

## Regulatory Compliance News



**MOUNTAIN WEST**  
Credit Union Association

March 1, 2019

### Compliance News In This Issue:

- **NCUA Proposes Audit Requirement Changes**
- **Bureau Releases Payday Lending Compliance Guide**
- **Agencies Publish Private Flood Insurance Rule**

#### NCUA Proposes Audit Requirement Changes

The NCUA Board has published [[84 FR 5957](#), 2/25/19] a proposal to amend its regulations at 12 CFR part 715 governing the responsibilities of a federally insured credit union to obtain an annual supervisory committee audit of the credit union. The proposal implements recommendations outlined in the agency's Regulatory Reform Task Force's Regulatory Reform Agenda and will provide additional flexibility to federally insured CUs. Comments are due by April 26, 2019.

Source: NCUA

#### Bureau Releases Payday Lending Compliance Guide

The Consumer Financial Protection Bureau has released a [small entity compliance guide](#) summarizing the payment-related provisions of the Payday Lending Rule. Other provisions of the rule are under review, and are likely to be delayed and may ultimately be rescinded.

The Payday Lending Rule became effective on January 16, 2018. However, the Rule's general compliance date is August 19, 2019. Thus, by its terms, the Rule does not require lenders to comply with the Rule's payment provisions or the related compliance program and record retention requirements until the latter date. The compliance date, however, is currently stayed by a court order issued in *Community Financial Services Association v. CFPB*. As a result, lenders have no obligation to comply with the Rule until the court-ordered stay is lifted.

Source: CFPB

#### Agencies Publish Private Flood Insurance Rule

The OCC, Fed, FDIC, FCA and NCUA have [published their previously announced final rule](#) implementing the private flood insurance provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 to require regulated lending institutions to accept policies meeting the definition of "private flood insurance." The rule will be effective July 1, 2019.

### Your Credit Union's Regulatory Compliance Support Staff

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### Compliance Community Highlight

Bank Secrecy Act training will be held in March in Phoenix and in April in Denver. You can find out more about these training sessions and how to register in the Announcement and Event tabs in the Mountain West Compliance Community.

Your Compliance Community provides additional compliance resources including state-level compliance information and makes networking and collaborating with your local peers more effective and efficient.

If you haven't yet joined the Community, you can access it from the Association's [website](#) by clicking on the "Compliance Community" dropdown under the "Compliance" tab. From the Community homepage, you will be asked to "Join" the Community.

As always, we invite your feedback to help us improve how we serve you.

## Other Articles of Interest

[Congress Begins Struggle to Address Data Security Issues](#)

[Financial Services Subcommittee to Hold First Hearing on Diversity & Inclusion](#)

[Treasury Sanctions Governors of Venezuelan States](#)

[CFPB Announces Start Small, Save Up Initiative](#)

## Advocacy Highlight

### This Week in Washington – February 25th

#### CUNA's 2019 Advocacy Agenda

#### **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.



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### Training & Events Calendar

#### 2019 Webinars

#### **March 5**

Webinar: [Strategic Decisions Regarding CECL Methodologies, Processes & Governance](#)

#### **March 6**

Webinar: [Essential Board Reporting: Requirements, Timing, Delivery, Options, Risks & Concerns](#)

#### **March 7**

Webinar: [Federal Requirements for Tech-Based Marketing: Websites, Social Media, Robo Calls & More](#)

#### **March 12**

Webinar: [Synthetic ID Fraud: What It Is, How It Works & Real-Life Scenarios](#)



Your Online Compliance Resource

### **New Content: Payday Alternative Loans**

With the CFPB publishing a final rule effective on January 16, 2018 (with compliance required as of August 19, 2019), credit unions offering some type of alternative payday loan program need to make sure their program is compliant. A new topic, **Payday Alternative Loans** has been added to the **Loans and Leasing** channel for your review.

You can access InfoSight in the [Community](#) under the **Resources** tab.



Is your credit union ready for NCUA's 2019 Supervisory Priorities? With Bank Secrecy Act Compliance and Consumer Compliance listed as two of the top three priorities for this year's examinations, let AffirmX help you be prepared. AffirmX is the leading cloud-based compliance solution that adds expertise to your compliance team and easily integrates into your operations. AffirmX services cover: ACH audit, BSA Independent Testing, SAFE Act audit, complaint management, full-scope compliance reviews, internal audit, risk assessments, website accessibility, and project remediation. Each AffirmX solution delivers near-real time risk-based information to a dashboard that clearly informs your credit union about its compliance operations. In addition, AffirmX offers users a variety of self-review tools, so you can tackle compliance items on your own.

