**Section 800.60 Special Credit Programs**

a) Requisite Standards. A special credit program is exempt from coverage of the Act under Section 4-104(C)(3) of the Act [775 ILCS 5/4-104(C)(3)] only if it satisfies each of the following requirements:

1) Written Plan. The program is established and administered pursuant to a written plan which identifies the classes of persons it is designed to benefit and sets forth the procedures and standards for extending credit.

2) Class Benefiting. The program is established and administered to extend credit to a class of persons who, under the standards of creditworthiness customarily used by the lender, either would not receive such credit or would receive it on less favorable terms than those available to other applicants for similar types and amounts of credit.

3) Nondiscrimination. The program is established and administered so as not to discriminate against applicants on the basis of any characteristic prohibited under the Act, except to the extent that the class of persons benefiting from the program may share one or more such characteristic(s) and that requirement is not a subterfuge for evading the purposes of the Act.

b) Inquiries into Common Characteristics. If a special credit program is established to benefit a class of persons sharing one or more characteristic(s) prohibited under the Act, the lender may inquire of any applicant for credit under that program regarding such prohibited characteristic(s), notwithstanding the provisions of Section 800.40 of this Part.

c) Inquiries into Financial Need. If financial need is one of the criteria for the extension of credit under a special credit program, the lender may inquire regarding marital status, spousal income and income from alimony, child support or separate maintenance, notwithstanding the provisions of Section 800.40 of this Part.

(Source: Amended at 22 Ill. Reg. 6659, effective March 27, 1998)