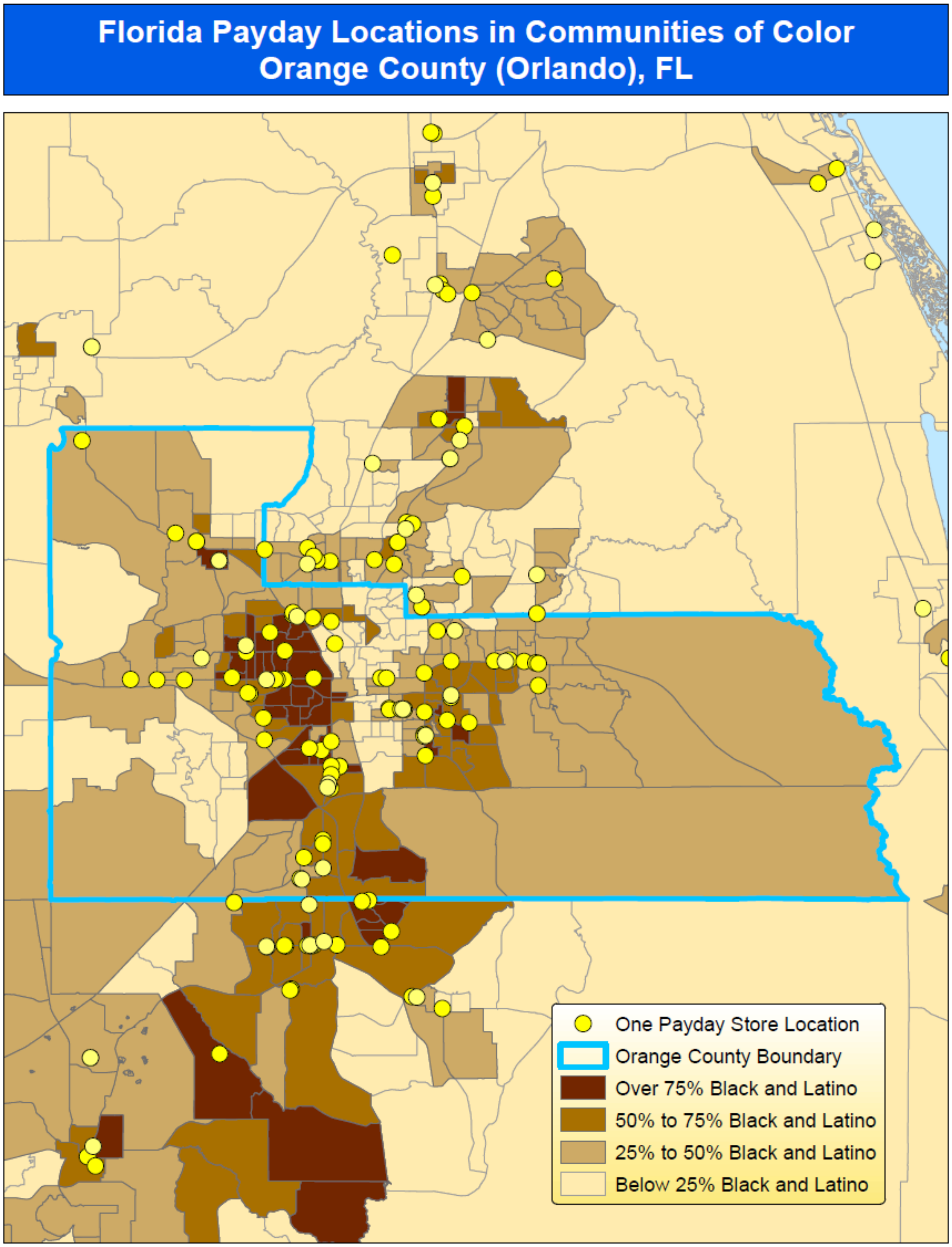

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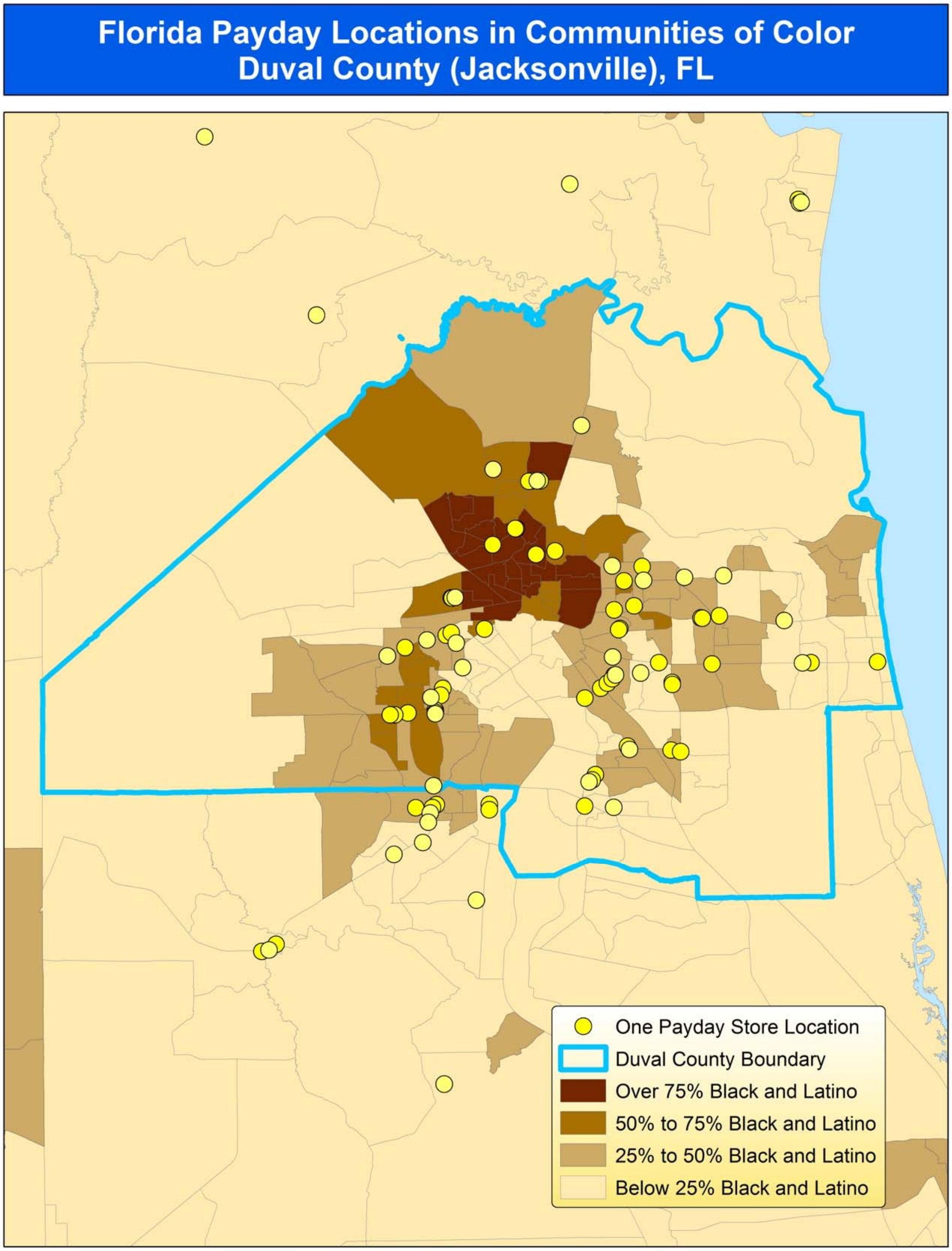

Center for Responsible Lending 2016
Sources: U.S. Census 2010; Florida Office of Financial Regulation, Jan 2016

