

Regulatory Compliance News



MOUNTAIN WEST
Credit Union Association

March 11, 2016

Compliance News

Complying with Recent Changes to the Military Lending Act Regulation

Last week, the NCUA issued a regulatory alert [16-RA-04](#) addressing last year's changes to the Military Lending Act, many of which have a compliance deadline of October 3, 2016. This regulatory alert contains a summary of the rule's basic requirements which can be found [here](#). It is a helpful starting point for those who are learning the MLA rules, covering the rule's scope, limitations on credit and the disclosure requirements.

Source: NCUA

Policy Priorities for the CFPB for 2016-2017

The CFPB recently announced its policy priorities for ensuring a fair marketplace and shared these goals with the members of their Consumer Advisory Board. They announced nine priority goals as the areas where they plan to devote significant resources and hope to make substantial progress during the next two years towards achieving more fairness in these markets. These goals also build on their rulemaking agenda and broader strategic plan. The following nine priorities were identified:

- Arbitration
- Consumer reporting
- Debt collection
- Demand-side consumer behavior
- Household balance sheets
- Mortgages
- Open-use credit
- Small business lending
- Student lending

For the full report, please click [here](#).

Source: CFPB

Bureau to Consider Applications to Designate 'Rural' Areas

The CFPB has [announced](#) an application process for requests that areas not currently deemed "rural" receive that designation under federal consumer financial law. Under this process, those now outside rural counties or census blocks can apply to be designated as rural and may be eligible for specific exemptions and provisions for certain mortgage lenders. Applications will be accepted starting March 31, 2016. A notice of the process was published in a recent Federal Register at [81 FR 11099](#).

Source: CFPB

Advocacy Highlight

Pending Regulatory Proposals – Comments Needed!

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Association Compliance Forums

Click on one of the below links to subscribe

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[BSA Compliance Officer Forum](#)

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CUNA intends to comment on the following pending regulatory proposals. Please consider whether and how these proposals would affect your credit union, and contact the CUNA staff listed with each proposal with your feedback.

Credit unions are encouraged to use [Power Comment](#) to file comment letters with regulators. For more information regarding these proposals, please follow the links below:

March 14, 2016~CFPB

[HMDA Resubmission Guidelines](#)

CUNA Contact: [Andy Price](#)

March 17, 2016~FHFA

[Enterprise Duty to Serve Underserved Markets](#)

CUNA Contact: [Andy Price](#)

March 22, 2017~NCUA

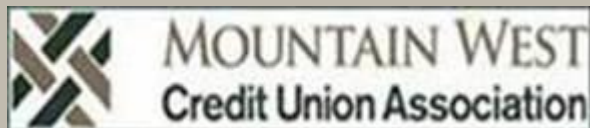
[EGRPRA Review](#)

CUNA Contact: [Andy Price](#)

CUNA Advocacy Update

The Regulatory Advocacy Report is now combined with CUNA's Legislative Update into a comprehensive CUNA Advocacy Update. The new [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.

Prior CUNA Regulatory Advocacy Reports have been archived and are available [here](#).



[Training & Events Calendar](#)

March 15

Webinar: [Auditing for TRID Compliance: Safe Harbor Expires 2.1.2016](#)

March 16

Webinar: [Flood Insurance Compliance Update & FAQs](#)

March 22

Webinar: [Lending Series: The CFPB's Four Ds of Lending](#)

March 23

Webinar: [Cyber Series: Outsourcing Tech Services: Regulations, Examiner Expectations & Actions for Vendor Management](#)

March 31

Webinar: [Developing Your Same-Day ACH Game Plan](#)

April 5

Webinar: [New Federal Regulations Targeting Student Accounts, Including Debit & Prepaid Cards, Effective 7.1.2016](#)

Lending, and Operations.

If a full suite of compliance services is not what you are looking for, we now offer self-assessment tools, individual loan reviews, and a basic annual compliance package that includes ACH, BSA, SAFE Act, and Website compliance.

For more information about our compliance services, please contact Melia Heimbuck at: mheimbuck@mwcua.com or (720) 479-3325 or 1 (800) 477-1697 ext. 3325



InfoSight Highlight

Advertising

Equal Credit Opportunity Act

An advertisement must not use any words, phrases, symbols, or forms that would convey either overt or tacit discriminatory preferences or limitations (i.e., based on race, color, religion, sex, handicap, familial status, or national origin). This rule is not intended to prohibit or restrict advertising efforts as a part of an affirmative action marketing program.

