## SOURCE Exam Violation Code Text List

| Violation Codes | Description |
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| **A** | **Advertisement of Membership** |
| 800000 | Uncoded. [800000] |
| 800101 | Section 328.2 of the FDIC regulations requires each insured bank to continuously display the official bank sign at each station or window where insured deposits are usually and normally received in its main office and any branches except on automatic service facilities. [800101] |
| 800301 | Section 328.3 of the FDIC regulations requires each insured bank to include, with certain exceptions, the official advertising statement in all advertisements. [800301] |
| 800401 | Section 328.3(e) of FDIC regulations states that an insured depository institution shall not include the official advertising statement, or any other statement or symbol which implies or suggests the existence of Federal deposit insurance, in any advertisement relating solely to non-deposit products or hybrid products, except as permitted in § 328.3(e)(4). In advertisements containing information about both insured deposit products and non-deposit products or hybrid products, an insured depository institution shall clearly segregate the official advertising statement or similar statement from that portion of the advertisement that relates to the non-deposit products. [800401] |
| 800501 | Section 328.4 of FDIC regulations prohibits an insured depository institution from receiving deposits at any teller station or window where any noninsured institution receives deposits or similar liabilities, except for deposits received at a Remote Service Facility. [800501] |
| **B** | **Branch Closings – Section 42** |
| 930000 | Uncoded. [930000] |
| 930101 | Section 42 of the FDI Act requires that all insured depository institutions adopt written policies for branch closings. If an institution has no branches, it must adopt a policy for branch closing when it establishes its first branch. The policy should meet the size and needs of the institution, and include factors for determining which branch to close, which customers to notify, and procedures for providing the required notices. This section further requires institutions to provide the required notices to its customers when it closes a branch. [930101] |
| **C** | **Children's Online Privacy Protection Rule** |
| 920000 | Uncoded. [920000] |
| 920401 | Section 312.4(a) of the Federal Trade Commission Children's Online Privacy Protection Rule requires that notices be clearly and understandably written, complete, and contain no unrelated, confusing, or contradictory materials. [920401] |
| 920402 | Section 312.4(b) of the Federal Trade Commission Children's Online Privacy Protection Rule requires an operator of a website or online service that is directed to children, or that has a separate children's area, to post a link to a notice of its information practices with regard to children on the home page, and, as applicable, at each area where personal information is collected from children. The placement of the link and the content of the notice must be as prescribed in this section. [920402] |
| 920501 | Section 312.5(a)(1) of the Federal Trade Commission Children's Online Privacy Protection Rule requires an operator to obtain verifiable parental consent before any collection, use, and/or disclosure of personal information from a child, including consent to any material changes to the information practices to which the parent has previously consented. [920501] |
| 920502 | Section 312.5(a)(2) of the Federal Trade Commission Children's Online Privacy Protection Rule requires an operator to give the parent the option to consent to the |

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| | collection and use of the child's personal information without consenting to disclosure of the child's personal information to third parties. [920502] |
| 920601 | Section 312.6(a) of the Federal Trade Commission Children's Online Privacy Protection Rule requires an operator to provide, upon the request of a parent whose child has provided personal information to the website or online service, to that parent 1) a description of the types of personal information collected from children, 2) the opportunity to refuse to permit further use or collection of information from their child, 3) the opportunity to have their child's personal information deleted, and 4) a means of reviewing any personal information collected from their child, in accordance with this section. [920601] |
| 920701 | Section 312.7 of the Federal Trade Commission Children's Online Privacy Protection Rule prohibits an operator from conditioning a child's participation in a game, the offering of a prize, or another activity on the child disclosing more personal information than is reasonably necessary to participate in such activity. [920701] |
| | **Community Reinvestment Act (CRA)** |
| 440000 | Uncoded. [440000] |
| 440101 | Section 345.41(a) of FDIC regulations requires a financial institution to delineate one or more assessment areas within which the FDIC evaluates the bank's record of helping to meet the credit needs of its community. [440101] |
| 440501 | Section 345.41 (c) of FDIC regulations requires the assessment area to consist of one or more MSAs, or one or more contiguous political subdivision, such as counties, cities, or towns, and include the geographies in which the financial institution has its main office, its branches, and its deposit-taking RSFs, as well as the surrounding geographies in which the financial institution has originated or purchased a substantial portion of its loans. [440501] |
| 441001 | Section 345.41(e) of FDIC regulations requires that each financial institution's assessment area(s):<br>(1)consist only of whole geographies;<br>(2)not reflect illegal discrimination;<br>(3)not arbitrarily exclude low- and moderate-income geographies; and<br>(4)not extend substantially beyond a CMSA boundary or a state boundary. [441001] |
| 441501 | Section 345.42(a) of FDIC regulations requires a financial institution to collect, and maintain in machine readable form, the following data for each small business or small farm loan originated or purchased: (1) a unique number or symbol to identify the relevant loan file; (2) the loan amount at origination; (3) the loan location; and (4) an indicator of whether the loan was to a business or farm with gross annual revenues of $1 million or less. [441501] |
| 442001 | Section 345.42(b) of FDIC regulations requires a financial institution to annually report the required loan information for the prior calendar year by March 1 in machine readable form. [442001] |
| 442201 | Section 345.43(a) of FDIC regulations requires a financial institution to maintain a public file that includes the following information:<br>(1)written comments received from the public;<br>(2)a copy of the public section of the most recent CRA Performance Evaluation;<br>(3)a list of its branches;<br>(4)a list of branches opened or closed;<br>(5)a list of services generally offered; and<br>(6)a map of each assessment area. [442201] |
| 442501 | Section 345.43(b)(1)(i) of FDIC regulations requires additional information to be included in certain financial institutions' public files regarding consumer loans considered under the lending test. [442501] |
| 443001 | Section 345.43(b)(1)(ii) of FDIC regulations requires a financial institution, other than a small institution, to include its CRA Disclo- |

| Violation Codes | Description |
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| | sure Statement in the public file within three business days. [443001] |
| 443501 | Section 345.43(b)(2) of FDIC regulations requires a financial institution that reports HMDA data, to include in its public file a copy of the HMDA Disclosure Statement for each of the prior two calendar years. [443501] |
| 444001 | Section 345.43(b)(3) of FDIC regulations requires a financial institution, which meets the definition of a small institution, to include in the public file its loan-to-deposit ratio for each quarter of the prior calendar year. [444001] |
| 444501 | Section 345.43(b)(4) of FDIC regulations requires a financial institution that is approved to be assessed under a strategic plan to include in its public file a copy of that plan. [444501] |
| 445001 | Section 345.43(b)(5) of FDIC regulations requires a financial institution that received a less than satisfactory rating during its most recent examination to include in its public file a description of its current efforts to improve its performance. The financial institution is required to update the description quarterly. [445001] |
| 445501 | Section 345.43(c)(1) of FDIC regulations requires a financial institution to make available for public inspection the required information at the main office. [445501] |
| 446001 | Section 345.43(c)(2) of FDIC regulations requires a financial institution to make available at each branch, a copy of its most recent CRA Performance Evaluation, and a list of services provided by the branch, and within five calendar days of the request, all of the information in the public file relating to the assessment area in which the branch is located. [446001] |
| 446501 | Section 345.43(e) of FDIC regulations requires a financial institution to ensure that all applicable information in its public file is current as of April 1 of each year. [446501] |
| 447001 | Section 345.44 of FDIC regulations requires a financial institution to provide in the lobby of its main office and each of its branches, the appropriate public notice set forth in Appendix B of this part. [447001] |
| | **Consumer Leasing** |
| 10000 | Uncoded. [100000] |
| 102301 | Section 1013.3(a) of Regulation M requires a lessor to make the disclosures required by § 1013.4. The disclosures shall be made clearly and conspicuously in writing in a form the consumer may keep. The disclosures required by this part may be provided to the lessee in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). [102301] |
| 103101 | Section 1013.4 of Regulation M requires the lessor to make the required applicable disclosures. [103101] |
| 103301 | Section 1013.5 of Regulation M requires new disclosures be made if a renegotiation occurs. [103301] |
| 103401 | Section 1013.7(d) of Regulation M requires that if an advertisement for consumer leasing states specific leasing terms, such advertisement shall contain additional necessary prescribed disclosures. [103401] |
| 103501 | Section 1013.8 of Regulation M requires the lessor to retain evidence of compliance for a period of not less than two years after the date the disclosures are required to be made or an action is required to be taken. [103501] |
| | **Controlling the Assault of Non-Solicited Pornography and Marketing Act Of 2003 (CAN-SPAM)** |
| 710000 | Uncoded. [710000] |
| 710201 | Section 4(a)(1) of the CAN-SPAM Act states whoever knowingly: (1) accesses a protected computer without authorization, and intentionally initiates the transmission of multiple |

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| | commercial electronic mail messages from or through such computer; (2) uses a protected computer to relay or retransmit multiple commercial electronic mail messages, with the intent to deceive or mislead recipients, or any Internet access service, as to the origin of such messages; (3) materially falsifies header information in multiple commercial electronic mail messages and intentionally initiates the transmission of such messages; (4) registers, using information that materially falsifies the identity of the actual registrant, for five or more electronic mail accounts or online user accounts or two or more domain names, and intentionally initiates the transmission of multiple commercial electronic mail messages from any combination of such accounts or domain names; or (5) falsely represents oneself to be the registrant or the legitimate successor in interest to the registrant of 5 or more Internet Protocol addresses, and intentionally initiates the transmission of multiple commercial electronic mail messages from such addresses, or conspires to do so, shall be punished as provided in subsection (b). [710201] |
| 710401 | Section 5(a)(1) of the CAN-SPAM Act makes it unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message, or a transactional or relationship message, that contains, or is accompanied by, header information that is materially false or materially misleading. [710401] |
| 710402 | Section 5(a)(2) of the CAN-SPAM Act makes it unlawful for any person to initiate the transmission to a protected computer of a commercial electronic mail message if such person has actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that a subject heading of the messagewould be likely to mislead a recipient, acting reasonably under the circumstances, about a material fact regarding the contents or subject matter of the message. [710402] |
| 710403 | Section 5(a)(3) of the CAN-SPAM Act makes it unlawful for any person to initiate the transmission to a protected computer of a commercial electronic mail message that does not contain a functioning return electronic mail address or other Internet-based mechanism, clearly and conspicuously displayed that: (i) a recipient may use to submit, in a manner specified in the message, a reply electronic mail message or other form of Internet-based communication requesting not to receive future commercial electronic mail messages from that sender at the electronic mail address where the message was received; (ii) remains capable of receiving such messages or communications for no less than 30 days after the transmission of the original message. [710403] |
| 710404 | Section 5(a)(4) of the CAN-SPAM Act states if a recipient makes a request using a mechanism provided pursuant to paragraph (3) not to receive some or any commercial electronic mail messages from such sender, then it is unlawful: (i) for the sender to initiate the transmission to the recipient, more than 10 business days after the receipt of such request, of a commercial electronic mail message that falls within the scope of the request; (ii) for any person acting on behalf of the sender to initiate the transmission to the recipient, more than 10 business days after the receipt of such request, of a commercial electronic mail message with actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that such message falls within the scope of the request; (iii) for any person acting on behalf of the sender to assist in initiating the transmission to the recipient, through the provision or selection of addresses to which the message will be sent, of a commercial electronic mail message with actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that such message would violate clause (i) or (ii); or (iv) for the sender, or any other person who knows that the recipient has made such a request, to sell, lease, exchange, or otherwise transfer or release the electronic mail address of the recipient (including through any transaction or other transfer involving mailing lists bearing the electronic mail address of the recipient) for any purpose other than compliance with this Act or other provision of law. [710404] |

