

WEBSITE LANGUAGE CHECKLIST

WHY: This checklist helps you comply with UDAAP requirements, which prohibit publishers from representing themselves as lenders/brokers, claiming to find “best” loans, etc. Violations can lead to class action lawsuits and regulatory fines.

| NOT ALLOWED | | ALTERNATIVES | |
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| BEST/LOWEST/SEARCH/MATCHING language is not allowed because it implies that you evaluate the consumer’s situation to “match” them to the “right” lender. That’s not how the ping tree works in subprime consumer lending. Generally the highest bidder/lender (similar to Google AdWords) purchases the lead, and they may not offer the best/lowest rates. | | | |
| “We find you the best lender” “We search for the lowest rates” “We match you with the lender based on your circumstances ” “Get matched to the best lenders with great rates ” | | “We partner with a long list of lenders” “We help you connect with a lender” “We connect you with one of several lenders in our network” | |
| “No Credit Check” is not allowed. Most lenders pull credit. Even if it’s a “soft” credit pull, it’s still a credit check. | | | |
| “No Credit Check” | | "There is no such thing as a no credit check loan" | |
| YOU ARE NOT A LENDER OR BROKER. Do not use language suggesting you make or approve loans, or that approval is guaranteed. | | | |
| “We will approve your loan” “We fund your loan” | | “Your lender may approve your loan” “The lender funds your loan” | |
| Do not use “ PRESCREENED ”, “ PREQUALIFIED ”, or “ PREAPPROVED ”, since these trigger specific legal obligations. | | | |
| “You have been preselected [or prescreened] to get this offer” “You are prequalified ...” | | "Lenders may provide preapproval after they evaluate your situation." | |
| Any references to TIME (DAYS/MINUTES/HOURS) must be qualified so it’s not a guarantee or promise. | | | |
| “Get approved immediately [or in 5 minutes]” “Your loan will fund same day [or next day]” | | “Get lender-approval in as fast as 5 minutes ”; “Your lender can fund your loan as soon as the next business day” | |
| Don’t overpromise data security or you could be liable. Even secure government networks have been hacked. Don’t promise 100% . | | | |
| “ 100% secure ” | | “Your information is safe and secure” “We use industry leading security to protect your information” | |
| Don’t mention “ flexible payment options ” because that’s not how most lenders work. | | | |
| “ Flexible payment options” “Payment terms that fit your situation” | | “Only accept a loan that you have the ability to repay.” | |
| Apply and Application should be avoided (UNLESS you are a licensed DIRECT LENDER). Furthermore, taking applications could make you a broker (separate licenses required) and require you to provide a Notice of Adverse Action under Regulation B. | | | |
| “ Apply now” “Submit your application today” “ Search 100+ lenders with one simple application ” | | “Get started now” “Submit your information today” “Connect with one of multiple lenders through one simple form” | |
| Trademark Infringement (TMI) | | | |
| Do not use other companies’ trademarks in your display ads, URLs, or on your websites. This includes deceptive variations or misspellings (e.g., Leadz Markit). Bidding on trademarks generally may be allowed if the trademark isn’t shown. | | | |
| REQUIRED INFORMATION | | | |
| MUST HAVE | | EXPLANATION/EXAMPLES | |
| PRIVACY POLICY | | Every website must have a privacy policy link on the home page. The privacy policy should explain what information is collected and how it is used and shared. | |
| TERMS OF USE (TOU) | | TOU is a contract between you and the consumer. It should explain what you do (and do not do) for the consumer, and what happens when they submit info through your website. | |
| DISCLAIMER | | Unless you’re a direct lender, you should make it clear that you are NOT a lender . Example: “[Company] doesn’t accept loan applications or act as a broker or facilitator for loans, and is not the lenders’ agent. Lenders are solely responsible for taking credit applications and doing any necessary verifications, underwriting, or credit approvals.” | |
| FAIR CREDIT REPORTING ACT (FCRA) | | You should obtain the consumer’s permission to pull credit. Example: “By submitting your information, you agree that lenders and financial service providers can pull your credit history through credit bureaus (e.g., Equifax, TransUnion, Experian, etc.) to decide if they can help you obtain credit.” | |

For more info, see [OLA’s Best Practices](#) or email us at compliance@leadsmarket.com.