Fair Housing Act

The following practices generally derived from the Fair Housing Act may be considered discriminatory and should be avoided by the credit union: (This list of prohibitions under the Act is not exhaustive.)

- Limiting advertising to a particular geographic region.
- Using language selectively (e.g., using only English in an advertisement in an area that is predominantly non-English-speaking).
- Using certain media to the exclusion of other media (e.g., placing an advertisement exclusively in an English-language newspaper circulated in a predominantly non-English-speaking area and where non-English media are available).
- Advertising on billboards that are strategically placed and brochures that are distributed within a limited geographic area.
- Using human models selectively in advertisements. If reviewing a website, review the entire site in order to determine whether imagery would tend to discourage potential credit applicants on a prohibited basis.

The credit union should include the Fair Housing Act equal housing logo and slogan in all home mortgage advertisements. If other logos are used in an advertisement, then the equal housing logo should be at least as large as the other logos. If no other logos are

April 12

Webinar: [Completing the SAR Line-by-Line](#)

BSA Seminars

Mountain West is hosting two BSA seminars with credit union compliance expert Mary-Lou Heighes. Mary-Lou presents an informative program that will help BSA officers examine in detail each BSA/AML requirement, each report and its reporting requirements. She will also discuss guidelines for building an effective BSA monitoring system. In addition, we will discuss the credit union's Customer Identification Program, Risk assessment and its OFAC responsibilities. In just one information-packed day, this program takes up where basic BSA training leaves off.

The Bank Secrecy Act Seminar will be taking place in two locations this Spring and registration is underway. To learn more about the program or to register, select the program that is nearest you.

Phoenix, AZ: March 22, 2016

Denver, CO: May 3, 2016

Financial Strategies Seminar

Managing risks while maintaining stability and growth is a constant challenge for financial institutions especially in a complex regulatory environment. Join industry experts as they provide guidance on preparing for success in the ever-evolving credit union industry. We'll start the day with a market update and industry trends, and then look at bond portfolio management, risk management, cybersecurity, tax and accounting issues as well as regulatory compliance and hot legal topics affecting those responsible for financial management functions at their credit union. CPE credits available.

March 29, 2016 – Phoenix

June 8, 2016 - Denver

CUNA Schools and Webinars

March 23

Webinar: [Regulation E](#)

March 23 - December 14

Webinar: [CUNA Compliance Professional Webinar Series](#)

March 30

Webinar: [Lenders, Third Party Vendors and BSA Compliance](#)

CUNA Comment Calls – Due Dates on Proposed Rules

March 18, 2016~FinCEN

[Changes to BSA Currency Transaction Report](#)

March 24, 2016~NCUA

[NCUA Strategic Plan 2017- 2021](#)

March 26, 2016~NCUA

[Overhead Transfer Rate Methodology](#)

March 26, 2016~NCUA

used, then the equal housing logo should be clearly visible in a bold display face.

SIZE: NCUA and FDIC both simply state that the logo and statement must be "prominent". It may be wise to try to keep the Home Mortgage Disclosure Act (HMDA) guidelines in mind as any dispute over the issue of "prominence" will likely consider those standards.

InfoSight ([AZ](#), [CO](#), [WY](#))

CU Compliance Connection – Compliance Outlook for Q1 2016 & Q4 2015 Review

In this newly released video, Glory LeDu, Manager of League System Relations, discusses the Compliance outlook for the 1st quarter of 2016 and gives us a review of the 4th quarter of 2015. View the CUBE TV video [here](#).



Compliance Calendar

March 13

- Daylight Savings Time Begins

April 22

- 5300 Call Report Due to NCUA

May 30

- Memorial Day – Federal Holiday

June 30

- PCI-SSL/TLS Can No Longer Be Used as a Security Control

Effective Dates New and Revised Rules

July 1, 2016~DoEd

[Program Integrity and Improvement](#)

September 23, 2016~NACHA

[Same-day ACH \(NACHA\) – Phase 1](#)

October 3, 2016~DoD

[Limitations on Terms of Consumer Credit Extended to Service Members & Dependents](#)

January 1, 2017~CFPB

[HMDA – Regulation C](#)

September 15, 2017~NACHA

[Same-day ACH \(NACHA\) – Phase 2](#)

[Operating Fee Schedule](#)

[Operating Fee Schedule](#)

Please respond to [Mark Robey](#) with any questions or concerns regarding content of this newsletter.

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