

InfoSight Highlight

InfoSight – Loans and Leasing

The Loans and Leasing channel provides nearly 40 topics, some of which are state-specific. You'll find information on the various lending acts, including: Equal Credit Opportunity Act, FACT Act, Fair Credit Reporting Act, Fair Housing Act, HOEPA, Military Lending Act and more. If your credit union handles Other Real Estate Owned (OREO) properties, the requirements will be found in this channel. The Home Mortgage Disclosure Act (Regulation C) content was updated earlier this year to reflect the new reporting requirements, and the new Mortgage Servicing rules effective on April 19 are also there!

Be sure you are kept up-to-date with the information in the [Loans and Leasing](#) channel today!

Compliance News

In Case You Missed It – 2018 So far

With a lot going on since the beginning of the year – and it doesn't appear to be slowing down – here are a few NCUA items that might be of interest. First up, is ACET. Well, what the heck is it? It is NCUA's new cyber exam tool called the Automated Cybersecurity Examination Tool (ACET). It's currently being used by NCUA examiners in cybersecurity exams of credit unions with assets over \$1 billion – but will be used eventually in cybersecurity exams of all credit unions.

ACET is mirrored after the FFIEC's cyber assessment tool called CAT, so it is probably a good idea (it is) to use the CAT tool for your internal credit union's assessment as well as following the FFIEC's best practices in its Info Tech Handbook and NIST's (National Institute of Standards and Technology) cybersecurity framework. [Click here to read more about the ACET tool in the NCUA Report.](#)

Second up, are NCUA legal opinion letters. NCUA has released three legal opinions so far this year on the following topics:

- [Share insurance coverage for escrow type accounts](#): The letter on share insurance coverage for escrow type accounts is fact specific to New York law and involves lease security accounts –which are accounts set up by landlords for security deposits. In a nutshell, the letter clarifies that NY lease security accounts are eligible for share insurance coverage.

InfoSight Compliance eNEWSLETTER April 20, 2018 Vol. 12, Issue 16

Created in partnership with the



Credit Union National
Association

Compliance Videos

Compliance Outlook for Q1 and Q2 2018

In this video, Glory LeDu provides the [overview of what's ahead in the compliance world for 2018](#). This covers annual threshold updates, HMDA changes, Payday Alternative Loans, Military Lending Act, ACH Same-day ACH processing and more!

Just a reminder that Compliance videos since 2016 can be found on YouTube at [the Compliance Connection channel](#), where they are generally updated quarterly.

Compliance Calendar

April, 2018

- April 19th, 2018: [Amendments to the 2013 Mortgage Servicing Rules](#)

- [Field of membership and associational groups](#): The letter on field of membership looks at whether individuals that share core doctrinal religious beliefs and related set practices to those religious beliefs share a valid associational common bond to the related religious groups.
- [Loan Participations](#): In this letter, NCUA opines that a credit union must have continued and documented involvement in the loan participation throughout the life of the loan. The agency also highlighted the need for each loan to be treated separately and documented as such - even when a number of participations are sold to the same credit union.

FinCEN Offers CDD Forms in PDF and Word Format

FinCEN's long awaited electronically available CDD Beneficial Owner Certification Form is here!

As promised, the agency now has the form available electronically. According to FinCEN, its "CDD Certification Form is an optional form providing a convenient way for institutions to obtain and record information required by the CDD rule. The MS Word version should be printed out and completed. The PDF version may be completed (filled-in) on a computer then printed out."

Make a copy of the certification form and maintain the entity's financial institution where the account is established.

DO NOT SEND TO FinCEN!

- [CDD Certification Form \(MS Word\)](#)
- [CDD Certification Form \(PDF Fillable\)](#)

Source: CUNA Compliance Blog

Guidance on Recognizing Activity Related to Human Trafficking

Back in 2014, FinCEN released Advisory FIN-2014-A008 that addressed "red flags" associated with human smuggling and human trafficking. These "red flags" are still important and relevant to be reviewed today as financial institutions may sometimes be on the front line of being able to recognize specific patterns of financial transactions. On

- April 29th, 2018: [5300 Call Report Due to NCUA](#)

May, 2018

- May 11th, 2018: [Customer Due Diligence – CDD \(FinCEN\) – Effective date](#)
- May 28th, 2018: Memorial Day - Federal Holiday

July, 2018

- July 1st, 2018: [Regulation CC Amendments – Availability of Funds and Collection of Checks](#)
- July 4th, 2018: Independence Day - Federal Holiday
- July 29th, 2018: [5300 Call Report Due to NCUA](#)