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| 710405 | Section 5(a)(5) of the CAN-SPAM Act makes it unlawful for any person to initiate the transmission of any commercial electronic mail message to a protected computer unless the message provides: (i) clear and conspicuous identification that the message is an advertisement or solicitation; (ii) clear and conspicuous notice of the opportunity under paragraph (3) to decline to receive further commercial electronic mail messages from the sender; and (iii) a valid physical postal address of the sender. [710405] |
| 710501 | Section 5(b) of the CAN-SPAM Act makes it unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message that is unlawful under subsection (a), or to assist in the origination of such message through the provision or selection of addresses to which the message will be transmitted; to use scripts or other automated means to register for multiple electronic mail accounts or online user accounts from which to transmit to a protected computer, or enable another person to transmit to a protected computer, a commercial electronic mail message that is unlawful under subsection (a); to relay or retransmit a commercial electronic mail message that is unlawful under subsection (a) from a protected computer or computer network that such person has accessed without authorization. [710501] |
| 710701 | Section 5(d) of the CAN-SPAM Act makes it unlawful for a person to initiate in or affecting interstate commerce a transmission, to a protected computer, of any commercial electronic mail message that includes sexually oriented material. [710701] |
| 710901 | Section 6 of the CAN-SPAM Act makes it unlawful for a person to promote, or allow the promotion of, that person's trade or business, or goods, products, property, or services sold, offered for sale, leased or offered for lease, or otherwise made available through that trade or business, in a commercial electronic mail message the transmission of which is in violation of § 5(a)(1) if that person knows, or should have known in the ordinary course of that person's trade or business, that the goods, products, property, or services sold, offered for sale, leased or offered for lease, or otherwise made available through that trade or business were being promoted in such a message; received or expected to receive an economic benefit from such promotion; and took no reasonable action. [710901] |
| | **Section 5 of the Federal Trade Commission Act (UDAP)** |
| 542501 | Section 5 of the Federal Trade Commission Act prohibits unfair acts or practices. An act or practice is unfair where it (1) causes or is likely to cause substantial injury to consumers, (2) cannot be reasonably avoided by consumers, and (3) is not outweighed by countervailing benefits to consumers or to competition. Public policy may also be considered in the analysis of whether a particular act or practice is unfair. [542501] |
| 542801 | Section 5 of the Federal Trade Commission Act prohibits deceptive acts or practices. To determine whether a representation, omission, or practice is "deceptive," a three-part test is used. First, the representation, omission, or practice must mislead or be likely to mislead the consumer. Second, the consumer's interpretation of the representation, omission, or practice must be reasonable under the circumstances. Lastly, the misleading representation, omission, or practice must be material. [542801] |
| **D** | **Deposit Insurance Coverage – Part 330** |
| 180000 | Uncoded. [180000] |
| 182010 | Section 330.16(c)(1) of FDIC regulations requires that no later than February 28, 2011, each depository institution that offers noninterest-bearing transactions accounts to post prominently the following notice in the lobby of its main office, in each domestic branch and, if it offers internet deposit services, on its website:<br><br>"NOTICE OF CHANGES IN TEMPORARY FDIC INSURANCE COVERAGE FOR |

| Violation Codes | Description |
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| | TRANSACTION ACCOUNTS<br><br>All funds in a "noninterest-bearing transaction account" are insured in full by the Federal Deposit Insurance Corporation from December 31, 2010, through December 31, 2012. This temporary unlimited coverage is in addition to, and separate from, the coverage of at least $250,000 available to depositors under the FDIC's general deposit insurance rules.<br><br>The term "noninterest-bearing transaction account" includes a traditional checking account or demand deposit account on which the insured depository institution pays no interest. It also includes Interest on Lawyers Trust Accounts ("IOLTAs"). It does *not* include other accounts, such as traditional checking or demand deposit accounts that may earn interest, NOW accounts and money-market deposit accounts.<br><br>For more information about temporary FDIC insurance coverage of transaction accounts, visit www.fdic.gov." [182010] |
| 182011 | Section 330.16(c)(2) of FDIC regulations requires each depository institution participating in the FDIC's Transaction Account Guarantee Program on December 31, 2010, to provide a notice by mail to depositors with negotiable order of withdrawal accounts that are protected in full as of that date under the Transaction Account Guarantee Program that, as of January 1, 2011, such accounts will no longer be eligible for unlimited protection. This notice must be provided to such depositors no later than December 31, 2010. [182011] |
| 182012 | Section 330.16(c)(3) of FDIC regulations requires that if an institution uses sweep arrangements, modifies the terms of an account, or takes other actions that result in funds no longer being eligible for coverage under this section, to notify affected customers and clearly advise them, in writing, that such actions will affect their deposit insurance coverage. [182012] |
| **E** | **Electronic Fund Transfer** |

| Violation Codes | Description |
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| 280000 | Uncoded. [280000] |
| 280101 | Section 1005.5(a) of Regulation E prohibits a financial institution from issuing an unsolicited, validated access device that is not a renewal of or in substitution for an accepted access device. [280101] |
| 280301 | Section 1005.5(b)(2) of Regulation E prohibits a financial institution from distributing an unvalidated access device to a consumer, on an unsolicited basis, without informing the consumer that the access device is not validated and how to dispose of the device if validation is not desired. [280301] |
| 280302 | Section 1005.5(b)(3) of Regulation E prohibits a financial institution from distributing an unvalidated access device to a consumer, on an unsolicited basis, without a complete disclosure of the consumer's rights and liabilities that will apply if the access device is validated. [280302] |
| 280701 | Section 1005.5(b)(4) of Regulation E prohibits a financial institution from validating an access device without an oral or written request or application for validation from the consumer, or without using reasonable means to verify the consumer's identity. [280701] |
| 281001 | Section 1005.6(a) of Regulation E provides that a financial institution may impose liability on a consumer for unauthorized transfers involving the consumer's account only if certain conditions are met. [281001] |
| 281501 | Section 1005.6(b) of Regulation E prohibits a financial institution from imposing liability on a consumer in excess of the applicable limitation detailed in the regulation. [281501] |
| 281701 | Section 1005.7(a) of Regulation E requires a financial institution to provide a consumer with an initial disclosure statement that the consumer may retain at the time the consumer contracts for an electronic fund transfer service or before the first electronic fund transfer involving the consumer's account is made. [281701] |

| Violation Codes | Description |
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| 282101 | Section 1005.7(b)(1) of Regulation E requires a financial institution to include in the initial disclosure statement a summary of the consumer's liability under section 1005.6, or other applicable law or agreement, for unauthorized electronic fund transfers. [282101] |
| 282201 | Section 1005.7(b)(2) of Regulation E requires a financial institution to include in the initial disclosure statement the telephone number and address of the person or office to be notified when the consumer believes that an unauthorized electronic fund transfer has been or may be made. [282201] |
| 282401 | Section 1005.7(b)(3) of Regulation E requires a financial institution to include in the initial disclosure statement the financial institution's business days as determined under Section 1005.2(d). [282401] |
| 282601 | Section 1005.7(b)(4) of Regulation E requires a financial institution to include in the initial disclosure statement the type of electronic fund transfers that the consumer may make and any limitation on the frequency and dollar amount of transfers. [282601] |
| 282801 | Section 1005.7(b)(5) of Regulation E requires a financial institution to include in the initial disclosure statement any fees for electronic fund transfers or for the right to make transfers. [282801] |
| 282901 | Section 1005.7(b)(6) of Regulation E requires a financial institution to include in the initial disclosure statement a summary of the consumer's right to receive documentation of electronic fund transfers, as provided in Sections 1005.9, 1005.10(a) and 1005.10(d). [282901] |
| 283101 | Section 1005.7(b)(7) of Regulation E requires a financial institution to include in the initial disclosure statement a summary of the consumer's right to stop payment of a preauthorized electronic fund transfer and the procedure for initiating a stop-payment order, as provided in Section 1005.10(c). [283101] |

| Violation Codes | Description |
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| 283301 | Section 1005.7(b)(8) of Regulation E requires a financial institution to include in the initial disclosure statement a summary of the financial institution's liability to the consumer for its failure to make or to stop certain transactions under Section 910 of the EFT Act. [283301] |
| 283401 | Section 1005.7(b)(9) of Regulation E requires a financial institution to describe in the initial disclosure statement the circumstances under which the institution, in the ordinary course of business, will disclose information to third parties concerning the consumer's account. [283401] |
| 283601 | Section 1005.7(b)(10) of Regulation E requires a financial institution to provide in the initial disclosure statement a notice substantially similar to the notice set forth in this section concerning error resolution procedures and the consumer's rights under them. [283601] |
| 283701 | Section 1005.7(b)(11) of Regulation E requires a financial institution to provide in the initial disclosure statement a notice that a fee may be imposed by an ATM operator when the consumer initiates an electronic fund transfer or makes a balance inquiry, and also by any network used to complete the transaction. [283701] |
| 283801 | Section 1005.7(c) of Regulation E requires a financial institution to provide new disclosures when an electronic fund transfer service added to a customer's account is subject to terms and conditions that are different from those described in the initial disclosures. [283801] |
| 283901 | Section 1005.8(a) of Regulation E requires a financial institution to provide a written notice to a consumer, at least 21 days before the effective date of any change in a term or condition required to be disclosed under section 1005.7(b) if the change would result in increased fees or liability, fewer types of available services, or stricter limitations on the frequency or dollar amounts of transfers. [283901] |

| Violation Codes | Description |
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| 284201 | Section 1005.8(b) of Regulation E requires a financial institution to provide a consumer with the error resolution notice set forth in Section 1005.7(b)(10) at least once each calendar year or, alternatively, the notice set forth in Section 1005.8(b) on or with each periodic statement. [284201] |
| 284401 | Section 1005.9(a) of Regulation E requires a financial institution to make available to the consumer a written receipt of an electronic fund transfer at the time the consumer initiates the transfer at an electronic terminal, except as provided in paragraph (e) of this section. [284401] |
| 284501 | Section 1005.9(a)(1) of Regulation E requires a financial institution to include on a terminal receipt the amount of the electronic fund transfer and, where a financial institution, other than the financial institution holding the consumer's account, owns or operates the terminal and imposes a charge on the consumer for an electronic fund transfer, the amount of the charge must be disclosed on the receipt and on a sign posted on or near the terminal. [284501] |
| 284901 | Section 1005.9(a)(2) of Regulation E requires that the calendar date the consumer initiated a transfer be included on the terminal receipt. [284901] |
| 285101 | Section 1005.9(a)(3) of Regulation E requires a bank to describe on a terminal receipt the type of transfer and the type of the consumer's account to or from which the funds are transferred. [285101] |
| 285401 | Section 1005.9(a)(4) of Regulation E requires a financial institution to include on a terminal receipt a number or code identifying the consumer’s account(s) or the access device used for the transfer. [285401] |
| 285601 | Section 1005.9(a)(5)of Regulation E requires a financial institution to include on a terminal receipt the location of the terminal at which the transfer was initiated or other identification of the terminal. [285601] |

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| 285701 | Section 1005.9(a)(6) of Regulation E requires a financial institution to include on a terminal receipt the name of any third party to or from whom funds are transferred, as applicable. [285701] |
| 285901 | Section 1005.9(b) of Regulation E requires a financial institution to provide a consumer holding an account to or from which electronic fund transfers can be made with a statement for each monthly or shorter cycle in which an electronic fund transfer has occurred, or at least a quarterly statement if no transfer has occurred. [285901] |
| 286201 | Section 1005.9(b)(1) of Regulation E requires a financial institution to include on or with a periodic statement the amount of each electronic fund transfer occurring during the cycle, the date each transfer was credited or debited mer's account, the type of each transfer and the type of the consumer's account(s) to or from which funds were transferred, as well as the name of any third party to or from whom funds were transferred. [286201] |
| 286501 | Section 1005.9(b)(10)(iv) of Regulation E requires a financial institution, for each transfer initiated by the consumer at an electronic terminal, to include on or with the periodic statement the location or other identification of the terminal that appeared on the receipt. [286501] |
| 286801 | Section 1005.9(b)(1)(v) of Regulation E requires a financial institution, for each transfer initiated by the consumer at an electronic terminal which used a code on the receipt to identify a third party to or from whom funds were transferred, to include on or with the periodic statement the code and the name of the third party. [286801] |
| 287001 | Section 1005.9(b)(2) of Regulation E requires a financial institution to include on a periodic statement the number(s) of the consumer's account(s) for which the statement is issued. [287001] |
| 287101 | Section 1005.9(b)(3) of Regulation E requires |

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| | disclosure on the periodic statement of the total amount of any fees, other than a finance charge, assessed against the account during the statement period. [287101] |
| 287301 | Section 1005.9(b)(4) of Regulation E requires a financial institution to include on a periodic statement the balances in a consumer's account(s) at the beginning and at the close of the statement period. [287301] |
| 287401 | Section 1005.9(b)(5) of Regulation E requires a financial institution to include on a periodic statement, preceded by "Direct Inquiries To:" or similar language, the address and telephone number to be used for inquiry or notice of error or, alternatively, to provide the appropriate address and telephone number on the notice of error resolution procedures. [287401] |
| 287601 | Section 1005.9(b)(6) of Regulation E requires, if a financial institution uses the notice procedures set forth in Section 1005.10(a)(1)(iii) for preauthorized credits, that the institution include on the periodic statement the telephone number the consumer may call to ascertain whether a preauthorized transfer to the consumer's account has occurred. [287601] |
| 287701 | Section 1005.10(a)(1) of Regulation E requires a financial institution to provide notice, by one of three methods, where a consumer's account is scheduled to be credited by a preauthorized electronic fund transfer from the same payor at least once every 60 days and the pay or does not provide positive notice to the consumer that transfer has been initiated. [287701] |
| 287901 | Section 1005.10(a)(3) of Regulation E requires a financial institution to credit to a consumer's account the amount of a preauthorized transfer as of the day the funds for the transfer are received. [287901] |
| 288001 | Section 1005.10(b) of Regulation E allows preauthorized electronic fund transfers from a consumer's account only upon written authorization by the consumer and requires the financial institution to provide a copy of the |

