



HB 648 by Del. Coyner deals with yet another attempt to evade the 2020 Virginia Fairness in Lending Act, which passed the House in a bipartisan 62-30 vote.

Probate lenders check local court records and contact relatives of the deceased and offer them money to “unlock your inheritance, empower your future!”

Companies that make these loans say they are not loans but advances. They say this because they do not want to comply with Virginia’s Fairness in Lending Act and our usury laws.

HB 648 does not ban this practice but instead makes it clear that these ‘advances’ are loans under Virginia law.

The Virginia General Assembly should determine what is a loan, not the company pushing their product.

Probate lenders can continue to do business in Virginia after the passage of this legislation but they will have to comply with our laws.

Probate Loans vs. Traditional Loans

Average APRs

30-Year Mortgages ¹

3.1%

60-Month Car Loans ²

5%

Credit Card Balances ³

16.3%

Probate Advances ⁴

86.9%

Probate loans carry effective
interest rates as high as

490%

and target vulnerable,
grieving families.



Use this QR code to read “How an Obscure Industry Makes Money Off the Dead”, a 2021 report on probate loans by Consumer Reports.