

## InfoSight Highlight

### A-Z Site Index Explanation

While InfoSight has many different “channels” of information, sometimes it may be a challenge to figure out which channel would contain the topic you’re seeking. Have you used the A-Z Site Map? And – if you have - have you noticed several topics are listed twice! That’s because a topic may apply to two different channels. For example, “Americans with Disabilities Act: ADA Audits and Website Accessibility” applies to both Advertising and Employment; “Backup Withholding” relates to both the Accounts and Tax Issues channels. In these cases, the content is the same but the related channel may be different. And now you know!

## Compliance News

### BCFP Issues Regulation P Relief

Last week, the Bureau issued a [final rule amending Regulation P](#). The rule provides regulatory relief by exempting credit unions that meet specific criteria from the requirement to send annual privacy notices to their members. The changes are intended to align Regulation P with changes made to the Gramm-Leach-Bliley Act (GLBA) by the Fixing America’s Surface Transportation Act (FAST Act) of 2015. Financial institutions are eligible if they:

- Do not share nonpublic personal information about customers except as described in certain statutory exceptions; and
- Have not changed policies and practices with regard to disclosing nonpublic personal information from those that the institution disclosed in the most recent privacy notice it sent.

The rule will become effective 30 days after it is published in the Federal Register, which is expected in the coming days.

### Bureau settles payday lending case

The CFPB/BCFP announced on Friday that a federal court had entered an order approving a settlement between the Bureau and Richard Moseley Sr., Richard Moseley Jr., and 20 interrelated corporate entities (Hydra Group) controlled by the Moseleys, in a lawsuit for the unlawful origination and servicing of short-term, small-dollar online loans to consumer across the country. The suit alleged violations of the Consumer Financial Protection Act and other federal consumer protection laws. The Bureau claimed the defendants obtained consumers' personal and financial information from third-party data brokers and used that information to access consumers'

**InfoSight**  
**Compliance eNEWSLETTER**  
**August 17, 2018**  
**Vol. 12, Issue 32**

Created in partnership with the



Credit Union National  
Association

## Compliance Videos

### Compliance Connection Video

Are you sure you’re in compliance with the FinCEN requirements that were effective in May? You may want to take another look at the [FinCEN Customer Due Diligence video](#) from League InfoSight’s CEO Glory LeDu to be sure!

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

September, 2018

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

October, 2018

bank accounts without authorization; then, the Hydra Group (as the deposited loans in consumers' bank accounts, then debited biweekly "finance charges" indefinitely. The Bureau also alleged that any written disclosures consumers received, the price terms and repayment obligations of the "loans" were misrepresented.

Under the consent order, the defendants will be banned from the industry, forfeit approximately \$14 million in assets, and pay a \$1 civil money penalty (based on the defendant's limited ability to pay. A judgment of \$69 million was ordered for redress payments but was suspended upon compliance with other requirements of the order.

*Source: BCFP*

---

**FinCEN is extending the Beneficial Ownership Rule's limited exception for rollover and/or renewal of certain accounts for an additional 30 days, up to and including September 8, 2018.**

On May 16, 2018, the Financial Crimes Enforcement Network (FinCEN) [issued a 90-day limited exceptive relief](#) to financial institutions from the obligations of the Beneficial Ownership Rule for certain financial products and services, such as term share accounts or loan accounts, that automatically rollover or renew. FinCEN issued the 90-day limited exception in order to determine whether, and to what extent, a further exception would be appropriate for such products and services. The exception was set to expire on August 9.

*Source: FinCEN*

---

**NCUA proposes loan regs amendments**

[The NCUA Board has published \[83 FR 39622\]](#) to amend its regulations regarding loans to members and lines of credit to members. The proposal would reduce regulatory burden by making amendments to improve clarity and to make compliance easier. The proposal would:

- identify in one section all the various maturity limits applicable to federal credit union loans
- better define the maturity date of new loans
- more clearly express the limits on loans to a single borrower or group of associated borrowers

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

November, 2018

- November 12th, 2018: Veterans Day (observed) - Federal Holiday
- November 22nd, 2018: Thanksgiving Day - Federal Holiday

December, 2018

- December 25th, 2018: Christmas Day - Federal Holiday

April, 2019

- April 1st, 2019: [Prepaid Accounts under the Electronic Fund Transfer Act/Regulation E and the Truth In Lending Act/Regulation Z \(Date Extended\)](#)

Compliance Training

**Regulatory Compliance Training**

**CUNA and CUNA Webinars**

The NCUA Board also seeks comment on whether it should provide longer maturity limits for certain 1-4 family real estate loans. Comments on the proposal are due October 9, 2018.

Source: NCUA

### Advocacy Highlight

#### Payday Rule Developments

Last week a motion to delay the implementation of the [BCFP's Payday Rule was denied by a federal judge](#). Barring some other development, the rule's compliance date will continue to be slated for August 19, 2019. In order for implementation to be delayed, the Bureau would need issue a proposal and allow for notice-and-comment pursuant to the APA.

In a statement earlier this year, Acting Director Mulvaney said the Bureau "intends to engage in a rulemaking process so that the Bureau may reconsider the Payday Rule."

Source: *CUNA Removing Barriers Blog*

---

#### Pending Regulatory Comment Calls

CUNA plans to comment on the following pending regulatory proposals. For comment letters to have the greatest impact, consider whether and how these proposals would affect your credit union and contact the CUNA staff listed for each proposal with your feedback. Also, feel free to contact the CUNA staff listed if you would like more information on how to send your own letter.

[Fair Housing Act's Disparate Impact Standard](#) (Aug 20, 2018) – Luke Martone ([lmartone@cuna.coop](mailto:lmartone@cuna.coop))

[New Message Format for the Fedwire Funds Service](#) (Sept. 4, 2018) – Lance Noggle ([lnoggle@cuna.coop](mailto:lnoggle@cuna.coop))

[Enterprise Capital Requirements](#) (Sept. 17, 2018) Luke Martone ([lmartone@cuna.coop](mailto:lmartone@cuna.coop))  
CUNA Advocacy

---

**Keeping up with CUNA Advocacy**

[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!](#)

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.

---

## **ComplySight Enhancements!**

We've recently released a few updates and enhancements that we hope will make the ComplySight user experience even better! We are continually working to add new functionality and improve existing tools and processes to keep ComplySight the best Compliance Management System on the market!

Here is a summary of our recent updates:

- **Enhanced Security** - While the ComplySight system and the data contained within it has always been secured, we have added an additional layer of encryption security within multiple areas of ComplySight.
- **Search within File Manager** - We have added a search function within File Manager to make it easier than ever for users to manage their files.
- **Menu Navigation and On-Screen Verbiage Consistency** - We have updated some of the text throughout the site to better reflect the functions being performed on those screens and to make navigation as simple as possible. We have also added some additional on-screen instructions in certain areas to provide better direction to users.

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](#).