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| | authorization to the consumer. [288001] |
| 288301 | Section 1005.10(c) of Regulation E requires a financial institution to honor a consumer's order to stop payment of a preauthorized electronic fund transfer from the consumer's account when made in a timely manner and in accordance with the conditions prescribed. [288301] |
| 288501 | Section 1005.10(d) of Regulation E requires, where a preauthorized electronic fund transfer from a consumer's account varies in amount from the previous transfer relating to the same authorization of the preauthorized amount, that a financial institution provide the consumer written notice of the amount and scheduled date of the transfer at least 10 days before the scheduled transfer. [288501] |
| 288601 | Section 1005.11(c) of Regulation E requires a financial institution to promptly investigate and determine whether an error occurred and transmit the results of the investigation and determination to the consumer within the prescribed timeframe after receiving oral notice of an error. (Alternatively, provided the financial institution has complied with the conditions specified therein regarding the provisional recrediting of the amount of the alleged error, it may investigate and determine within the prescribed timeframe whether an error occurred and transmit the results of the investigation and determination to the consumer.) [288601] |
| 288901 | Section 1005.11(c)(1) of Regulation E requires, where the financial institution determines that an error occurred, that the error be corrected within one business day and that the financial institution notify the consumer of the correction within the prescribed timeframe. [288901] |
| 289201 | Section 1005.11(d) of Regulation E requires, when the financial institution determines that no error occurred or that an error occurred in a different manner or amount from that described by the consumer, that the financial institution provide the consumer with a written explanation of its findings within prescribed time limits and include a notice of the |

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| | consumer's right to request the documents upon which the financial institution relied in making its determination. [289201] |
| 289501 | Section 1005.11(d)(2) of Regulation E requires, upon debiting a provisionally credited amount, that the financial institution notify the consumer of the date and amount of the debiting and the fact that the financial institution will honor checks and drafts payable to third parties and preauthorized transfers from the consumer's account for 5 business days after transmittal of the notice to the extent these payments would have been made if the provisionally credited funds had not been debited. [289501] |
| 289801 | Section 1005.11(d)(1) of Regulation E requires, upon a consumer's request, that the financial institution promptly mail or deliver to the consumer copies of the documents upon which the financial institution relied in making its determination that no error occurred. [289801] |
| 289901 | Section 1005.13(b) of Regulation E requires the financial institution to maintain evidence of compliance with the requirements imposed by the EFT Act and Regulation E for at least two years from the date disclosures are required to be made or action is required to be taken. [289901] |
| 290000 | Uncoded. [290000] |
| 295001 | Section 1005.10(e)(1) of Regulation E prohibits the conditioning of an extension of consumer credit on repayment by means of preauthorized electronic fund transfers, except as otherwise permitted in the case of automatic repayment of credit extended under certain credit plans or extended to maintain a specified minimum balance in the consumer's account. [295001] |
| 295002 | Section 1005.10(e)(2) of Regulation E prohibits requiring a consumer to establish an account for receipt of electronic fund transfers with a particular financial institution as a condition of employment or receipt of a government benefit. [295002] |

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| 295101 | Section 1005.16(b) of Regulation E requires a financial institution that imposes a fee on a consumer for initiating an electronic fund transfer or balance inquiry to: (1) provide notice that a fee will be imposed; and (2) disclose the amount of the fee. Notices must be provided on at the machine and on the screen in accordance with §1005.16(c) [295101] |
| 295201 | Section 1005.16(d) of Regulation E prohibits a financial institution from imposing a fee on a consumer for initiating an electronic fund transfer or balance inquiry unless the consumer is provided the notices required under §1005.16(c) and the consumer elects to continue the transaction after receiving such notices. [295201] |
| 295401 | Section 1005.4(a)(1) of Regulation E states the disclosures required under this part shall be clear and readily understandable, in writing, and in a form the consumer may keep. The disclosures required by this part may be provided to the consumer in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). [295401] |
| 295701 | Section 1005.17(b)(1) of Regulation E prohibits a financial institution from imposing a fee or charge on a consumer's account for paying an ATM or one-time debit card transaction pursuant to the institution's overdraft service, except as provided under paragraph (c) of this section, unless the institution: (1) provides the consumer with a written notice segregated from all other information, describing the institution's overdraft service (notice can be provided electronically if consumer agrees); (2) provides a reasonable opportunity for the consumer to affirmatively consent, or opt in, to the service for ATM and one-time debit card transactions; (3) obtains the consumer's affirmative consent, or opt-in, to the institution's payment of ATM or one-time debit card transactions; and (4) provides the consumer with confirmation of the consumer's consent in writing which includes a statement informing the consumer of the right to revoke |

| Violation Codes | Description |
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| | such consent (may be provided electronically if consumer agrees). [295701] |
| 295702 | Section 1005.17(b)(2) of Regulation E prohibits a financial institution from: (1) conditioning the payment of any overdrafts for checks, ACH transactions, and other types of transactions on the consumer affirmatively consenting to the institution's payment of ATM and one-time debit card transactions pursuant to the institution's overdraft service; or (2) declining to pay checks, ACH transactions, and other types of transactions that overdraw the consumer's account because the consumer has not affirmatively consented to the institution's overdraft service for ATM and one-time debit card transactions. [295702] |
| 295703 | Section 1005.17(b)(3) of Regulation E requires the financial institution to provide to consumers who do not affirmatively consent to the institution's overdraft service for ATM and one-time debit card transactions the same account terms, conditions, and features that it provides to consumers who affirmatively consent, except for the overdraft service for ATM and one-time debit card transactions. [295703] |
| 295704 | Section 1005.17(d) of Regulation E requires the notice under (b)(1)(i) of this section shall be substantially similar to Model Form A-9 set forth in Appendix A of this part. The notice must address the following six items, as applicable, and may not contain any information not specified in or otherwise permitted by this paragraph: (1) describe the overdraft service; (2) state the amount of fees imposed; (3) state the maximum number of fees or charges per day or, if applicable, that there is no limit; (4) explain the consumer's right to opt-in; (5) describe any alternative plans offered for covering overdrafts; and (6) if applicable, the financial institution may state the consumer has the right to opt-in or opt-out of the payment of overdrafts for other types of transactions. [295704] |
| 295706 | Section 1005.17(f) of Regulation E requires a financial institution to provide consumers a continuing right to opt-in or revoke their consent at any time. An institution must implement a consumer's revocation of consent as soon as reasonably practicable. [295706] |
| 295810 | Section 1005.18(b)(1) of Regulation E requires an institution offering payroll cards to provide periodic statements required by Section 1005.9(b) unless the conditions set forth in paragraphs (b)(1)(i) through (b)(1)(iii) of this section are met. [295810] |
| 295815 | Section 1005.18(b)(2) of Regulation E requires the history of account transactions provided under paragraphs (b)(1)(ii) and (iii) of this section to include the information set forth in section 1005.9(b) / (205.9(b)). [295815] |
| 295820 | Section 1005.18(c)(1) of Regulation E requires a financial institution that provides information under paragraph (b) of this section to modify the disclosures required by Section 1005.7(b) with the information contained in paragraphs (c)(1)(i) and (c)(1)(ii) of this section. [295820] |
| 295825 | Section 1005.18(c)(2) of Regulation E requires a financial institution to provide an annual notice concerning error resolution that is substantially similar to the notice contained in paragraph A-7(b) of this part, in place of the notice required by Section 1005.8(b) Alternatively, a financial institution may include on or with electronic and written history provided in accordance with Section 1005.8(b)(1) a notice that is substantially similar to the abbreviated notice for periodic statements contained in paragraph A. [295825] |
| 295830 | Section 1005.18(c)(4) of Regulation E requires a financial institution to follow certain timeframes in order to fulfill the error resolution requirements set forth in section 1005.11 [295830] |
| 296030 | Section 1005.20(c)(1) of Regulation E requires that disclosures made under this section be clear and conspicuous. [296030] |
| 296035 | Section 1005.20(c)(2) of Regulation E requires that disclosures must be provided to the consumer in written or electronic form. |

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| | Written and electronic disclosures made under this section must be in a retainable form. Only disclosures provided under paragraph (c)(3) and (h)(2) of this section may be given orally. [296035] |
| 296040 | Section 1005.20(c)(3) of Regulation E requires that before a gift certificate, store gift card, or general-use prepaid card is purchased, a person that issues or sells such certificate or card must disclose to the consumer the information required by paragraphs (d)(2), (e)(3), and (f)(1) of this section. [296040] |
| 296045 | Section 1005.20(c)(4) of Regulation E states that disclosures required by paragraphs (a)(4)(iii), (d)(2), (e)(3), and (f)(2) of this section must be made on the certificate or card, or in the case of a loyalty, award, or promotional gift card, on the card, code, or other device. [296045] |
| 296050 | Section 1005.20(d) of Regulation E prohibits imposing a dormancy, inactivity, or service fee with respect to a gift certificate, store gift card, or general-use prepaid card, unless: (1) There has been no activity with respect to the certificate or card, in the one-year period ending on the date on which the fee is imposed; (2) The following are stated, as applicable, clearly and conspicuously on the gift certificate, store gift card, or general-use prepaid card: (i) the amount of any dormancy, inactivity, or service fee that may be charged; (ii) how often such fee may be assessed; and (iii) that such fee may be assessed for inactivity; and (3) Not more than one dormancy, inactivity, or service fee is imposed in any given calendar month. [296050] |
| 296055 | Section 1005.20(e) of Regulation E prohibits the sale of gift certificates or cards with expiration dates unless: (1) The person has established policies and procedures to provide consumers with a reasonable opportunity to purchase a certificate or card with at least five years remaining until the certificate or card expiration date; (2) The expiration date for the underlying funds is at least the later of: (i) five years after the date the gift certificate was initially issued, or the date on which funds were last loaded to a store gift card or general-use prepaid card; or (ii) the certificate or card expiration date, if any; (3) Applicable disclosures (as outlined in (i) through (iii) of this section) are provided on the certificate or card; and (4) No fee or charge is imposed on the cardholder for replacing the gift certificate, store gift card, or general-use prepaid card. [296055] |
| 296060 | Section 1005.20(f) of Regulation E requires additional disclosures as applicable to include the following: (1) Fee disclosures; and (2) Telephone number for fee information. [296060] |
| 297001 | Section 1005.31(a)(1) of Regulation E requires that disclosures must be clear and conspicuous and may contain commonly accepted or readily understandable abbreviations or symbols. [297001] |
| 297005 | Section 1005.31(a)(2) of Regulation E generally requires that disclosures provided to the sender must be in writing. Disclosures provided by Section 1005.31(b)(1) may be provided electronically if the sender electronically requests the remittance transfer provider to send the remittance transfer. Written and electronic disclosures must be in a retainable form except that disclosures provided by Section 1005.31(a)(5) via mobile application or text message need not be retainable. [297005] |
| 297010 | Section 1005.31(a)(3) of Regulation E states that information may be disclosed orally provided three criterions are met:<br>(i) the transaction is conducted orally and entirely by telephone;<br>(ii) the remittance transfer provider complies with Section 1005.31(g)(2); and the remittance transfer provider orally discloses a statement about the rights of the sender for cancelling the transaction required by Section 1005.31(b)(2)(iv) and in accordance with the timing requirements of Section 1005.31(e)(1); and the remittance transfer provider discloses orally the information required by Section 1005.31(b)(2)(vii) and the information required by Section 1005.36(d)(1)(i)(A) for transfers subject |

