

## § 26.8

The OCC may shorten this period under appropriate circumstances.

[61 FR 40300, Aug. 2, 1996, as amended at 64 FR 51678, Sept. 24, 1999]

### § 26.8 Enforcement.

Except as provided in this section, the OCC administers and enforces the Interlocks Act with respect to national banks, District banks, and affiliates of either, and may refer any case of a prohibited interlocking relationship involving these entities to the Attorney General of the United States to enforce compliance with the Interlocks Act and this part. If an affiliate of a national bank or a District bank is subject to the primary regulation of another Federal depository organization supervisory agency, then the OCC does not administer and enforce the Interlocks Act with respect to that affiliate.

## PART 27—FAIR HOUSING HOME LOAN DATA SYSTEM

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- 27.1 Scope and OMB control number.
- 27.2 Definitions.
- 27.3 Recordkeeping requirements.
- 27.4 Inquiry/Application Log.
- 27.5 Record retention period.
- 27.6 Substitute monitoring program.
- 27.7 Availability, submission and use of data.

APPENDIXES TO PART 27

APPENDIX I—MONTHLY HOME LOAN ACTIVITY FORMAT

APPENDIX II—INFORMATION FOR GOVERNMENT MONITORING PURPOSES

APPENDIX III—FAIR HOUSING LENDING INQUIRY/APPLICATION LOG SHEET

APPENDIX IV—HOME LOAN DATA SUBMISSION

AUTHORITY: 5 U.S.C. 301; 12 U.S.C. 1 *et seq.*, 93a, 161, 481, and 1818; 15 U.S.C. 1691 *et seq.*; 42 U.S.C. 3601 *et seq.*; 12 CFR part 202.

SOURCE: 44 FR 63089, Nov. 2, 1979, unless otherwise noted.

### § 27.1 Scope and OMB control number.

(a) *Scope.* This part applies to the activities of national banks and banks located in the District of Columbia, and their subsidiaries, which make home loans for the purpose of purchasing, construction-permanent financing, or refinancing of residential real property.

(b) *OMB control number.* The collection of information requirements con-

## 12 CFR Ch. I (1-1-00 Edition)

tained in this part were approved by the Office of Management and Budget under OMB control number 1557-0160.

[49 FR 11825, Mar. 28, 1984]

### § 27.2 Definitions.

For the purpose of this part, including all forms and instructions issued for use under this part:

(a) *Applicant* means a natural person, including a co-applicant, who makes an application.

(b) *Application* means an oral in-person or written request for an extension of credit for a home loan that is made in accordance with procedures established by a bank for the type of credit requested.

(c) *Bank* means a national bank or bank located in the District of Columbia, and any subsidiaries of such a bank.

(d) *Completed application* means an application in connection with which a bank has received all the information that it regularly obtains and considers in evaluating the amount and type of credit requested.

(e) *Decision center* means the place where home loan applications are accepted or rejected.

(f) *Home loan* means a real estate loan for the purchase, permanent financing for construction, or the refinancing of residential real property which the applicant intends to occupy as a principal residence.

(g) *Inquirer* means a natural person who makes an inquiry.

(h) *Inquiry* means a written or an oral in-person request for information about the terms of a home loan by a natural person on his/her own behalf which is received on a bank's premises by any person at the bank who customarily receives or is authorized to receive such requests. Telephonic communications do not constitute an inquiry for purposes of this part.

(i) *Real estate loan* means any loan secured by real estate where the bank relies upon such real estate as the primary security for the loan. Where the bank in its judgment relies substantially upon other factors, such as the general credit standing of the borrower, guaranties, or security other than real estate, the loan does not constitute a real estate loan, although as