[1] In 2006, the Florida Supreme Court ruled that payday loans issued prior to the passage of the Deferred Presentment Act in 2001 were subject to the state's usury laws. McKenzie Check Advance of Florida LLC v. Betts, 928 So.2d 1204, (Fla. 2006). Even after payday loans were made legal in Florida, payday lenders sought to evade the minimal regulations of the 2001 Deferred Presentment Act by posing as brokers under the state's Credit Services Organization Act, a ruse which the Florida Office of Financial Regulation addressed with an enforcement action in 2008. Office of Fin. Reg. v. EZPawn Florida, Inc., No. 07-3953 (Fla. Div. of Admin. Hearings Mar. 25, 2008), *available at* https://www.nclc.org/images/pdf/unreported/EZPawn_Order.pdf.
[2] Gwyneth K. Shaw. "Almost here: Less painful payday loans." Orlando Sentinel (Apr. 21, 2001), *available at* http://www.orlandosentinel.com/orl-asec-payday-042101-story.html.
[3] John Kennedy. "Senate Panel Oks Caps on Payday Loan Interest Rates." Sun Sentinel (Mar. 21, 2001), *available at* http://articles.sun-sentinel.com/2001-03-21/news/0103200751_1_payday-loan-billy-webster-borrower-s-next-payday.
[4] Fla. Stat. § 560.402 et. seq.
[5] *Florida Trends in Deferred Presentment: State of Florida Deferred Presentment Program*. Veritec Solutions LLC (Aug. 2006-May 2015).
[6] *Id*.
[7] *Florida Trends in Deferred Presentment: State of Florida Deferred Presentment Program*. Veritec Solutions LLC (May 2015). Florida law allows payday lenders to charge a fee not to exceed 10 percent of the amount provided, plus a $5 verification fee. Fla. Stat. § 560.404(6).
[8] *See* https://www.checkngo.com/resources/state-center/fl.rates, https://media.acecash.com/~/media/files/products/payday/internet/rates/fl_feeschedule.ashx, https://www.cashnetusa.com/rates-and-terms.html, and https://www.thecheckcashingstore.com/loans/cash-advance.
[9] *See supra* note 7.
[10] Dan Feehan, CEO of Cash America, remarks made at Jefferies Financial Services Conference (June 20, 2007). Transcript on file with the Center for Responsible Lending.
[11] *Academic Deception: Internal Documents Reveal How the Payday Lending Industry is Financing So-Called "Academic" Research to Promote its Agenda*. Campaign For Accountability (Nov. 2015), *available at* http://campaignforaccountability.org/cfa-report-reveals-payday-lenders-paid-for-at-least-one-favorable-academic-study/.
[12] "CFPB Takes Action Against ACE Cash Express for Pushing Payday Borrowers Into Cycle of Debt." Consumer Financial Protection Bureau (Jul 10, 2014), *available at* http://www.consumerfinance.gov/newsroom/cfpb-takes-action-against-ace-cash-express-for-pushing-payday-borrowers-into-cycle-of-debt/.
[13] *See supra* note 7.
[14] *Id*.
[15] *See supra* note 5.
[16] *See supra* note 7.
[17] Uriah King and Leslie Parrish, *Springing the Debt Trap: Rate caps are only proven payday lending reform*. Center for Responsible Lending (Dec. 2007), *available at* www.responsiblelending.org/payday-lending/research-analysis/springing-the-debt-trap.pdf.
[18] *See* Sumit Agarwal, Paige Marta Skiba, & Jeremy Tobacman, *Payday Loans and Credit Cards: New Liquidity and Credit Scoring Puzzles?*, Federal Reserve Bank of Chicago, Vanderbilt University Law School, and University of Pennsylvania, (Jan. 2009), *available at* http://bpp.wharton.upenn.edu/tobacman/papers/pdlcc.pdf.
[19] *See* Brian T. Melzer, *The Real Costs of Credit Access: Evidence from the Payday Lending Market*, Kellogg School of Management, Northwestern University (January 3, 2009), *available at* www.kellogg.northwestern.edu/faculty/melzer/realcosts__melzer_01_03_09.pdf.
[20] *See* Dennis Campbell, Asis Martinez Jerez, & Peter Tufano, *Bouncing out of the Banking System: An Empirical Analysis of Involuntary Bank Account Closures*, Harvard Business School (Dec. 2008).
[21] Paige Marta Skiba & Jeremy Tobacman*, Do Payday Loans Cause Bankruptcy?.* Vanderbilt University Law School and University of Pennsylvania (Sept. 2008), *available at* http://bpp.wharton.upenn.edu/tobacman/papers/rd.pdf.

