



Federal Deposit Insurance Corporation
550 17th Street NW, Washington, D.C. 20429-9990

Financial Institution Letter
FIL-72-2008
August 4, 2008

REGULATORY RELIEF

Guidance to Help Financial Institutions and to Facilitate Recovery in Areas of Southern Texas Affected by Hurricane Dolly

Summary: The Federal Deposit Insurance Corporation has announced a series of steps intended to facilitate the rebuilding process in areas of southern Texas damaged by Hurricane Dolly and associated severe storms.

Distribution:

FDIC-Supervised Banks (Commercial and Savings) in Texas

Suggested Routing:

Chief Executive Officer
Compliance Officer
Chief Lending Officer

Related Topics:

Lending
Investments
Publishing Requirements
Consumer Laws

Attachment:

Supervisory Practices Regarding Depository Institutions and Borrowers in Areas of Southern Texas Affected by Hurricane Dolly

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Note:

FDIC financial institution letters (FILs) may be accessed from the FDIC's Web site at www.fdic.gov/news/news/financial/2008/index.html.

To receive FILs electronically, please visit <http://www.fdic.gov/about/subscriptions/fil.html>.

Paper copies of FDIC financial institution letters may be obtained through the FDIC's Public Information Center, 3501 Fairfax Drive, E-1002, Arlington, VA 22226 (1-877-275-3342 or 703-562-2200).

Highlights:

- Hurricane Dolly and associated severe storms have resulted in wind damage, heavy rainfall and flooding in southern Texas.
- Individual disaster assistance is available in the Texas counties of Cameron, Hidalgo, and Willacy. Other counties may be eligible for state disaster assistance.
- The FDIC is encouraging banks to work constructively with borrowers who are experiencing difficulties beyond their control because of damage caused by Hurricane Dolly and associated storms.
- Extending repayment terms, restructuring existing loans or easing terms for new loans, if done in a manner consistent with sound banking practices, can contribute to the health of the community and serve the long-term interests of the lending institution.
- The FDIC will also consider regulatory relief from certain filing and publishing requirements for banks in the affected areas.

SUPERVISORY PRACTICES REGARDING DEPOSITORY INSTITUTIONS AND BORROWERS IN AREAS OF SOUTHERN TEXAS AFFECTED BY HURRICANE DOLLY

The Federal Deposit Insurance Corporation (FDIC) recognizes the serious impact of Hurricane Dolly and associated severe storms on the operations of financial institutions, and will provide regulatory assistance to institutions subject to its supervision. These initiatives are being taken to provide regulatory relief and facilitate recovery. The FDIC encourages depository institutions in the affected areas of southern Texas to meet the financial service needs of their communities.

Lending. Bankers should work constructively with borrowers in communities affected by the hurricane. The FDIC realizes that the effects on local businesses and individuals are often transitory, and that prudent efforts to adjust or alter terms on existing loans in areas affected by Hurricane Dolly should not be subject to examiner criticism. In supervising institutions impacted by the disaster, the FDIC will take into consideration the unusual circumstances the institutions face. The agency recognizes that efforts to work with borrowers in communities under stress can be consistent with safe and sound banking practices as well as in the public interest.

Investments. Bankers should monitor municipal securities and loans extended in areas affected by the disaster. The FDIC realizes that local government projects may be negatively impacted. Appropriate monitoring and prudent efforts to stabilize such investments are encouraged.

Reporting Requirements. FDIC-supervised institutions operating in the declared disaster areas should notify the FDIC's Dallas Regional Office if they expect a delay in filing their Reports of Income and Condition (Call Reports) or other reports. The FDIC will take into consideration any causes beyond the control of a reporting institution in determining an acceptable filing delay.

Publishing Requirements. The FDIC understands that the damage caused by the disaster may affect compliance with publishing and other requirements for branch closings, relocations and temporary facilities under various laws and regulations. Banks that have disaster-related difficulties in complying with any publishing or other requirements should contact the FDIC's Dallas Regional Office.

Consumer Laws. Regarding consumer loans, Regulation Z provides consumers an option to waive or modify the three-day rescission period when a "bona fide personal financial emergency" exists. To exercise this option, the consumer must provide the lender with a statement describing the emergency in accordance with the regulation.