



DIVISION OF BANKING

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WEST VIRGINIA LENDING AND CREDIT RATE BOARD

ORDER

As an alternative to the sales finance charge allowed by West Virginia Code §46A-3-103(3), with respect to a consumer credit sale made pursuant to a revolving charge account, if the billing cycle is monthly, a seller may contract for and receive a sales finance charge not exceeding one-twelfth of twenty-five percent on the unpaid principal balance. If the billing cycle is not monthly, the maximum charge is that percentage which bears the same relation to the applicable monthly percentage as the number of days in the billing cycle bears to thirty. A billing cycle is monthly if the billing statement dates are on the same day each month or do not vary by more than four days therefrom.

Under this alternative sales finance charge rate, no origination fee, points, investigation fees, or similar prepaid finance charges are permitted, unless the transaction is fully secured by real estate.

This Order is effective December 1, 1999 and, pursuant to West Virginia Code §47A-1-1(g), shall remain in full force and effect until such time as the Board meets and prescribes different maximum rates of interest and/or maximum finance charges.

ORDER

As an alternative to the sales finance charge allowed by West Virginia Code §46A-3-101, with respect to a consumer credit sale made on a closed-end basis, a seller may contract for and receive a sales finance charge, calculated according to the actuarial method, which may not exceed twenty-five percent per annum.

This Order is effective December 1, 1999 and, pursuant to West Virginia Code §47A-1-1(g), shall remain in full force and effect until such time as the Board meets and prescribes different maximum rates of interest and/or maximum finance charges.

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The following rates, set by prior Orders of the Board effective December 1, 1996, remain unchanged and in full force and effect pursuant to WV Code 47A-1-1(g) until such time as the Board meets and prescribes different maximum rates of interest and/or maximum finance charges:

ORDER

As an alternative to any statutory rate, any person [which defined in West Virginia Code §31A-1-2(n) means "any individual, partnership, society, association, firm, institutions, company, public or private corporation, state, governmental agency, bureau, department, division or instrumentality, political subdivision, county court, municipality, trust, syndicate, estate or any other legal entity whatsoever, formed, created or existing under the laws of this State or any other jurisdiction"] may charge a maximum finance charge not exceeding eighteen percent per annum calculated according to the actuarial method, on all loans, credit sales or transactions, forbearance or similar transactions, regardless of purpose.

This Order is effective December 1, 1996 and, pursuant to West Virginia Code §47A-1-1(g), shall remain in full force and effect until such time as the Board meets and prescribes different maximum rates of interest and/or maximum finance charges.

ORDER

As an alternative to the loan finance charge allowed by West Virginia Code §46A-3-106(3), with respect to a consumer loan made pursuant to a revolving loan account, if the billing cycle is monthly, a lender may contract for and receive a loan finance charge not exceeding one and one-half percent on the unpaid principal balance. If the billing cycle is not monthly, the maximum charge is that percentage which bears the same relation to the applicable monthly percentage as the number of days in the billing cycle bears to thirty. A billing cycle is monthly if the billing statement dates are on the same day each month or do not vary by more than four days therefrom.

Under this alternative revolving loan finance charge rate, no origination fee, points, investigation fees, or similar prepaid finance charges are permitted, unless the transaction is fully secured by real estate.

This Order is effective December 1, 1996 and, pursuant to West Virginia Code §47A-1-1(g), shall remain in full force and effect until such time as the Board meets and prescribes different maximum rates of interest and/or maximum finance charges



Sharon G. Bias, Chairperson
WV Lending and Credit Rate Board
October 5, 1999