



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

**Illinois Know Before You Owe Private Education Loan Act:
Annual Statement Information Guide for Private Educational Lenders**

Illinois law requires private educational lenders to provide an annual report to the Illinois Student Loan Ombudsman and the Illinois Department of Financial and Professional Regulation with information about private education loans disbursed annually pursuant to the Know Before You Owe Private Education Loan Act (hereafter “Know Before You Owe Act”). *See* Public Act 102 0583.¹ For lenders who make more than 10 private education loans per year, the Annual Reporting Spreadsheet that should be used for that report, as well as an Annual Reporting Information Guide can be found on the Student Lending page of our website at www.illinoisattorneygeneral.gov. However, private educational lenders who make 10 or fewer private education loans per year (hereafter “Lenders”) shall submit an annual statement as required by Section 10(f), rather than an annual report. The Annual Statement Spreadsheet that should be used for that report, as well as an Annual Statement Information Guide can be found on the Student Lending page of our website at www.illinoisattorneygeneral.gov.

The Illinois Student Loan Ombudsman prepared this information guide in accordance with its duties under the Act to help Lenders comply with this law. The annual statement requirements are mandatory. Failing to submit a statement is a violation of state law.

Introduction

Signed into law on August 26, 2021, the Know Before You Owe Act provides potential student loan borrowers with critical information about their eligibility for federal financial assistance, before those potential borrowers take out a private education loan. To do so, Lenders must request, and institutions of higher education² must provide and certify, information about a potential borrower’s federal financial assistance prior to the Lender issuing a student loan. Under the law, Lenders shall obtain from the relevant institution of higher education where such loan is to be used on the behalf of the borrower, three discrete pieces of information, certified by the institution:

¹ All Section references herein are to the Know Before You Owe Act.

² The terms used herein, including but not limited to “institution of higher education”, have the same meaning as set forth in the Act.

*Illinois Know Before You Owe Act (Public Act 102-0583) Annual Statement:
Instructions for Lenders*

(1) the enrollment status of the borrower; (2) the borrower's cost of attendance at the institution as determined by the institution under Title IV, Part F, of the Higher Education Act of 1965 as amended; and (3) the difference between: (A) such cost of attendance; and (B) the borrower's estimated financial assistance, including such assistance received under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) and other financial assistance known to the institution, as applicable.

Public Act 102-0583. The institutions of higher education are required to provide this certification to the Lenders within 15 days of receiving such a request (Section 15(b)).

Annual Statement Instructions

As described in Section 10(f) of the Act, Lenders must certify the number of private education loans made in each calendar year.

The spreadsheet each Lender should use to collect the required information is available online on the Student Lending page of the Illinois Attorney General's website www.illinoisattorneygeneral.gov. The first reporting deadline will be November 1, 2022.

Specifically, the Lender shall provide:

1. The year covered in the Lender Statement (C7);
2. The name and address of the Lender (C10-C14), if the Lender Information is not included in the drop-down menu. For Lenders' convenience, some Lender information has been included in a drop-down list for this section.³ If the Lender's Information is included in the drop-down list, Lenders should choose the appropriate entry. If the Lender's Information is not included in the drop-down list of Lenders, Lenders should manually enter the requested information in the appropriate boxes; and
3. The name, title, phone number and email address of the individual submitting the report (C17-C20);
4. The total number of private education loans disbursed during the covered year (C23); and
5. A certification that the information set forth in the Statement is true and correct (C24).

Submission of Completed Statement Spreadsheets

Please submit your completed annual statement as an attachment via email to Loan.reports@ilag.gov by November 1, 2022. The Student Loan Ombudsman may contact the individual identified in the Lender Statement for any follow-up inquiries. No other information should be included in the body of the email. The subject line of your email should read "Annual Statement from [Lender]".

³ Please note that the list of entities in the drop-down menu is neither all-inclusive, nor does it necessarily signify a duty to report.