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| | to Section 1005.36(d)(2)(ii) in accordance with the timing requirements of Section 1005.31(e)(1). [297010] |
| 297015 | Section 1005.31(a)(4) of Regulation E permits information required by Section 1005.33(c)(1) may be provided orally if:<br>(i) the remittance transfer provider determines that an error has occurred as described by the sender; and<br>(ii) the remittance transfer provider complies with the requirements of Section 1005.31(g)(2). [297015] |
| 297020 | Section 1005.31(a)(5) of Regulation E permits information required by Section 1005.31 may be disclosed orally or via mobile application or text message if:<br>(i) the transaction is conducted entirely by telephone via mobile application or text message;<br>(ii) the remittance transfer provider complies with Section 1005.31(g)(2); and<br>(iii) the provider discloses orally or via mobile application or text message a statement about the rights of the sender for cancelling the transaction as per Section 1005.31(b)(2)(iv) and in accordance with the timing requirements of Section 1005.31(e)(1); and the remittance transfer provider discloses orally or via mobile application or text message the information required by Section 1005.31(b)(2)(vii) and the information required by Section 1036(d)(1)(i)(A) for transfers subject to Section 1005.36(d)(2)(ii) in accordance with the timing requirements of Section 1005.31(e)(1). [297020] |
| 297025 | Section 1005.31(b)(1) of Regulation E requires the remittance transfer provider to disclose the following to the sender in the prepayment disclosure:<br>(i) the amount that will be transferred to the designated recipient in the currency which the remittance transfer is funded using the term "Transfer Amount" or a substantially similar term;<br>(ii) any fees and taxes imposed on the remittance transfer by the provider in the currency which the remittance transfer is funded using the term "Transfer Fees" for fees and "Transfer Taxes" for taxes or substantially similar terms;<br>(iii) the total amount of the transaction which is the sum of the "Transfer Amount," the "Transfer Fees," and "Transfer Taxes," in the currency in which the transfer is funded using the term "Total" or a substantially similar term;<br>the exchange rate used by the provider for the remittance transfer rounded to no fewer than two decimal places and no more than four decimal places using the term "Exchange Rate" or substantially similar term;<br>(v) the exchange rate used by the provider for the remittance transfer rounded to no fewer than two decimal places and no more than four decimal places using the term "Exchange Rate" or substantially similar term;<br>(vi) the amount in paragraph (b)(1)(i) in the currency in which the funds will be received by the designated recipient but only if covered third-party fees are imposed under Section 1005.31(b)(1)(vi) using the term "Transfer Amount" or substantially similar term;<br>(vii) any covered third-party fees in the currency in which the funds will be received by the designated recipient using the term "Other Fees" or a substantially similar term; and the amount that will be received by the designated recipient in the currency in which funds will be received using the term "Total to Recipient" or a substantially similar term except that this amount shall not include non-covered third-party fees or taxes collected on the remittance transfer by a person other than the provider regardless of whether such fees or taxes are disclosed according to Section 1005.31(b)(1)(viii); and a statement that non-covered third-party fees or taxes collected on the remittance transfer by a person other than the provider may apply to the remittance transfer and result in the designated recipient receiving less than the amount disclosed under Section 1005.31(b)(1)(vii). [29025] |
| 297030 | Section 1005.31(b)(2) of Regulation E |

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| | requires that the remittance transfer provider disclose the following in a receipt to the sender:<br>(i) the disclosures per Section 1005.31(b)(1)(i) through (viii);<br>(ii) the date in the foreign country when funds will be available using the term "Date Available" or substantially similar term;<br>(iii) the name and, if provided, the telephone number and/or address of the designated recipient using the term "Recipient" or substantially similar term;<br>(iv) a statement about the sender's rights for resolving errors and cancelling the transaction set forth in Model Form A-37 of Appendix A or substantially similar language;<br>(v) the name, telephone number(s), and Web site of the remittance transfer provider;<br>(vi) a statement that the sender can contact the State agency that licenses or charters the remittance transfer provider and the Consumer Financial Protection Bureau for questions or complaints about the remittance transfer provider using language in Model Form A-37 of Appendix A or substantially similar language; and<br>for remittance transfers scheduled by the sender at least three business days before the date of the transfer or the first transfer in a series of preauthorized remittance transfers, the date the remittance transfer provider will make or made the remittance transfer using the term "Transfer Date" or a substantially similar term. [297030] |
| 297035 | Section 1005.31(b)(3) of Regulation E permits a single combined disclosure pursuant to the timing requirements of Section 1005.31(e)(1). If the remittance transfer provider provides a combined disclosure and the sender completes the transfer then the remittance transfer provider must provide the sender with proof of payment when payment is made for the remittance transfer. The proof of payment must be clear and conspicuous and can be provided in writing or electronically as long as it is in a retainable form. [297035] |
| 297040 | Section 1005.31(b)(3)(ii) of Regulation E permits a remittance transfer provider to provide a confirmation that the transaction has been scheduled in lieu of the proof of payment received by Section 1005.31(b)(3)(i) if the payment is not processed by the remittance transfer provider at the time the remittance transfer is scheduled. The confirmation must be clear and conspicuous, provided in writing or electronically, and in a retainable form. [297040] |
| 297045 | Section 1005.31(b)(4) of Regulation E requires that upon request a remittance transfer provider must promptly provide to the sender a notice describing the sender's error resolution and cancellation rights using language in Model Form A-36 of Appendix A or substantially similar language. [297045] |
| 297050 | Section 1005.31(c)(1) of Regulation E requires that information required by paragraphs (b)(1)(i), (ii), and (iii) must be grouped together, and the information required by paragraphs (b)(1)(v), (vi), (vii), and (viii) generally must be must be grouped together. [297050] |
| 297060 | Section 1005.31(c)(3) of Regulation E requires the written disclosures of this subpart be provided on the front of the page on which the disclosure is printed. Also, disclosures provided in writing or electronically must be in a minimum of eight-point font except for disclosures provided by mobile application or text message. [297060] |
| 297065 | Section 1005.31(c)(4) of Regulation E requires disclosures that are provided in writing or electronically, except for those provided via mobile application or text message, be segregated from everything else and must contain only information related to the disclosures required under this subpart. [297065] |
| 297070 | Section 1005.31(d) of Regulation E permits estimated disclosures under Section 1005.32; however, the disclosures must be described using the term "Estimated" or a substantially similar term in close proximity to the estimated term or terms. [297070] |
| 297075 | Section 1005.31(e)(1) of Regulation E |

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| | requires that the pre-payment disclosure or combined disclosure be provided to the sender when the sender requests the remittance transfer but prior to the payment for the transfer. [297075] |
| 297080 | Section 1005.31(e)(2) of Regulation E requires that, except as provided in Section 1005.36(a), a receipt be provided to the sender when payment is made for the remittance transfer. If the transaction is conducted entirely by telephone then the receipt may be mailed or delivered to the sender no later than one business day after the date on which payment is made for the remittance transfer. Further, if the transaction is conducted entirely by telephone and involves the transfer of funds from the sender's account held by the provider then the receipt may be provided on or with the next regularly scheduled periodic statement for that account or within 30 days after the payment is made for the remittance transfer if a periodic statement is not provided. [297080] |
| 297085 | Section 1005.31(f) of Regulation E requires that the disclosures be accurate when a sender makes payment for the remittance transfer except to the extent estimates are permitted under Section 1005.32. [297085] |
| 297090 | Section 1005.31(g)(1) of Regulation E states that, except as provided in Section 1005.31(g)(2), the disclosures required by this subpart must be made in English and if applicable either in<br>(i) each of the foreign languages used by the remittance transfer provider to advertise, solicit, or market remittance transfer services at the office in which the sender conducts transactions or asserts an error; or<br>(ii) the foreign language used by the sender with the remittance transfer provider to conduct the transaction provided the foreign language is used by the remittance transfer provider to advertise, solicit, or market remittance transfer services at the office in which the sender conducts a transaction or asserts an error. [297090] |
| 297095 | Section 1005.31(g)(2) of Regulation E requires that disclosures provided orally or via mobile application or text message shall be made in the language primarily used by the sender with the remittance transfer provider to conduct the transaction. Disclosures provided orally under paragraph (a)(4) of this section for error resolution purposes shall be made in the language used by the sender with the remittance transfer provider to assert the error. [297095] |
| 297101 | Section 1005.32(a) of Regulation E permits the use of estimates for the amounts required to be disclosed under Section 1005.31(b)(1(iv) through (vii) if:<br>(i) a remittance transfer provider cannot determine the exact amounts for reasons beyond its control;<br>(ii) a remittance transfer provider is an insured institution; and<br>(iii) the remittance transfer is sent from the sender's account with the institution. [297101] |
| 297115 | Section 1005.32(b)(1)(i)(B)(ii) of Regulation E permits a remittance transfer provider to rely on the list of countries published by the CFPB to determine whether estimates may be provided under paragraph (b)(1) of this section, unless the provider has information that a country's laws or the method by which transactions are conducted in that country permits a determination of the exact disclosure amount. [297115] |
| 297120 | Section 1005.32(b)(2) of Regulation E permits estimates to be provided in accordance with paragraph (d) of this section for amounts to be disclosed under Sections 1005.31(b)(1)(iv) through (vii) if the remittance transfer is scheduled by a sender five or more business days before the date of the transfer. If, at the time the sender schedules such a transfer, the provider agrees to a sender's request to fix the amount to be transferred in the currency in which the remittance transfer will be received and not in the currency in which it is funded, estimates may also be provided for the amounts to be disclosed under Sections 1005.31(b)(1)(i) through (iii). [297120] |
| 297125 | Section 1005.32(b)(2)(ii) of Regulation E |

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| | permits covered third-party fees described in Section 1005.31(b)(1)(vi) to be estimated under paragraph (b)(2)(i) of this section only if the exchange rate is also estimated under paragraph (b)(2)(i) of this section and the estimated exchange rate affects the amount of such fees. [297125] |
| 297130 | Section 1005.32(b)(2)(iii) of Regulation E permits fees and taxes to be estimated under paragraph (b)(2)(i) of this section only if the amount that will be transferred in the currency in which it is funded is also estimated under paragraph (b)(2)(i) of this section and the estimated amount affects the amount of such fees and taxes. [297130] |
| 297135 | Section 1005.32(b)(3) of Regulation E permits estimates to be provided for applicable non-covered third-party fees and taxes collected on the remittance transfer by a person other than the provider, which are permitted under Section 1005.31(b)(1)(viii) provided such estimates are based on reasonable sources of information. [297135] |
| 297140 | Section 1005.32(c) of Regulation E states that estimates provided under paragraphs (a) and (b) of Section 1005.32 must be based on the approaches outlined in this section except as otherwise permitted by this paragraph. If the remittance transfer provider bases an estimate on an approach that is not listed in this paragraph, the provider is deemed to be in compliance with this paragraph as long as the designated recipient receives the same, or greater, amount of funds than the remittance transfer provider disclosed under Section 1005.31(b)(1)(vii). [297140] |
| 297145 | Section 1005.32(c)(1) of Regulation E requires that in disclosing the exchange rate required under Section 1005.31(b)(1)(iv) an estimate must be based on one of the following:<br>(i) For remittance transfers sent via international ACH that qualify for the exception in paragraph (b)(1)(ii) of this section, the most recent exchange rate set by the recipient country's central bank or other governmental authority and reported by a Federal Reserve Bank;<br>(ii) The most recent publicly available wholesale exchange rate and, if applicable, any spread that the remittance transfer provider or its correspondent typically applies to such a wholesale rate for remittance transfers for that currency; or<br>(iii) The most recent exchange rate offered or used by the person making funds available directly to the designated recipient or by the person setting the exchange rate. [297145] |
| 297150 | Section 1005.32(c)(2) of Regulation E requires that in disclosing the transfer amount in the currency in which the funds will be received by the designated recipient required under Section 1005.31(b)(1)(v), any estimate must be based on the estimated exchange rate provided in accordance with paragraph (c)(1) of this section prior to any rounding of the estimated exchange rate. [297150] |
| 297155 | Section 1005.32(c)(3)(i) of Regulation E requires that in disclosing covered third-party fees as required under Section 1005.31(b)(1)(vi) that are a percentage of the amount transferred to the designated recipient, any estimate must be based on the estimated exchange rate provided in accordance with paragraph (c)(1) of this section prior to any rounding of the estimated exchange rate. [297155] |
| 297160 | Section 1005.32(c)(3)(ii) of Regulation E requires that in disclosing covered third-party fees under Section 1005.31(b)(1)(vi), any estimate must be based on one of the following: (A) the remittance transfer provider's most recent remittance transfer to the designated recipient's institution; or (B) a representative transmittal route identified by the remittance transfer provider. [297160] |
| 297165 | Section 1005.32(c)(4) of Regulation E requires that in disclosing the amount of currency received by the designated recipient under Section 1005.31(b)(1)(vi), any estimate must be based on information in accordance with paragraph (c)(1) through (c)(3) of this section. [297165] |