For more information about any of the AffirmX services, please contact Melia Heimbeck at: [mheimbeck@mwcu.com](mailto:mheimbeck@mwcu.com)  
(720) 479-3325 or 1 (800) 477-1697 ext. 3325

## Compliance Videos

### **Compliance Connection – New Videos**

[In this video](#), League InfoSight CEO Glory LeDu talks about the highlights from the 4<sup>th</sup> Quarter of 2018 and the 1<sup>st</sup> Quarter of 2019.

When S.2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, passed in 2018 there was a lot to understand! Glory LeDu, League InfoSight CEO, provides [Part 1 in this short video](#) to break it down for you.

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

## CUNA Comment Calls – Due Dates on

**March 13**

Webinar: [2019 ACH Rules Update](#)

**March 20**

Webinar: [Advanced BSA Officer Training: In-Depth Risk Issues & Difficult Situations](#)

**March 21**

Webinar: [Required Compliance for Commercial Loans Secured by Real Estate](#)

**March 25**

Webinar: [Handling Power of Attorney & Living Trust Documents on Deposit Accounts & Loans](#)

**March 26**

Webinar: [Red Flags in Board Reports](#)

**April 1**

Webinar: [New Private Flood Insurance Rules Effective July 1, 2019: Policy, Procedures & Compliance](#)

**April 3**

Webinar: [UDAAP: Consumer Complaint Monitoring & Avoiding Harm](#)

*\*For 2019 webinar questions, please contact [MWCUA@cuwebtraining.com](mailto:MWCUA@cuwebtraining.com).*

## BSA Officer Training Registration Deadline Extended

**Registration deadline extended to EOD March 1** for the **Phoenix BSA Officer Training** taking place on **March 7**. Bill Elliott will lead this one-day seminar, which is designed for BSA professionals who are competent in the core requirements of Bank Secrecy Act rules. The program will provide a higher level of lecture, training, and interactive discussion regarding the challenges of developing and managing an effective BSA program.

The **April 2** program in **Denver, CO** will be led by Rayleen Pirnie. Join us to explore the world of BSA today, how CU internal processes must change to keep pace in our ever-increasing online world, how common frauds can affect compliance, and how the ACH Network is battling risks of Third-Parties posing BSA risk to CUs. This interactive session allows participants to share their questions and success stories, and provides valuable take-aways.

**Bonus Session!** In both locations, the local IRS Criminal Investigation Office will present insightful information on Conducting & Documenting a SARs Investigation.

Click on the link below for the location closest to you for more details and to register.

**March 7:** [BSA Officer Training - Phoenix, AZ](#)

**April 2:** [BSA Officer Training – Denver, CO](#)

## Proposed Rules

**February 8, 2019~BCFP**

[Availability of Funds and Collection of Checks \(Reg CC\)](#)

**February 11, 2019~BCFP**

[Policy on No-Action Letters and the CFPB Product Sandbox](#)

**March 8, 2019~FASB**

[Targeted Transition Relief for Credit Losses \(CECL\)](#)

**March 21, 2019~FHFA**

[FHFA Validation and Approval of Credit Score Models](#)

**March 26, 2019~NCUA**

[Supervisory Committee Audits & Verifications](#)

## Effective Dates New and Revised Rules

**April 1, 2019**

- [Prepaid Accounts under the EFT Act/Reg E and TILA/Reg Z](#)

**July 1, 2019**

- [Loans in Areas Having Special Flood Hazards](#)

**August 19, 2019**

- [Payday Lending, Vehicle Title, and Certain High-Cost Installment Loans](#)

**January 1, 2020**

- [Risk-Based Capital](#)

**January 1, 2020**

- [HMDA Threshold/Reg C](#)

**January 1, 2022**

- [Current Expected Credit Losses](#)

**January 1, 2022**

- [Amendments to Equal Credit Opportunity Act \(Reg B\) Ethnicity and Race Information Collection](#)

*\*For detailed information on rules and effective dates, click [here](#)*

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

Sign up to receive Regulatory Compliance News by sending an email to [Donna Gibbs](#).

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