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**RE: Administrator's interpretive opinion letter concerning rebate  
calculations under C.R.S. Section 5-2-214**

**FROM:** Martha Fulford, Administrator of the Colorado Uniform Consumer Credit Code

**TO:** Interested parties

During the 2023 legislative session, the Colorado State Legislature passed HB23-1229, which amended the Uniform Consumer Credit Code (UCCC) at C.R.S. Section 5-2-214(5). This amendment went into effect on January 1, 2024. As amended, the statute reads:

(5) Upon prepayment of a loan made pursuant to this section, the unearned portion of the acquisition charge and the total monthly installment handling charge shall be refunded to the consumer. The unearned portion of these charges shall be calculated pursuant to the provisions on rebate upon prepayment contained in section 5-2- 211 on the date of refinancing; except that, for the purpose of computing this amount, a minimum finance charge described in section 5-2-201 of no more than ten dollars is allowed if contracted with the consumer in the loan agreement.

The Administrator has received questions regarding whether the acquisition charge and installment handling charge should first be added together before the Section 5-2-211 rebate is calculated – or whether the rebate should separately be calculated for each charge.

Section 5-2-214(5)'s text provides that the rebate is to be calculated based on "these charges." The reference to charges in the plural indicates that the charges should be combined for the purpose of making the rebate calculation. Under the Administrator's interpretation, the rebate calculation is simplified by adding the acquisition charge and installment handling charge together before the section 5-2- 211 rebate is calculated. This interpretation of the text is consistent with an underlying purpose of the UCCC is to simplify the law regarding consumer credit. C.R.S. Section 5-1-102(2)(a).

The UCCC provides protections for acts done or omitted in conformity with the Administrator's interpretation. C.R.S. Sections 5-5-202(7), 5-6-104(4).

This interpretation is effective 120 days following the date of this letter.

Martha Fulford  
THE ADMINISTRATOR OF THE  
UNIFORM CONSUMER CREDIT CODE