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| 297170 | Section 1005.32(d) of Regulation E requires estimates provided pursuant to paragraph (b)(2) of this section must be based on the exchange rate or, the estimated exchange rate, based on an estimation methodology permitted under paragraph (c) of this section that the provider would have used or did use that day in providing the disclosures to the sender requesting a remittance transfer be made on the same day. [297170] |
| 297175 | Section 1005.33(b)(1) of Regulation E requires that a remittance transfer provider comply with the requirements of this section with respect to oral or written error notices that:<br>(i) is received no later than 180 days after the disclosed date of availability of the remittance transfer;<br>(ii) enables the remittance transfer provider to identify: (A) the sender's name and telephone number or address; (B) the recipient's name, and if known, the telephone number or address of the recipient; and (C) the remittance transfer to which the error notice applies; and<br>(iii) indicates why the sender believes an error exists and includes the type, date, and amount of the error. [297175] |
| 297180 | Section 1005.33(b)(2) of Regulation E states that a sender's error notice is timely if received by the remittance transfer provider the later of 180 days after the disclosed date of availability of the remittance transfer or 60 days after the provider sent the documentation, information, or clarification requested by the remittance transfer provider. [297180] |
| 297185 | Section 1005.33(c)(1) of Regulation E requires that a remittance transfer provider investigate promptly and determine whether an error occurred within 90 days of receiving an error notice. The results of the investigation shall be reported to the sender, including any available remedies for correcting any errors the provider determined had occurred, within three business days after completing its investigation. [297185] |
| 297190 | Section 1005.33(c)(2)(i) of Regulation E requires the remittance transfer provider that determines an error occurred to correct the error within one business day or as soon as reasonably practicable by, in the case of any error under paragraphs (a)(1)(i) through (iii) either: (A) refunding to the sender the amount of funds provided by the sender with a remittance transfer which was not properly transmitted or the amount appropriate to resolve the error; or (B) making available to the designated recipient without additional cost the amount appropriate to resolve the error. [297190] |
| 297195 | Section 1005.33(c)(2)(ii) of Regulation E requires the remittance transfer provider that determines an error occurred to correct the error within one business day or as soon as reasonably practicable by, in the case of an error under paragraph (a)(1)(iv) of this section: (A) either: (1) refunding the amount of funds provided by the sender or the amount appropriate to resolve the error; or (2) making available to the designated recipient the amount appropriate to resolve the error; and (B) refunding the sender any fees and taxes collected on the remittance transfer. [297195] |
| 297201 | Section 1005.33(c)(2)(iii) of Regulation E requires the remittance transfer provider that determines an error occurred because the sender provided incorrect or insufficient information in connection with the remittance transfer to provide the remedies required by paragraphs (c)(2)(ii)(A)(1) and (B) within three business days of providing the report required by paragraph (c)(1) or (d)(1) of this section except upon the sender's request that funds be applied towards a new remittance transfer rather than refunded if the provider has not yet processed a refund. [297201] |
| 297205 | Section 1005.33(d)(1) of Regulation E requires the remittance transfer provider's report of investigation to include a written explanation of the provider's findings and shall note the sender's right to request the documents the provider relied on in making its determination. The explanation shall address the specific complaint of the sender. [297205] |

| Violation Codes | Description |
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| 297210 | Section 1005.33(d)(2) of Regulation E requires the remittance transfer provider to promptly provide, upon the sender's request, copies of the documents the provider relied on in making its error determination. [297210] |
| 297215 | Section 1005.33(g)(1) of Regulation E requires the remittance transfer provider to develop and maintain written policies and procedures to ensure compliance with the error resolution requirements of this section. [297215] |
| 297220 | Section 1005.33(g)(2) of Regulation E requires that the remittance transfer provider's policies and procedures include policies and procedures regarding the retention of documentation related to error investigations. Such policies and procedures must ensure, at a minimum, the retention of any error notices submitted by the sender, documentation provided by the sender to the provider with respect to the alleged error, and the findings of the remittance transfer provider regarding the investigation of the alleged error. [297220] |
| 297230 | Section 1005.34(a) of Regulation E requires the remittance transfer provider to comply with the requirements of this section with respect to any oral or written request to cancel a remittance transfer from the sender that is received by the provider no later than 30 minutes after the sender makes payment in connection with the remittance transfer if: (1) the request enables the provider to identify the sender's name and address or telephone number and the particular transfer to be cancelled; and (2) the transferred funds have not been picked up by the designated recipient or deposited into an account of the designated recipient. [297230] |
| 297235 | Section 1005.34(b) of Regulation E requires the remittance transfer provider to provide a refund, at no additional cost to the sender, within three business days of receiving a sender's request to cancel. The refund should consist of the total amount of funds provided by the sender including any fees, and to the extent not prohibited by law, taxes that were imposed. [297235] |

| Violation Codes | Description |
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| 297250 | Section 1005.36(a)(1) of Regulation E requires the remittance transfer provider for a one-time transfer scheduled five or more business days before the date of transfer or for the first in a series of preauthorized remittance transfers to:<br>(i) (1) provide either the pre-payment disclosure and receipt; or (2) the combined disclosure; and<br>(ii) mail or deliver to the sender an additional receipt meeting the requirements of Section 1005.31(b)(2) no later than one business day after the date of the transfer. [297250] |
| 297255 | Section 1005.36(a)(2)(i) of Regulation E requires the remittance transfer provider, for each subsequent preauthorized remittance transfer, to provide an updated receipt meeting the requirements described in Section 1005.31(b)(2) if information on the most recent receipt provided is no longer accurate with respect to a subsequent preauthorized remittance transfer for reasons other than as permitted by Section 1005.32. The provider must mail or deliver this receipt within a reasonable time prior to the scheduled date of the next subsequent preauthorized remittance transfer. Such receipt must clearly and conspicuously indicate that it contains updated disclosures. [297255] |
| 297260 | Section 1005.36(a)(2)(ii) of Regulation E requires the remittance transfer provider must mail or deliver a receipt meeting the requirements under Section 1005.31(b)(2) no later than one business day after the date of the transfer. [297260] |
| 297265 | Section 1005.36(b)(1) of Regulation E requires certain disclosures for a one-time remittance transfer scheduled five or more business days in advance or for the first in a series of preauthorized remittance transfers. These disclosures must comply with Section 1005.31(f) by being accurate when a sender makes payment except to the extent estimates are permitted under Section 1005.32. [297265] |
| 297270 | Section 1005.36(b)(2) of Regulation E |

| Violation Codes | Description |
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| | requires for each subsequent preauthorized remittance transfer that the most recent receipt must be accurate as of when such transfer is made except: (i) the temporal elements required by Section 1005.31(b)(2)(ii) and (b)(2)(vii) must be accurate only if the transfer is the first transfer to occur after the disclosure was provided; and (ii) to the extent estimates are permitted under Section 1005.32. [297270] |
| 297275 | Section 1005.36(b)(3) of Regulation E requires the disclosures provided pursuant to paragraphs (a)(1)(ii) or (a)(2)(ii) must be accurate as of when the remittance transfer to which it pertains is made, except to the extent estimates are permitted by Section 1005.32(a) or (b)(1). [297275] |
| 297280 | Section 1005.36(c) of Regulation E requires remittance transfer providers to follow certain procedures for any remittance transfer scheduled by the sender at least three business days before the date of the transfer. Specifically, a remittance transfer provider must comply with the oral or written request to cancel the remittance transfer if the request to cancel: (1) enables the provider to identify the sender's name and address or telephone number and the particular transfer to be cancelled; and (2) is received by the provider at least three business days before the scheduled date of the remittance transfer. [297280] |
| 297285 | Section 1005.36(d)(1)(i) of Regulation E requires the remittance transfer provider to disclose certain information to the sender for any subsequent transfer in a series of preauthorized remittance transfers. The remittance transfer provider must disclose: (A) the date the provider will make the subsequent transfer using the term "Future Transfer Date" or a substantially similar term; (B) a statement about the rights of the sender regarding the cancellation as described in Section 1005.31(b)(2)(iv); and (C) the name, telephone number(s), and Web site of the remittance transfer provider. [297285] |
| 297290 | Section 1005.36(d)(1)(ii) of Regulation E requires if the future date or dates of transfer are described as occurring in regular periodic intervals rather than as a specific calendar date or dates, the remittance transfer provider must disclose any future date or dates of the transfer that do not conform to the described interval. [297290] |
| 297295 | Section 1005.36(d)(2)(i) of Regulation E requires the disclosures required by paragraph (d)(1) of this section must be received by the sender no more than 12 months, and no less than five business days prior to the date of any subsequent transfer to which it pertains. [297295] |
| 297301 | Section 1005.36(d)(2)(ii) of Regulation E requires for any subsequent preauthorized remittance transfer for which the date of transfer is four or fewer business days after the date payment is made for that transfer the information required by paragraph (d)(1) of this section be provided on or with the receipt described in Section 1005.31(b)(2) or disclosed as permitted by Section 1005.31(a)(3) or (a)(5) for the initial transfer in that series in accordance with paragraph (a)(1)(i) of this section. [297301] |
| 297305 | Section 1005.36(d)(3) of Regulation E requires the information required by paragraph (d)(1)(i)(A) of this section generally must be disclosed in close proximity to the other information required by paragraph (d)(1)(i)(B) of this section. [297305] |
| 297310 | Section 1005.36(d)(4) of Regulation E requires that any disclosure required by paragraph (d)(1) of this section must be accurate as of the date the preauthorized remittance transfer to which it pertains is made. [297310] |
| | **Electronic Signatures Act** |
| 600000 | Uncoded. [600000] |
| 600101 | Section 101(c)(1)(a) of the E-Sign Act allows use of an electronic record(s) to satisfy any statute, regulation, or rule of law requiring that such information be provided in writing, if the consumer has affirmatively consented to such use and has not withdrawn such consent. |

| Violation Codes | Description |
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| | [600101] |
| 600401 | Section 101(c)(1)(b) of the E-Sign Act requires a financial institution to provide the consumer, prior to obtaining their consent, with clear and conspicuous statement: (i) informing the consumer of any right or option to have the record provided or made available on paper or in non-electronic form; and the right to withdraw the consent, including any conditions, consequences, or fees in the event of such withdrawal; (ii) informing the consumer whether the consent applies only to the particular transaction that triggered the disclosure or to identified categories of records that may be provided during the course of the parties' relationship; (iii) describing the procedures the consumer must use to withdraw consent and to update information needed to contact the consumer electronically; and (iv) informing the consumer how the consumermay nonetheless request a paper copy of a record and whether any fee will be charged for that copy. [600401] |
| 600801 | Section 101(c)(1)(c)(i) of the E-Sign Act requires that the consumer, prior to consenting, be provided with a statement of the hardware and software requirements for access to and retention of electronic records. [600801] |
| 600802 | Section 101(c)(1)(c)(ii) of the E-Sign Act requires that if the consumer consents electronically, or confirms his or her consent electronically, it must be in a manner that reasonably demonstrates the consumer can access information in the electronic form that will be used to provide the information that is the subject of the consent. [600802] |
| 601201 | Section 101(c)(1)(d) of the E-Sign Act requires that if a change in the hardware or software requirements needed to access or retain electronic records creates a material risk that the consumer will not be able to access or retain subsequent electronic records subject to the consent, a financial institution must: (i) provide the consumer with a statement of (I) the revised hardware and software requirements for access to and retention of electronic records and (II) the right to withdraw consent without the imposition of any condition, consequence, or fee for such withdrawal; and (ii) again comply with the requirements of subparagraph (C) of this section. [601201] |
| 601401 | Section 101(d)(1) of the E-Sign Act requires a financial institution to maintain electronic records accurately reflecting the information contained in applicable contracts, notices, or disclosures and that they remain accessible to all persons who are legally entitled to access for the period required by law in a form that is capable of being accurately reproduced for later reference. [601401] |
| | **Equal Credit Opportunity** |
| 330000 | Uncoded. [330000] |
| 330101 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of race. [330101] |
| 330102 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of color. [330102] |
| 330103 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of religion. [330103] |
| 330104 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of national origin. [330104] |
| 330105 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of sex. [330105] |
| 330106 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of marital status. [330106] |
| 330107 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an |

