

Collecting Ethnicity, Race and Sex

(Based on Appendix B)

General Requirements:

- **Data Collection Statement** - The statement regarding the reason for the data collection must be provided to applicants (*see chart below regarding the manner in which the application is taken*)
- **Data Request** - Applicants must be asked to provide ethnicity, race and sex regardless of the manner in which the application is taken, but the applicant cannot be required to provide it.
- **Co-Applicants** - If there are no co-applicants, you must report that there is no co-applicant. If there is more than one co-applicant, you must provide the ethnicity, race, and sex only for the first co-applicant listed on the collection form. A co-applicant may provide an absent co-applicant's ethnicity, race, and sex on behalf of the absent co-applicant. If the information is not provided for an absent co-applicant, you must report "information not provided by applicant in mail, internet, or telephone application" for the absent co-applicant.
- **Non-Natural Persons** (Corporation, Partnership, Trust, etc.) – reported as not applicable.
- **Guarantor** - If the individual is a guarantor, ethnicity, race and sex are not reported.
- **Trust** (with Individual as Beneficiary) - Ethnicity, race and sex are reported.

Sample Data Collection Statement:

"The purpose of collecting this information is to help ensure that all applicants are treated fairly and that the housing needs of communities and neighborhoods are being fulfilled. For residential mortgage lending, Federal law requires that we ask applicants for their demographic information (ethnicity, race, and sex) in order to monitor our compliance with equal credit opportunity, fair housing, and home mortgage disclosure laws."

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- Must be as provided by the applicant.
- Subcategories must be self-identified by the applicant (Subcategories are not reported by visual observation or surname).
- The applicant must be given opportunity for selecting multiple categories of ethnicity (4 maximum) and race (5 maximum).
- If ethnicity and race are indicated as other, must be provided the ability to self-identify via free form text.
- Partial Completion – the data is reported as provided by the applicant whether partial or complete. Even if the applicant also indicates "I do not wish to provide this information" but partially or completely provides this data. The data provided by the applicant is still reported. This applies unless you are obligated to capture the data anyway based on visual observation or surname (see chart below)

Application Taken via	Requirements
Internet (no video component)	Data Collection Statement – provided in writing Data Collection – if the applicant elects not provide the data, you are not required to collect this information based on surname
Internet (with video component - this is considered "taken in person")	Data Collection Statement – provided in writing Data Collection – the applicant must be informed that if they elect not provide the data, you are required to note this information based on visual observation or surname (and report this accordingly)
Telephone	Data Collection Statement – must be provided orally Data Collection – if the applicant elects not provide the data, you are not required to collect this information based on surname
In Person (Face-to-Face)	Data Collection Statement – provided in writing Data Collection – the applicant must be informed that if they elect not provide the data, you are required to note this information based on visual observation or surname (and report this accordingly)
Mail & Facsimile	Data Collection Statement – provided in writing Data Collection – if the applicant elects not provide the data, you are not required to collect this information based on surname
Combination – see Appendix B Instruction #13 if the application was completed in a combination of ways (telephone & in person, etc.).	

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