[22] *Report On Predatory Lending Practices Directed at Members of the Armed Forces and Their Dependents*. U.S. Department of Defense (Aug. 2006), *available at* http://archive.defense.gov/pubs/pdfs/Report_to_Congress_final.pdf.

[23] The study also found that nationally, payday lending in 2011 had a total negative impact of $774 million, resulting in an estimated loss of more than 14,000 jobs. Tim Lohrentz*, The Net Economic Impact of Payday Lending in the U.S.* Insight Center for Community Economic Development (Mar. 2013), *available at* http://ww1.insightcced.org/uploads/assets/Net%20Economic%20Impact%20of%20Payday%20Lending.pdf.

[24] For example, a 2009 report by the Center for Responsible Lending found that even after controlling for income and other factors, payday lenders were 2.4 times more concentrated in Black and Latino communities. Wei Li, Leslie Parrish, Keith Ernst & Delvin Davis, *Predatory Profiling: The Role of Race and Ethnicity in the Location of Payday Lenders in California*. Center for Responsible Lending (Mar. 2009), *available at* http://responsiblelending.org/sites/default/files/nodes/files/research-publication/predatory-profiling.pdf.

[25] Data from maps based on storefront locations for deferred presentment providers obtained by public records request from the Florida Office of Financial Regulation, as of January 29, 2019. Census tract data obtained. United States Census Bureau, American Fact Finder, available at http://factfinder.census.gov/.

[26] Money Service Business Registration Information. Florida Office of Financial Regulation, *available at* http://www.flofr.com/StaticPages/DownloadRegistrationData.htm (last accessed Jan. 19, 2016).

[27] Store count as of September 27, 2015. Starbucks. "Store Counts: by State," *available at* http://investor.starbucks.com/phoenix.zhtml?c=99518&p=irol-financialhighlights (last accessed Mar. 18, 2016).

[28] Rakesh Kochhar and Richard Fry, *Wealth inequality has widened along racial, ethnic lines since end of Great Recession*, Pew Research Center (Dec. 2014), *available at* http://www.pewresearch.org/fact-tank/2014/12/12/racial-wealth-gaps-great-recession/.

[29] Florida's senior population increased from 16.6% of the population in 2005 to 18.2% of the population in 2014. American Fact Finder, United States Census Bureau, *available at* http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml.

[30] Under current Florida law, car title loans and consumer finance loans are limited at 30% per annum. HB 1177 and SB 1524 – proposed by Rep. Barbara Watson and Sen. Bullard, respectively – would similarly have capped rates on payday loans at 30% per annum.

[31] "CFPB Considers Proposal to End Payday Debt Traps," Consumer Financial Protection Bureau (Mar 26, 2015), *available at* http://www.consumerfinance.gov/newsroom/cfpb-considers-proposal-to-end-payday-debt-traps/. *See also* Center for Responsible Lending analysis of the CFPB proposal (Mar 26, 2015), *available at* http://www.responsiblelending.org/payday-lending/research-analysis/CRL_InitialReaction_CFPBPaydayLendingSBREFAPackage_03262015_rev0330.pdf.

[32] Advocate sign-on letter to the Florida delegation of the US House of Representatives, *available at* http://flacp.org/wp-content/uploads/2014/01/Response-to-4-28-15-ltr-1.pdf; and Faith for Just Lending letters to Congressional leadership and committees, *available at* http://lendjustly.com/news/1342. *See also* Nicholas Nehamas. "Consumer advocates fire back at Florida congressional delegation over payday lending." Miami Herald (June 3, 2015) *available at* http://www.miamiherald.com/news/business/article23038926.html.