| Violation Codes | Description |
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| | applicant in any aspect of a credit transaction on the basis of age (providing that the applicant has the capacity to enter into a binding contract). [330107] |
| 330108 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of the fact that all or part of the applicant's income derives from any public assistance program. [330108] |
| 330109 | Section 1002.4(a) of Regulation B prohibits a creditor from discriminating against an applicant in any aspect of a credit transaction on the basis of the fact that the applicant has in good faith exercised any right under the Consumer Credit Protection Act. [330109] |
| 330901 | Section 1002.4(b) ) of Regulation B prohibits a creditor from making any oral or written statement, in advertising or otherwise, to applicants or prospective applicants that would discourage, on a prohibited basis, a reasonable person from making or pursuing an application. [330901] |
| 331001 | Section 1002.5(a)(2) of Regulation B requires a creditor to collect information for monitoring purposes as required by §1002.13 for credit secured by the applicant's dwelling. [331001] |
| 331101 | Section 1002.5(c) of Regulation B prohibits a creditor from requesting information concerning an applicant's spouse except in the limited circumstances permitted. [331101] |
| 331301 | Section 1002.5(d)(1) of Regulation B prohibits a creditor from requesting the marital status of a person applying for individual, unsecured credit, and allows a creditor to use only the terms "married," "unmarried", and "separated" in marital status inquiries. [331301] |
| 331701 | Section 1002.5(d)(2) of Regulation B prohibits a creditor from inquiring as to whether any income stated in an application is derived from alimony, child support, or separate maintenance payments unless the creditor appropriately discloses to the applicant that such income need not be revealed if the applicant does not desire the creditor to consider such income in determining the applicant's creditworthiness. An official staff interpretation of Regulation B further states that a creditor may not make a general inquiry about the source of income on an application form without prefacing the request with the disclosure required by this paragraph. [331701] |
| 332301 | Section 1002.5(b) of Regulation B prohibits a creditor from inquiring about an applicant or any other person's race, color, religion, national origin or sex in connection with a credit transaction, except as required for monitoring purposes or self-testing. An applicant may be requested to designate a courtesy title if the form discloses that such a designation is optional; otherwise, the form must use only terms that are neutral as to sex. [332301] |
| 332701 | Section 1002.5(d)(3) of Regulation B prohibits a creditor from requesting information about birth control practices, child-bearing or child-rearing intentions, or childbearing capabilities. [332701] |
| 333001 | Section 1002.4(c) of Regulation B requires the creditor to take a written application for credit primarily for the purchase or refinancing of a dwelling occupied or to be occupied by the applicant as a principal residence where the extension of credit will be secured by the dwelling. [333001] |
| 333010 | Section 1002.4(d) of Regulation B requires the creditor to provide written notices and other disclosures in a clear and concise manner and in a form the applicant can retain. [333010] |
| 333020 | Section 1002.4(e) of Regulation B requires a creditor to provide disclosures in languages other than English, provided they are available in English upon request. [333020] |
| 333301 | Section 1002.14(a) of Regulation B requires the creditor to provide a copy of the appraisal report used in connection with an application for credit that is to be secured by a lien on a |

| Violation Codes | Description |
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| | dwelling. A creditor shall comply through routine delivery or upon request in accordance with this section. The creditor may require the applicant to reimburse the creditor for the cost of the appraisal as provided in Section 701(e) of the Equal Credit Opportunity Act. [333301] |
| 333401 | Section 1002.6(b)(8) of Regulation B requires a creditor to evaluate married and unmarried applicants by the same standards. [333401] |
| 333501 | Section 1002.14(a)(2)(i) of Regulation B requires a creditor that provides appraisal reports upon request shall notify an applicant in writing of the right to receive a copy of the appraisal report. The notice may be given at any time during the application process, but no later than when the creditor provides notice of action taken under §1002.9 of this part. The notice shall specify that the applicant's request must be in writing, give the creditor's mailing address, and state the time for making the request as provided in this section. [333501] |
| 333701 | Section 1002.14(a)(2)(ii) of Regulation B requires that, if a creditor does not routinely provide appraisal reports, the creditor provide a copy of the appraisal report upon the applicant's written request. The report shall be mailed or delivered promptly (generally within 30 days) after the creditor receives an applicant's request, receives the report, or receives reimbursement from the applicant for the report, whichever is last to occur. [333701] |
| 334101 | Section 1002.6(b)(1) of Regulation B prohibits a creditor from using a prohibited basis in evaluating the creditworthiness of applicants. [334101] |
| 334301 | Section 1002.6(b)(2)(i) of Regulation B prohibits a creditor from taking into account an applicant's age or that an applicant's income was derived from any public assistance program. [334301] |
| 334501 | Section 1002.6(b)(3) of Regulation B prohibits a creditor from using, in evaluating the creditworthiness of an applicant, assumptions or aggregate statistics relating to the likelihood that any group of persons will bear or rear children or will, for that reason, receive diminished or interrupted income in the future. [334501] |
| 334701 | Section 1002.6(b)(4) of Regulation B prohibits, in evaluating the creditworthiness of an applicant, taking into account the existence of a telephone listing in the applicant's name. [334701] |
| 334901 | Section 1002.6(b)(5) of Regulation B prohibits a creditor from discounting or excluding income of an applicant or the spouse of the applicant because of a prohibited basis or because the income is derived from part-time employment, or from an annuity, pension, or other retirement benefit, and requires the creditor to consider alimony, child support or separate maintenance payments as income to the extent they are likely to be consistently made. [334901] |
| 335301 | Section 1002.6(b)(6) of Regulation B requires a creditor to consider the credit history of accounts which the applicant and spouse are permitted to use or for which both are contractually liable, and to consider information presented by the applicant which tends to indicate that the credit history being considered does not accurately reflect the applicant's creditworthiness. This section further requires the creditor to consider the credit history of an account reported in the name of the applicant's present or former spouse when the applicant can demonstrate that such history accurately reflects the applicant's creditworthiness. [335301] |
| 335901 | Section 1002.7(a) of Regulation B prohibits a creditor from refusing to grant credit to a creditworthy applicant on any prohibited basis. [335901] |
| 336101 | Section 1002.7(c)(1) of Regulation B prohibits a creditor from terminating, changing the terms, or requiring reapplication on an open-end account because of a change in name or marital status or because the applicant reached a certain age or retired. [336101] |

| Violation Codes | Description |
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| 336401 | Section 1002.7(d)(1) of Regulation B prohibits a creditor from requiring the signature of an applicant's spouse or other person (other than a joint applicant) on any credit instrument if the applicant qualifies under the creditor's standards of creditworthiness for the amount and terms of the credit requested. A creditor shall not deem the submission of a joint financial statement or other evidence of jointly held assets as an application for joint credit. [336401] |
| 336501 | Section 1002.7(d)(5) of Regulation B prohibits a creditor, when the personal liability of an additional party is necessary to support the extension of credit requested, from requiring that the applicant's spouse be the additional party including as cosigner or guarantor. [336501] |
| 336601 | Section 1002.7(d)(6) of Regulation B prohibits a creditor from imposing requirements upon an additional party that the creditor is prohibited from imposing upon an applicant under this section. [336601] |
| 336701 | Section 1002.7(e) of Regulation B prohibits a creditor from refusing to extend credit because credit life, health, accident, or disability insurance is not available on the basis of the applicant's age. [336701] |
| 336901 | Section 1002.9(a)(1) of Regulation B requires a creditor to notify an applicant of action taken on a credit application within prescribed time limits. [336901] |
| 337201 | Section 1002.9(a)(2) of Regulation B requires a creditor to provide an applicant against whom adverse action is taken a written notice of such action that includes disclosure of the name and address of the Federal Deposit Insurance Corporation's Consumer Response Center. [337201] |
| 337202 | Section 1002.9(a)(2) of Regulation B requires a creditor to provide in writing to applicants against whom adverse action is taken a written notice of such action that includes a statement of the provisions of Section 701(a) of the Equal Credit Opportunity Act in accordance with Section 1002.9(b)91). [337202] |
| 337401 | Section 1002.9(a)(2)(i) and (ii) of Regulation B requires a creditor to provide an applicant, against whom adverse action is taken, a written notice of such action that includes a statement of specific reasons for adverse action or a disclosure of the applicant's right to request a statement of specific reasons within 60 days. [337401] |
| 337501 | Section 1002.9(a)(3)(i) of Regulation B requires a creditor to notify certain business credit applicants of action taken on a credit application. A creditor must comply with paragraphs (a)(1) and (2) of this section with regard to a business with gross revenues of $1MM or less in its preceding fiscal year except that the statement of action may be given orally or in writing, and disclosures of the applicant's right to a statement of reasons may, if certain conditions are met, be given at the time of the application. [337501] |
| 337601 | Section 1002.9(a)(3)(ii) of Regulation B requires a creditor to notify certain business credit applicants of action taken on a credit application. With regard to a business with gross revenues in excess of $1MM in its preceding fiscal year, a creditor must notify the applicant, orally or in writing, within a reasonable time of the action taken, and provide a written statement of reasons for adverse action and the ECOA notice if requested in writing by the applicant within 60 days of being notified of the adverse action. [337601] |
| 337701 | Section 1002.9(b)(2) of Regulation B requires that the statement of reasons for adverse action required by Section 1002.9(a)(2)(i) must be specific and indicate the principal reason(s) for adverse action. [337701] |
| 337801 | Section 1002.9(c) of Regulation B requires a creditor within 30 days of receipt of an incomplete application to either notify an applicant of action taken in accordance with Section 1002.9(a) or request the information necessary to complete the application. [337801] |

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| 337901 | Section 1002.9(g) of Regulation B requires that when an application is made on behalf of an applicant to more than one creditor and no credit is offered, or if the applicant does not expressly accept or use any credit offered, each creditor taking adverse action must comply with this section, directly or through a third party. A notice given by a third party shall disclose the identification of each creditor on whose behalf the adverse action notice is given. [337901] |
| 338101 | Section 1002.10(a)(1) of Regulation B requires the creditor to designate accounts to reflect the participation of both spouses if the applicant's spouse is permitted to use or is contractually liable on the account (other than as a guarantor, surety, endorser, or similar party). [338101] |
| 338401 | Section 1002.10(a)(2) of Regulation B requires the creditor to designate accounts to reflect participation by both spouses within 90 days after receiving a written request to do so from one of the spouses. [338401] |
| 338501 | Section 1002.10(b) of Regulation B requires a creditor to furnish credit information on an account to a consumer reporting agency in a manner that will enable the agency to provide access to the information in the name of either participating spouse. [338501] |
| 338701 | Section 1002.10(c) of Regulation B requires a creditor to furnish credit information in response to an inquiry only in the name of the spouse about whom the information was requested. [338701] |
| 339001 | Section 1002.11(c) of Regulation B states, if married applicants voluntarily apply for and obtain individual accounts with the same creditor, that the aggregating or otherwise combining of such accounts for the purpose of determining permissible finance charges or permissible loan ceilings under a federal or state law is prohibited. [339001] |
| 339101 | Section 1002.12(b)(1) of Regulation B requires a creditor to retain certain records for 25 months (12 months for business credit) after the date a creditor notifies an applicant of action taken on or incompleteness of the application. [339101] |
| 339501 | Section 1002.12(b)(2) of Regulation B requires a creditor to retain certain records for 25 months (12 months for business credit) after the date a creditor notifies an applicant of adverse action taken on an existing account. [339501] |
| 339601 | Section 1002.12(b)(3) of Regulation B requires a creditor to retain certain records for 25 months (12 months for business credit) after the creditor receives an application not covered by the notification requirements of Section 1002.9. [339601] |
| 339605 | Section 1002.12(b)(4) of Regulation B requires a creditor to retain certain records beyond 25 months (12 months for business credit) if the creditor has actual notice that it is under investigation or is subject to enforcement proceedings for an alleged violation of the Act or this part. [339605] |
| 339701 | Section 1002.12(b)(5) of Regulation B requires that, with regard to a business with gross revenues in excess of $1MM and certain other business credit applications, a creditor retain certain records for 60 days after notification of action taken unless a written request has been received by the creditor for the reasons for adverse action or for the records to be retained, then the records must be retained for 12 months. [339701] |
| 339750 | Section 1002.13(a) of Regulation B requires a creditor to request prescribed data on home purchase residential loan applications (including refinancings). [339750] |
| 339760 | Section 1002.13(b) of Regulation B requires the creditor to ask the applicant(s) to supply the requested information. If the applicant(s) chooses not to provide the information or any part of it, that fact shall be noted on the form. This section further requires the creditor to note on the form the ethnicity, race and sex of the applicant(s) on the basis of |

