

## **Loan Products typically offered by Small Loan Companies in New Mexico:**

### **Payday Loans: *New Mexico Small Loan Act of 1955 §58-15-2 (H) NMSA 1978***

Defined as a loan in which the licensee accepts a personal check or debit authorization tendered by the consumer and agrees in writing to deter presentment of that check or use of the debit authorization until the consumer's next payday or another date agreed to by the licensee and the consumer and:

1. Includes any advance of money or arrangement or extension of credit whereby the licensee, for a fee, finance charge or other consideration:
  - Accepts a dated personal check or debit authorization from a consumer for the specific purpose of repaying a payday loan;
  - Agrees to hold a dated personal check or debit authorization from a consumer for a period of time prior to negotiating or depositing the personal check or debit authorization; or
  - Pays to the consumer, credits to the consumer's account or pays another person on behalf of the consumer the amount of an instrument actually paid or to be paid pursuant to the New Mexico Small Loan Act of 1955; but
  
2. Does not include:
  - An overdraft product or service offered by a banking corporation, savings and loan association or credit union; and
  - Installment loans

### **Title Loans: *New Mexico Administrative Code Section 12.18.6.7A***

Defined as “a loan secured by the borrower’s vehicle title, which is structured to be a short-term, fixed rate, close-end transaction ***usually paid in one installment.***”

### **Installment Loans: *New Mexico Small Loan Act of 1955 §58-15-2 (E) NMSA 1978***

Defined as “a loan that is to be repaid in a minimum of four successive substantially equal payments to pay off a loan in its entirety with a period no less than one hundred twenty (120) days to maturity.”

### **Refund Tax Anticipation Loans:**

Defined as a loan that is secured by the proceeds from a consumer’s anticipated income tax refund or tax credit.