



1700 G Street NW, Washington, D.C. 20552

September 11, 2020

Alison Nicoll
General Counsel
Upstart Network, Inc.
2950 S. Delaware St.
San Mateo, CA 94403

Dear Ms. Nicoll:

On September 14, 2017, staff of the Consumer Financial Protection Bureau (Bureau) issued a No-Action Letter to Upstart Network, Inc. (Upstart) under the Bureau's 2016 Policy on No-Action Letters.¹ The No-Action Letter (2017 Upstart NAL) provides that it expires three years after its issuance (i.e., September 14, 2020) and may be renewed.²

The 2017 Upstart NAL also states that it is subject to the statements and commitments set forth in Upstart's request for a No-Action Letter,³ Appendix A to the letter, and the accompanying confidential Model Risk Management & Compliance Plan (Compliance Plan). Appendix A states, *inter alia*, that the letter is subject to modification or revocation at any time at the discretion of Bureau staff for any reason.

Bureau staff has determined that it is appropriate to modify the 2017 Upstart NAL by extending its duration for a short period of time. Under the Compliance Plan, Upstart provides fair lending and access-to-credit analysis results to the Bureau on a periodic basis. The purpose of these analyses is to evaluate the extent to which certain benefits and risks to consumers are realized by Upstart's underwriting and pricing model. The extension of the NAL will facilitate Upstart continuing to provide information for a short period of time so that the Bureau can continue to

¹ Policy on No-Action Letters, 81 FR 8686 (Feb. 22, 2016).

² The 2017 Upstart NAL is available at: https://files.consumerfinance.gov/f/documents/201709_cfpb_upstart-no-action-letter.pdf.

³ Upstart's request is available at: https://files.consumerfinance.gov/f/documents/201709_cfpb_upstart-no-action-letter-request.pdf.

evaluate these analyses. This additional information will, in turn, enable the Bureau to gain further insight on the effects of the use of Upstart's model on consumers, particularly during the coronavirus pandemic.

Accordingly, the 2017 Upstart NAL is hereby extended to December 1, 2020.

This extension letter will be published on the Bureau's website.

Sincerely,



Edward Blatnik
Acting Assistant Director
Office of Innovation
Consumer Financial Protection Bureau



Patrice Alexander Ficklin
Fair Lending Director
Consumer Financial Protection Bureau