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| | visual observation or surname when such information is not voluntarily furnished. [339760] |
| 339770 | Section 1002.13(c) of Regulation B requires the creditor to advise an applicant of the purpose of requesting monitoring information, and that the creditor is required to note the ethnicity, race and sex if the applicant(s) chooses not to provide the information. [339770] |
| 339801 | Section 1002.12(b)(6) of Regulation B requires a creditor to retain all information about a self-test for at least 25 months after a self-test has been completed. [339801] |
| 339810 | Section 1002.12(b)(7) of Regulation B requires a creditor to retain information used in prescreened credit solicitations for at least 25 months. [339810] |
| 339910 | Section 1002.4(d)(2) of Regulation B states the disclosures required by this part that are required to be given in writing may be provided to the applicant in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). [339910] |
| | **Expedited Funds Availability** |
| 500000 | Uncoded. [500000] |
| 500101 | Section 229.10 of Regulation CC requires that funds from electronic payment, U. S. Treasury checks and "On Us" checks deposited in a branch of the bank in the same state or check processing region be made available for withdrawal no later than the first business day following the date of deposit. [500101] |
| 500102 | Section 229.10 of Regulation CC requires that funds from cash deposits, government checks, U.S. Postal Service money orders and certain official checks, along with special deposit slips (if required by the bank), deposited in person to a bank employee be made available for withdrawal no later than the first business day following the day of deposit, and no later than the second business day following receipt of deposit if the deposit is not made in person to a bank employee unless a reasonable cause to doubt collectibility exists and a special notice is given. [500102] |
| 500701 | Section 229.10(c)(1)(vii) of Regulation CC generally requires that the lesser of $100 or the customer's daily aggregate deposits of checks not subject to the next-day availability rules be made available on the next business day. [500701] |
| 500801 | Section 229.10(c)(3)(ii) of Regulation CC requires that a bank which requires the use of special deposit slips (or special envelopes) must either provide these slips or inform its customers how to prepare or obtain the slips which must be reasonably available. [500801] |
| 501001 | Section 229.12(b) of Regulation CC requires that funds from local checks and certain other checks must be available for withdrawal not later than the second business day following deposit. [501001] |
| 501201 | Section 229.12(c) of Regulation CC requires, in general, that funds from nonlocal checks specified in Appendix B-2 must be available for withdrawal not later than the times prescribed, and funds from nonlocal checks not specified in Appendix B-2 must be available for withdrawal not later than the fifth days following deposit. [501201] |
| 501401 | Section 229.12(d) of Regulation CC allows a bank to extend for one business day the time funds are available for withdrawal by cash or similar means. However, $400 of these funds must be made available for withdrawal by cash or similar means not later than 5:00 p.m. on the business day on which funds are required to be available under paragraphs (b) and (c). This $400 is in addition to the $100 available under Section 229.10(c)(1)(vii). [501401] |
| 501601 | Section 229.12(f) of Regulation CC provides that deposits at a nonproprietary ATM shall be available for withdrawal by the fifth business |

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| | day following the banking day of deposit. [501601] |
| 501701 | Section 229.13(a) of Regulation CC requires certain procedures for exceptions for new accounts. [501701] |
| 501901 | Section 229.13(b) of Regulation CC requires certain procedures for exceptions for large deposits of consumers. [501901] |
| 501902 | Section 229.13(b) of Regulation CC requires certain procedures for exceptions for large deposits of nonconsumers. [501902] |
| 502101 | Section 229.13(c) of Regulation CC requires certain procedures for exceptions for redeposited checks of consumers. [502101] |
| 502102 | Section 229.13(c) of Regulation CC requires certain procedures for exceptions for redeposited checks of nonconsumers. [502102] |
| 502301 | Section 229.13(d) of Regulation CC requires certain procedures for exceptions for a repeated overdrafter. [502301] |
| 502501 | Section 229.13(e) of Regulation CC requires certain procedures for exceptions for a reasonable cause to doubt collectability. [502501] |
| 502701 | Section 229.13(f) of Regulation CC requires certain procedures for exceptions for emergency conditions. [502701] |
| 502901 | Section 229.13(g) of Regulation CC requires that, when invoking an exception hold for an account other than a new account, the bank must provide the customer with a notice containing certain information within prescribed time periods. (A one-time exception notice or notice of repeated overdrafts exception may be used for certain exceptions.) [502901] |
| 502902 | Section 229.13(g)(5) of Regulation CC requires a depository institution to retain a record, in accordance with § 229.21(g), of each notice provided pursuant to its application of the reasonable cause exception under paragraph (e) of this section, together with a brief statement of the facts giving rise to the bank's reason to doubt the collectability of the check. [502902] |
| 503101 | Section 229.13(h) of Regulation CC provides that when a bank invokes one of the exceptions (other than new account) certain extensions are permitted depending on the type of check involved. [503101] |
| 503501 | Section 229.14 of Regulation CC requires that, for each interest-bearing transaction account offered by the bank, the bank begins to accrue interest on the funds deposited no later than the business day on which the bank receives provisional credit for the funds. [503501] |
| 503601 | Section 229.15 of Regulation CC requires general disclosure requirements regarding the form of disclosure, uniform reference to day of availability, multiple accounts, and dormant accounts. [503601] |
| 503701 | Section 229.16 of Regulation CC requires a disclosure of the availability policy followed by the bank in most cases including information on any exceptions under Section 229.13, on any case-by-case delays, and on the difference between proprietary and nonproprietary ATM's if deposits in the latter have a longer availability period. [503701] |
| 503702 | Section 229.16 of Regulation CC requires that the written notice (containing certain information) on holds (case-by-case delays) be provided to the depositor at the time of deposit unless the deposit is not made in person to an employee of the bank or the decision to extend the time of availability is made after the time of deposit. If the notice is not given at the time of deposit, it must be mailed or delivered to the customer not later than the first business day following the day of deposit. [503702] |
| 503703 | Section 229.16 of Regulation CC requires that, if the notice of extended hold (case-by-case delay) is not given at the time of deposit, the bank must refrain from charging the customer overdraft or return check fees if the delay caused the fees and the check was paid by the |

| Violation Codes | Description |
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| | paying bank. If the bank charges such fees, it must notify the customer of the right to a refund and refund the fees if requested. [503703] |
| 504301 | Section 229.17 of Regulation CC requires that the availability policy disclosure be provided before a new customer opens an account and be provided to existing customers by mail. [504301] |
| 504501 | Section 229.18 of Regulation CC requires certain disclosures for deposit slips, locations where consumer deposits are accepted, automated teller machines, and any changes in the funds availability policy. [504501] |
| 504502 | Section 229.18 of Regulation CC requires, upon request, the bank to provide the notice containing the applicable specific availability policy disclosure described in Section 229.16. [504502] |
| 504701 | Section 229.19 of Regulation CC requires that funds received at ATM's, night depositories or similar facilities, and bank offices by certain times must follow certain availability schedules. [504701] |
| 504901 | Section 229.19(d) of Regulation CC requires certain procedures for banks which calculate availability for non-consumer accounts based on a sample of customers' deposits. [504901] |
| 505101 | Section 229.19(f) of Regulation CC requires that each bank shall establish procedures to ensure that it complies with the regulations and shall provide each employee who performs duties subject to the regulations with a statement of procedures applicable to that employee. [505101] |
| 505301 | Section 229.21(g) of Regulation CC requires a bank retain evidence of compliance with the requirements imposed by this subpart for not less than two years. [505301] |
| 506501 | Section 229.51(b) of Regulation CC requires a reconverting bank to ensure that a substitute check that it reconverts:<br>(1)Bears all endorsements applied by parties that previously handled the check in any form (including the original check, a substitute check, or another paper or electronic representation of such original check or substitute check) for forward collection or return;<br>(2) Identifies the reconverting bank in a manner that preserves any previous reconverting bank identifications, in accordance with ANS X9.100—140 and appendix D of this part; AND<br>(3)Identifies the bank that truncated the original check, in accordance with ANS X9.100—140 and appendix D of this part. [506501] |
| 506801 | Section 229.52 of Regulation CC requires that any bank (starting with the reconverting bank) that transfers, presents, or returns a substitute check (or a paper or electronic representation of a substitute check) and receives consideration for that check, warrants that the substitute check meets the legal equivalence requirements contained in Section 229.51(a) and that a check that has already been paid will not be presented for subsequent payment. [506801] |
| 507101 | Section 229.53(a) of Regulation CC requires a bank that transfers, presents, or returns a substitute check or a paper or electronic representation of a substitute check for which it receives consideration shall indemnify the recipient and any subsequent recipient (including a collecting or returning bank, the depository bank, the drawer, the drawee, the payee, the depositor, and any indorser) for any loss incurred by any recipient of a substitute check, if that loss occurred due to the receipt of a substitute check instead of the original check. [507101] |
| 507401 | Section 229.54(b)(2)(ii) of Regulation CC requires a bank to inform a consumer who has submitted in incomplete claim for expedited recredit, that the claim is incomplete and identify the information that is missing. [507401] |
| 507601 | Section 229.54(b)(3) of Regulations CC allows a bank, at its discretion, to require a consumer to submit a claim in writing. A bank that requires a written submission:<br>(1)May permit the consumer to submit the |

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| | claim electronically;<br>(2)Shall inform a consumer that submits a claim orally of the written claim requirement at the time of the oral claim, and may require such consumer to submit the written claim by the 10th business day after the banking day on which the bank received the oral claim; AND<br>(3)Shall compute the time periods required for acting on the consumer's claim described in 229.54(c), from the date on which the bank received the written claim. [507601] |
| 507901 | Section 229.54(c)(1) of Regulation CC requires a bank that receives a consumer claim that meets the requirements of Section 229.54(b) and determines that the claim is valid, to take the following actions:(1)Recredit the consumer's account for the amount of the consumer's loss, up to the amount of the substitute check, plus interest if the account is an interest-bearing account, no later than the end of the business day after the banking day on which the bank makes that determination; and (2)Send to the consumer the notice of recredit required by Section 229.54(e)(1). [507901] |
| 508201 | Section 229.54(c)(2) of Regulation CC requires a bank that determines that the consumer's claim is not valid, to send the consumer the notice required by Section 229.54(e)(2). [508201] |
| 508501 | Section 229.54(c)(3) of Regulation CC requires that if a bank has not determined whether a claim is valid or invalid before the end of the 10th business day after the banking day on which the bank received the claim, the bank shall:<br>(1)By the end of the 10th business day:<br>(a)recredit the consumer's account for the amount of the consumer's loss, up to the lesser of the amount of the substitute check or $2,500, plus interest on that amount if the account is an interest-bearing account; AND<br>(b)send the consumer the notice required by Section 229.54(e)(1); AND<br>(2)Recredit the consumer's account for the remaining amount of the consumer's loss, if any, up to the amount of the substitute check, plus interest if the account is an interest-bearing account, no later than the end of the 45th calendar day after the banking day on which the bank received the claim and send the consumer the notice required by Section 229.54(e)(1). [508501] |
| 508801 | Section 229.54(c)(4) of Regulation CC allows a bank to reverse a recredit that it has made to a consumer account under Sections 229.54(c)(1) or (c)(3), plus interest that the bank has paid, if any, on that amount, if the bank determines that the claim was not valid, and notifies the consumer in accordance with paragraph (e)(3) of this section. [508801] |
| 509001 | Section 229.54(d)(1) of Regulation CC requires a bank to make any amount that it recredits to a consumer account under this section available for withdrawal no later than the start of the business day after the banking day on which the bank provides the recredit. This requirement is subject to the safeguard exceptions contained in Section 229.54(d)(2). [509001] |
| 509201 | Section 229.54(d)(2) of Regulation CC allows a bank to delay availability of a provisionally-recredited amount until the start of the earlier of the business day after the banking day on which the bank determines the consumer's claim is valid or the 45th calendar day after the banking day on which the bank received the claim if:<br>(1)The consumer submits the claim during the first 30 calendar days that the account is established;<br>(2)Without regard to the charge that gave rise to the recredit claim if (a) on six or more days during the six-month period ending on the calendar day on which the consumer submitted the claim, the balance in the account was negative or would have become negative if checks or other charges had been paid OR (b) on two or more business days during such six-month period, the balance in the account was negative or would have become negative in the amount of $5,000 or more if checks or other charges to the account had been paid; OR<br>(3)The bank has reasonable cause to believe that the claim is fraudulent, based on facts that would cause a well-grounded belief in the mind of a reasonable person that the claim is |

