

<b>Fair Lending Sample Size</b>						
<b>Table A</b>						
<b>Underwriting (Accept/Deny) Comparisons</b>						
	<b>Sample 1 Prohibited Basis Denials</b>			<b>Sample 2 Control Group Approvals</b>		
Number of Denials or Approvals	5–50	51–150	>150	20–50	51–250	>250
Minimum to Review	All	51	75	20	51	100
Maximum to Review	50	100	150	5x prohibited basis sample (up to 50)	5x prohibited basis sample (up to 125)	5x prohibited basis sample (up to 300)
<b>Table B</b>						
<b>Terms and Conditions Comparisons<sup>1</sup></b>						
	<b>Sample 1 Prohibited Basis Denials</b>			<b>Sample 2 Control Group Approvals</b>		
Number of Approvals	5–25	26–100	>100	20–50	51–250	>250
Minimum to Review	All	26	50	20	40	60
Maximum to Review	25	50	75	5x prohibited basis sample (up to 50)	5x prohibited basis sample (up to 75)	5x prohibited basis sample (up to 100)
<hr/> <p><sup>1</sup> Do not use for most pricing cases, which typically involve an entire universe, not a sample.</p>						

**Explanatory Notes to Sample Size Tables**

1. When performing both underwriting and terms and conditions comparisons, use the same control group approval sample for both tasks.
2. If there are fewer than 5 prohibited basis denials or 20 control group approvals, refer to “Sample Size” instructions in the procedures.
3. “Minimum” and “maximum” sample sizes: select a sample size between the minimum and maximum based on the outcome of the Compliance Management Review conducted in Part II of these procedures. Once the sample size has been determined, select individual transactions judgmentally. Refer to procedures.
4. If two prohibited basis groups (e.g., Black and Hispanic) are being compared against one control group, select a control group that is 5 times greater than the larger prohibited basis group sample, up to the maximum.
5. Where the institution’s discrimination risk profile identifies significant discrepancies in withdrawal/incomplete activity between control and prohibited basis groups, or where the number of marginal prohibited basis group files available for sampling is small, an examiner may consider supplementing samples by applying the following rules:
  - If prohibited basis group withdrawals/incompletes occur after the applicant has received an offer of credit that includes pricing terms, this is a reporting error under Regulation C (the lender should have reported the application as approved but not accepted) and therefore these applications should be included as prohibited basis group approvals in a terms and conditions comparative file analysis.
  - If prohibited basis group incompletes occur due to lack of an applicant response with respect to an item that would give rise to a denial reason, then include them as denials for that reason when conducting an underwriting comparative file analysis.