September, 2018

- September 3rd, 2018: Labor Day - Federal Holiday

October, 2018

- October 8th, 2018: Columbus Day - Federal Holiday
- October 28th, 2018: [5300 Call Report Due to NCUA](#)

page 4 of the Advisory are the items financial institutions should be on the alert for, and [here is the link to the information.](#)

Source: FinCEN

Advocacy Highlight

Mulvaney Testified Before House and Senate for Semi-Annual Report of the CFPB

Consumer Financial Protection Bureau Director Mulvaney was on both sides of the Capitol for Congressional hearings last week. The House Financial Services Committee held the first hearing on Wednesday entitled, "The 2018 Semi-Annual Report of the Bureau of Consumer Financial Protection." The Senate Banking Committee's hearing took place on Thursday. Prior to both hearings, CUNA sent letters to Chairman Hensarling and Ranking Member Waters and to Chairman Crapo and Ranking Member Brown highlighting a number of issues with the CFPB and ways improvements could help credit unions.

The letters outlined how CFPB actions in the area of ability to repay/Qualified Mortgages, mortgage servicing, Home Mortgage Disclosure Act, remittances and small-dollar lending, among others, have "significantly impeded" credit unions' ability to serve their members with quality, consumer-friendly financial products.

CUNA also reiterated its support for replacing the single director structure at the CFPB with a bipartisan, multimember commission.

During Director Mulvaney's first testimonies as Director of the CFPB, he reaffirmed support for several issues that align with CUNA's goals for the bureau under the Campaign for Common-Sense Regulation. [[Read more here](#)]

Source: CUNA Advocacy

CFPB makes it a dozen

The CFPB has announced the twelfth in its series of a dozen Requests for Information (RFIs) under Acting Director Mick Mulvaney's "Call for Evidence" initiative. [This last RFI of the series](#), which asks for feedback on the CFPB's handling of consumer complaints and inquiries, was published on Tuesday, April 17, with a 90-day comment period ending on July 16, 2018.

Compliance Training

Regulatory Compliance Training

CUNA and CUNA Webinars

[CUNA has published a list of their free webinars for 2018!](#)

CUNA offers hundreds of online training events that make it easy for you to learn right at your desk. Whether you are looking for a beginner course or want a comprehensive understanding on a specific topic, CUNA webinars, audio conferences and eSchools have what you need. [Click here for updates on compliance, operations, lending topics and more!](#)

CFPB'S Amendments to the Mortgage Servicing Rules Webinar (Recorded)

Credit unions that service mortgage loans saw an increase in their servicing responsibilities in October 2017 and will see additional requirements take effect in April 2018. [Click here to register for this recorded webinar.](#)

Source: CFPB

Keeping up with CUNA Advocacy

To stay abreast of the issues on which CUNA has provided input to lawmakers and regulators, [here is a list of those topics](#).

CUNA Advocacy Update

The CUNA Advocacy Update is published at the beginning of every week and keeps you on top of the most important changes in Washington for credit unions--and what CUNA is doing to monitor, analyze, and influence government agencies and federal law. To receive this update, click on "Get CUNA Updates" on the [CUNA Advocacy page](#). Additional Advocacy efforts may also be found under [CUNA's Removing Barriers blog](#). With the recent updates to CUNA's website, Advocacy information has also changed. To view recent advocacy issues and see ways your credit union can become involved, visit the [Priorities](#) or [Actions](#) pages.

New ComplySight Complaint System Enhancements!

The Complaint Management System dashboard, which has been under construction, is now live and ready to be viewed! The dashboard view will depend on the user's access level. Log in today to see this new view!

We received immediate feedback when we launched the Complaint Management System that a user access level between CMA and CMU would be helpful. That access level is now here! The CM1 access level is an intermediate level of access which allows the user to create, assign, and manage Complaints as well as manage Member/Non-Members. CM1 users will see all Complaints they have created or been assigned.

CM1 users cannot close or delete Complaints, and cannot manage sub-categories or branch locations. Because a CM1 cannot close a Complaint, once they have completed the review for a Complaint it must be sent to a CMA for a final review and to be closed. The Complaint System User's Guide has full instructions on the CM1 access level rights.

We hope this new access level will make managing your Complaints easier than ever and as always, we welcome your feedback and suggestions.

ComplySight:30-Day Free Trial!

If you're interested in a "trial run" of ComplySight, League InfoSight is offering a free, 30-day trial so you can see the benefits first-hand. It's easy to get started. [Just visit us online and click on Free Trial Offer.](#)

