

22-529 CANTERO V. BANK OF AMERICA, N.A.

DECISION BELOW: 49 F.4th 121

LOWER COURT CASE NUMBER: 21-400, 21-403

QUESTION PRESENTED:

At least thirteen states have, enacted laws requiring mortgage lenders to pay a minimum interest rate on funds held in mortgage escrow accounts. Congress has since recognized the existence of these state escrow-interest laws and has expressly required national banks to comply with them where applicable. See 15 U.S.C. § 1639d(g)(3).

The question presented is:

Does the National Bank Act preempt the application of state escrow-interest laws to national banks?

CERT. GRANTED 10/13/2023