

## State Student Loan Servicing Laws *(Updated September 2022)*

State	Scope		Oversight			Servicer Conduct			Ombudsman
	Covers Banks	Covers Guaranty Agencies	Establishes Licensing Structure	Includes Enforcement by Supervision <sup>1</sup>	Private Right of Action Available	Includes Prohibited Acts	Includes Affirmative Duties	Requires IDR Evaluation Before Default <sup>2</sup>	Establishes Public-Facing Student Loan Ombudsman or Advocate Position
California	<b>x</b>		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>
Colorado		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Connecticut		<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>			<b>x</b>
District of Columbia		<b>x</b>	<b>x</b>	<b>x</b>					<b>x</b>
Illinois			<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>		<b>x</b>
Kentucky		<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>		
Louisiana	<b>x</b>	<b>x</b>				<b>x</b>	<b>x</b>		
Maine		<b>x</b> <sup>3</sup>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Maryland <sup>4</sup>		<b>x</b>		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>
Massachusetts		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>
Minnesota		<b>x</b>	<b>x</b>	<b>x</b>	<sup>5</sup>	<b>x</b>	<b>x</b>	<b>x</b>	
Nevada									<b>x</b>
New Jersey		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
New York		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>		<sup>6</sup>
Oklahoma						<b>x</b>			
Oregon		<b>x</b>	<b>x</b>	<b>x</b>	<sup>7</sup>	<b>x</b>	<b>x</b>		<b>x</b>
Rhode Island		<b>x</b>	<sup>8</sup>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	
Virginia		<sup>9</sup>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
Washington		<b>x</b> <sup>10</sup>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>		<b>x</b>

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### Endnotes

<sup>1</sup> In states where student loan servicing laws do not include an enforcement structure, existing regulatory structures may allow for enforcement by supervision.

<sup>2</sup> Some states, including Illinois and Washington, provide for some protections regarding Income-Driven Repayment (IDR), but do not require that borrowers be evaluated for IDR prior to default.

<sup>3</sup> Finance Authority of Maine is exempt from licensing requirements in Maine's Student Loan Bill of Rights.

<sup>4</sup> Maryland enacted an ombudsman-only bill in 2018. In 2019, the state enacted additional measures addressing servicer conduct and providing oversight.

<sup>5</sup> There is no private right of action under Minnesota law, but the Minnesota Student Loan Borrower Bill of Rights gives the Commissioner of Commerce the ability to award restitution to consumers.

<sup>6</sup> The New York State Department of Financial Services has appointed a Student Advocate and Director of Consumer Advocacy, but this position was not established by statute.

<sup>7</sup> There is no private right of action under Oregon law, but the Oregon Student Loan Borrower Bill of Rights gives the Director of the Department of Consumer and Business Services the ability to impose fines of up to \$20,000 per violation.

<sup>8</sup> Rhode Island requires registration of student loan servicers.

<sup>9</sup> As of April 2022, the Virginia Student Loan Borrower Bill of Rights no longer covers guaranty agencies.

<sup>10</sup> Washington exempts "[g]uarantors of federal student loans that do not also service federal student loans" from its licensing requirements. These guaranty agencies are still subject to the student education loan servicer requirements provided they service federal loans.