



## Compliance eNewsletter

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### InfoSight News

#### FINAL ISSUE FOR 2019!!

Yes, it's true! This is your final InfoSight Newsletter for 2019! We would like to thank you for all of your hard work in 2019, wish you a very happy holiday season, and look forward to working with all of you in 2020!

Please note there will be no newsletters for the next two weeks. The first edition of the InfoSight Compliance eNewsletter for 2020 will be the week of January 6.

### Compliance News

#### Compliance Connection Video

The [Compliance Connection video for 4th Q 2019 and 1st Q 2020](#) provides an overview of regulatory changes that may be impacting the credit union, effective in the 4th quarter of 2019 and 1st quarter of 2020. Included are:

- NCUA changes
  - CFPB updates
  - NACHA Fast Funds Availability
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## CFPB Publishes additional guidance related to disclosing construction and construction-permanent loans

On December 18, 2019, the CFPB published two Guides, one on disclosing construction and construction-permanent loans with a separate Loan Estimate and Closing Disclosure for each phase of the transaction and one on disclosing one, combined Loan Estimate, and one, combined Closing Disclosure for both phases of a construction-permanent transaction. The Guides provide guidance and illustrative examples for commonly asked about TRID and Regulation Z provisions related to completing these construction and construction-permanent loan disclosures. [They are located on the CFPB page under "Guides."](#)

*Source: CFPB*

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## Labor updates Regular Rate regs

The Department of Labor has issued a final rule [[84 FR 68736](#), amending 29 CFR parts 548 and 778] updating a number of regulations on the calculation of overtime compensation both to provide clarity and to better reflect the 21st-century workplace. The changes were made to promote compliance with the Fair Labor Standards Act, provide appropriate and updated guidance in an area of evolving law and practice, and encourage employers to provide additional and innovative benefits to workers without fear of costly litigation. The rule is effective January 15, 2020.

*Source: Department of Labor*

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## NCUA Board actions

The NCUA board has [announced](#) its approval of two measures at its meeting on December 12:

- The operating, capital, and National Credit Union Share Insurance Fund budgets for 2020 and 2021
- [A two-year delay of the effective date of the agency's risk-based capital rule.](#) This delays the RBC until January 1, 2022.

*Source: NCUA*

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## Operators of debt collection scheme banned

The Federal Trade Commission has [announced](#) that, under the terms of a [settlement agreement](#) with the Commission, the operators of a scheme that conned consumers into paying non-existent debts will be permanently banned from the debt collection business and from misleading consumers about debt. A [complaint](#) filed by the FTC against Global Asset Financial Services Group, LLC alleges that the operators of the company falsely claimed to be attorneys or affiliated with attorneys to pressure consumers into making payments on debts they did not owe, and threatened to take legal action against consumers if they did not pay. In addition to being banned from debt collection, debt brokering activities, and misleading consumers, the defendants also will be banned from misrepresenting to consumers whether they are attorneys.

*Source: FTC*

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## NMLS renewal period ends soon

The NMLS has [posted a reminder](#) that the annual renewal period for registered mortgage loan originators (MLOs) (organizations and individuals) ends December 31. Failure to renew an institution's registration may impact its MLOs' ability to engage in mortgage loan origination activity, just as failures of individual MLOs to complete their renewal process will prevent them from legally acting in that role after year-end. For complete information, visit the [Renew-Reactivate page](#) of the NMLS Federal Registry Resource Center.

*Source: NMLS*

## Advocacy Highlight

### Hemp Guidance Reminders

FinCEN together with the with the state bank regulators issued a [statement](#) clarifying the legal status of hemp growth and production and the relevant requirements under the Bank Secrecy Act for banks providing services to hemp-related businesses. FinCEN will be issuing additional guidance after reviewing and evaluating the USDA's interim final rule addressing hemp-related businesses. As mentioned in the guidance:

“Because hemp is no longer a Schedule I controlled substance under the Controlled Substances Act, banks are not required to file a Suspicious Activity Report (SAR) on customers solely because they are engaged in the growth or cultivation of hemp in accordance with applicable laws and regulations. For hemp-related customers, banks are expected to follow standard SAR procedures, and file a SAR if indicia of suspicious activity warrants.”

Source: FinCEN

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## Proposed Regulations Needing Comments:

- [Uniform Mortgage-Backed Securities \(UMBS\) pooling practices \(extended due date 1/21/20\)](#)
- [RFI re Integrated Mortgage Disclosures Under RESPA \(Reg X\) and TILA \(Reg Z\) Rule Assessment](#)

## CUNA's Advocacy Resources:

- [This Week in Washington](#)
- [CUNA Advocacy page](#)

## Compliance Calendar

- December 25th, 2019: Christmas Day - Federal Holiday
- December 31st, 2019: NMLS annual review period ends
- January 1st, 2020: New Year's Day - Federal Holiday
- January 1st, 2020: Annual Updates
- January 1st, 2020: HMDA Thresholds/Regulation C (CFPB)

## Newsletter Sign Up

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