

Responsible Lending Issue Report

It is {% if issue\_type == 'irresponsible\_direction1' %} likely {% elif issue\_type == 'irresponsible\_direction2' or issue\_type == 'irresponsible\_direction3' %} possible {% endif %} that you are dealing with a responsible lending issue.

Read the following sections to better understand your issue.

This report can also be taken with you to a legal consultation as a starting point for making a responsible lending issue case.

{% if asked\_why or asked\_situation or statements\_account or actual\_expenses %}

# Lender’s Responsibilities

**It is your lender's responsibility to investigate your financial situation before giving you a loan.**

Based on what you have told us, these things indicate that your lender did not meet this obligation:{% endif %}{% if asked\_why %}

* Your lender did not ask what you wanted to use the loan for. {% endif %} {% if asked\_situation %}
* Your lender did not ask you about your financial situation before giving you the loan. {% endif %} {% if statements\_account %}
* Your lender did not inspect your bank statements before giving you the loan. {% endif %} {% if actual\_expenses %}
* Your lender did not ask you about your actual living expenses, or obtain statements of your expenses before giving you the loan. {% endif %} {% if (elderly or illness or language or house\_prices) %}

# Your Situation at the Time of Receiving the Loan

**There are factors that may show you were in a vulnerable position at the time of getting your loan. While these factors don't on their own mean that you should not have been given a loan, they are important to consider.**

Based on what you have told us, these factors are relevant here: {% endif %} {% if elderly %}

* You were over the age of 65 when you got the loan. {% endif %} {% if illness %}
* You had an illness or disability when you got the loan. {% endif %} {% if language %}
* You could not understand English when you got the loan. {% endif %} {% if interest\_only or investment\_property %}

# Nature of your Loan

**The nature of some loans make them more likely to be unsuitable.**

Based on what you have told us, these factors are relevant here: {% endif %} {% if interest\_only %}

* Your loan was an 'interest only' loan. {% endif %} {% if investment\_property %}
* Your home was used as security for a loan used to buy an investment property. {% endif %} {% if poverty or substantial\_hardship\_indicator or other\_loans %}

# Hardship Indicators

**Financial hardship is also an indicator that you may be dealing with a responsible lending issue.**

Based on what you told us, these factors indicate that you may be suffering from {% if substantial\_hardship\_indicator or other\_loans %} substantial {% endif %} hardship: {% endif %} {% if substantial\_hardship\_indicator %}

* You have indicated that you would need to sell your home in order to pay off this loan. This is a serious indicator of **substantial** financial hardship. {% endif %} {% if other\_loans %}
* You were still paying off other loans when you got this loan. This is an indicator of **substantial** hardship. {% endif %} {% if poverty %}
* Our hardship calculator shows that you are below the Henderson Poverty Index, this is a strong sign that you are experiencing financial hardship. You should seek help as soon as possible. {% endif %}

### Next Steps

Now that you are aware that it is {% if issue\_type == 'irresponsible\_direction1' %} likely {% elif issue\_type == 'irresponsible\_direction2' or issue\_type == 'irresponsible\_direction3' %} possible {% endif %} that you are dealing with a responsible lending issue, you should **seek legal help**.

[The Consumer Credit Law Centre of South Australia](https://www.unitingcommunities.org/service/legal-services/consumer-credit) may be able to provide help if you are in South Australia.

You should also request your 'preliminary assessment' from your lender. This form can help your lawyer to show you are dealing with a responsible lending issue. If you received your loan within the last 7 years, your lender must provide you with a free copy.