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| | fraudulent. The fact that the check in question or the consumer is of a particular class may not be the basis for invoking this exception. [509201] |
| 509401 | Section 229.54(d)(3) of Regulation CC prohibits a bank that has delayed availability under Section 229.54(d)(2) from imposing an overdraft fee with respect to drafts drawn by the consumer on such recredited funds until the fifth calendar day after the calendar day on which the bank sent the notice required by Section 229.54(e)(1). [509401] |
| 509701 | Section 229.54(e)(1) of Regulation CC requires a bank that recredits a consumer account under Section 229.54(c) to send a notice to the consumer of the recredit no later than the business day after the banking day on which the bank recredits the consumer account. The notice shall describe—<br>(1)The amount of the recredit; and<br>(2)The date on which the recredited funds will be available for withdrawal. [509701] |
| 510101 | Section 229.54(e)(2) of Regulation CC requires a bank that determines that a claim is invalid to send a notice to the consumer no later than the business day after the banking day on which the bank makes that determination. This notice shall—<br>(1)Include the original check or a sufficient copy, except as provided in Section 229.58;<br>(2)Demonstrate to the consumer that the substitute check was properly charged or the consumer's warranty claim is not valid; AND<br>(3)Include the information or documents (in addition to the original check or sufficient copy), if any, on which the bank relied in making its determination or a statement that the consumer may request copies of such information or documents. [510101] |
| 510401 | Section 229.54(e)(3) of Regulation CC requires a bank that reverses an amount it previously recredited to a consumer account to send a notice to the consumer no later than the business day after the banking day on which the bank made the reversal. This notice shall include the information listed in Section 229.54(e)(2) and also describe—<br>(1)The amount of the reversal, including both the amount of the recredit (including the interest component, if any) and the amount of interest paid on the recredited amount, if any, being reversed, and<br>(2)The date on which the bank made the reversal. [510401] |
| 510701 | Section 229.57(a) of Regulation CC requires a bank to provide a brief disclosure to each of its consumer customers that describes:<br>(1) That a substitute check is the legal equivalent of an original check; AND<br>(2)The consumer recredit rights that apply when a consumer in good faith believes that a substitute check was not properly charged to his or her account. [510701] |
| 511001 | Section 229.57(b)(1) of Regulation CC requires a bank to provide the brief disclosure to consumer customers who receive paid original checks or paid substitute checks with periodic account statements:<br>(1)No later than the first regularly scheduled communication with the consumer after October 28, 2004, for each consumer who is a customer of the bank on that date; AND<br>(2)At the time the customer relationship is initiated, for each customer relationship established after October 28, 2004. [511001] |
| 511307 | Section 229.57(b)(2) of Regulation CC requires a bank to provide the brief disclosure to consumer customers who receive substitute checks on an occasional basis:<br>(1)The bank shall provide the disclosure to a consumer customer of the bank who requests an original check or a copy of a check and receives a substitute check. If feasible, the bank shall provide this disclosure at the time of the consumer's request; otherwise, the bank shall provide this disclosure no later than the time at which the bank provides a substitute check in response to the consumer's request.<br>(2)The bank shall provide the disclosure to a consumer customer of a bank who receives a returned substitute check, at the time the bank provides such substitute check. [511307] |
| **F** | **Fair Credit Reporting Act** |
| 110000 | Uncoded. [110000] |

| Violation Codes | Description |
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| 110101 | Section 602 of the Fair Credit Reporting Act requires any financial institution operating as a consumer reporting agency to adhere to all relevant provisions of the Act. [110101] |
| 110221 | Section 604(b)(2) of the Fair Credit Reporting Act requires the user of a consumer report for employment purposes to disclose in writing to the consumer, before the report is procured or caused to be procured, that a consumer report may be obtained for employment purposes. The user of such consumer reports must obtain the consumer's written authorization to procure the consumer report. [110221] |
| 110231 | Section 604(b)(3) of the Fair Credit Reporting Act requires the user of a consumer report for employment purposes to provide to the consumer, before taking any adverse action based in whole or in part on the consumer report, a copy of the report and a written description of the rights of the consumer under the Act. [110231] |
| 110251 | Section 604(f) of the Fair Credit Reporting Act prohibits the user of a consumer report to use or obtain a consumer report for any purpose other than the purpose for which the consumer report is authorized and certified to be furnished in accordance with the Act. [110251] |
| 110301 | Section 605(g) of the Fair Credit Reporting Act prohibits any person that accepts credit or debit cards for the transaction of business from printing more than the last 5 digits of the card number or the expiration date upon any receipt provided to the cardholder at the point of the sale or transaction. This prohibition applies only to electronically printed receipts and not to transactions in which the sole means of recording a credit card or debit card account number is by handwriting or by an imprint or copy of the card. This prohibition is subject to the effective dates in §605(g)(3). [110301] |
| 110306 | Section 605A(h)(1)(B)(i) of the Fair Credit Reporting Act prohibits a prospective user of a consumer report that includes an initial fraud alert or an active duty alert in accordance with the statute, from establishing a new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issue an additional card on an existing credit account requested by a consumer, or grant any increase in credit limit on an existing credit account requested by a consumer, unless the user utilizes reasonable policies and procedures to form a reasonable belief that the user knows the identity of the person making the request. [110306] |
| 110309 | Section 605A(h)(1)(B)(ii) of the Fair Credit Reporting Act requires that if a consumer requesting the fraud or active duty alert has specified a telephone number to be used for identity verification purposes, before authorizing any new credit plan or extension described in §605A(h)(1)(B)(i) in the name of such consumer, a user of such consumer report shall contact the consumer using that telephone number or take reasonable steps to verify the consumer’s identity and confirm that the application for a new credit plan is not the result of identity theft. [110309] |
| 110401 | Section 606 of the Fair Credit Reporting Act requires the user of an investigative consumer report to disclose in writing to the consumer that an investigative consumer report may be made and that the consumer has a right to request additional disclosures as provided under the Act. This disclosure is required to be made in writing within three days after the date on which the request for such disclosure was received from the consumer or such report was first requested. [110401] |
| 110701 | Section 607 of the Fair Credit Reporting Act requires a consumer reporting agency to exercise reasonable procedures in the safeguarding and disclosure of information and to furnish the required certification within the provisions of the Act. [110701] |
| 110741 | Section 607(e) of the Fair Credit Reporting Act requires procurers of a consumer report for purposes of reselling the report (or any information in the report) to make certain disclosures to the consumer reporting agency that originally furnishes the report, and to exercise certain responsibilities as set forth in |

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| | this section of the Act. [110741] |
| 110801 | Section 609(e) of the Fair Credit Reporting Act generally requires that for the purpose of documenting fraudulent transactions resulting from identity theft, not later than 30 days after the date of receipt of a proper request from a victim in accordance with §609(e)(3), and subject to the adequate and proper verification of the identity of the victim and the claim of identity theft in accordance with §609(e)(2), a business entity that has provided credit to, provided for consideration products, goods, or services to, accepted payment from, or otherwise entered into a commercial transaction for consideration with, a person who has allegedly made unauthorized use of the means of identification of the victim, shall provide a copy of application and business transaction records in the control of the business entity, whether maintained by the business entity or by another person, on behalf of the business entity, evidencing any transaction alleged to be the result of identity theft to:<br>(A)the victim;<br>(B)any Federal, State, or local government law enforcement agency or officer specified by the victim in such a request, or<br>(C)any law enforcement agency investigating the identity theft and authorized by the victim to take receipt of records provided under this subsection. [110801] |
| 110804 | Section 609(e)(2) of the Fair Credit Reporting Act requires a business entity to properly verify an individual's identity and an appropriate proof of a claim of identity theft, before providing any information about transactions or accounts that may be the result of identity theft. [110804] |
| 110808 | Section 609(g) of the Fair Credit Reporting Act requires that any person who makes or arranges loans and who uses a consumer credit score as defined in subsection (f), in connection with an application initiated or sought by a consumer for a closed end loan or the establishment of an open end loan for a consumer purpose that is secured by 1 to 4 units of residential real property shall provide the credit score and certain other information required by this section including the Notice to Home Loan Applicant, as soon as is reasonably practicable. [110808] |
| 111301 | Section 615(a)(1) of the Fair Credit Reporting Act requires the user of a consumer report to provide oral, written, or electronic notice of any adverse action taken against a consumer if such action is based or in part on any information contained in the consumer report. [111301 |
| 111302 | Section 615(a)(3) of the Fair Credit Reporting Act requires the user of a consumer report to provide the consumer against whom adverse action is taken an oral, written or electronic notice that contains:<br>(A) the name, address, and telephone number of the consumer reporting agency (including a toll-free number established by the agency if the agency compiles and maintains files on consumers on a nationwide basis) that furnished the report, and<br>(B) a statement that the consumer reporting agency did not make the decision to take the adverse action and is unable to provide the consumer the specific reasons why the adverse action was taken. [111302] |
| 111303 | Section 615(a)(4) of the Fair Credit Reporting Act requires the user of a consumer report to provide the consumer against whom adverse action is taken an oral, written, or electronic notice of the consumer's right:<br>(A)to obtain a free copy of a consumer report within the specified 60 day time period; and<br>(B) to dispute with a consumer reporting agency the accuracy or completeness of any information in a consumer report furnished by the agency. [111303] |
| 111304 | Section 615(a)(2) of the Fair Credit Reporting Act requires the user of a consumer report to provide the consumer against whom adverse action is taken a written or electronic disclosure containing:<br>(A) a numerical score as defined in section 609(f)(2)(A) that was used by the person taking any adverse action based in whole or in part on any information in a consumer report; and<br>(B) the following information set forth in subparagraphs (B) through (E) of section |

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| | 609(f)(1): the range of possible credit scores under the model used; all of the key factors that adversely affected the credit score of the consumer in the model used, the total number of which shall not exceed 4, subject to paragraph (9); the date on which the credit score was created; and the name of the person or entity that provided the credit score or credit file upon which the credit score was created. [111304] |
| 111331 | Section 615(d) of the Fair Credit Reporting Act requires the user of a consumer report, in connection with any credit or insurance transaction that is not initiated by the consumer, to provide with each written solicitation made to the consumer a clear and conspicuous statement containing prescribed information set forth in this section. [111331] |
| 111334 | Section 615(g) of the Fair Credit Reporting Act requires that if a person acting as a debt collector on behalf of a third party that is a creditor or other user of a consumer report is notified that any information relating to a debt that the person is attempting to collect may be fraudulent or may be the result of identity theft, that person shall:<br>(1)Notify the third party that the information may be fraudulent or may be the result of identity theft; and<br>(2) Upon request of the consumer to whom the debt purportedly relates, provide to the consumer all information to which the consumer would otherwise be entitled if the consumer were not a victim of identity theft, but wished to dispute the debt under provisions of law applicable to that person. [111334] |
| 111901 | Section 615(b) of the Fair Credit Reporting Act requires, when credit is denied or the cost increased based on third-party information, that the creditor inform the customer of his/her right to know the nature of the information. [111901] |
| 112201 | Section 623(a) of the Fair Credit Reporting Act requires furnishers of information to consumer reporting agencies to provide accurate information relating to the consumer and to follow certain procedures set forth in this section of the Act to correct and update such information. [112201] |
| 112601 | Section 623(b) of the Fair Credit Reporting Act requires furnishers of information to consumer reporting agencies to follow certain procedures set forth in this section upon notice of a dispute. [112601] |
| 112701 | Section 623(a)(6) of the Fair Credit Reporting Act requires furnishers of information to consumer reporting agencies to have in place reasonable procedures to respond to any proper notification it receives regarding information resulting from identity theft, to prevent that furnisher from refurnishing such blocked information. Also, if a consumer properly submits an identity theft report to the furnisher of information, that furnisher may not furnish such information that purports to relate to the consumer to any consumer reporting agency, unless the furnisher subsequently knows or is informed by the consumer that the information is correct. [112701] |
| 113001 | Section 623(a)(7) of the Fair Credit Reporting Act requires financial institutions that extend credit and regularly and in the ordinary course of business furnish information to nationwide consumer reporting agencies, to provide a notice to customers in writing, when negative information about the customer is provided to the nationwide consumer reporting agency. This notice must be provided before negative information is furnished, or within 30 days after furnishing the negative information. After the notice is provided, a financial institution may submit additional negative information to a nationwide consumer reporting agency with respect to the same transaction, extension of credit, account, or customer without providing additional notice to the customer. [113001] |
| 113201 | Section 1022.72(a) of Regulation V requires a person to provide a risk-based pricing notice in the form and manner described in this subpart. The notice shall be provided to a consumer when:<br>(1)A consumer report is used in connection with an application for, or a grant, extension, |

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| | or other provision of credit to a consumer that is primarily for personal, family, or household purposes; and<br>(2)Based on information contained in the consumer report, credit is granted, extended, or provided to the consumer on material terms that are materially less favorable than the most favorable material terms available to a substantial proportion of consumers that receive credit through that person. [113201] |
| 113210 | Section 1022.72(b)(1)(i) of Regulation V states that a person may comply with the requirements of paragraph<br>(a) of this section by:<br>(A)determining the cutoff credit score that represents the point at which approximately 40 percent of the consumers to whom it grants, extends, or provides credit have higher scores and approximately 60 percent of the consumers to whom it grants, extends, or provides credit have lower credit scores; and<br>(B)providing a risk-based pricing notice to each consumer to whom it grants, extends, or provides credit whose credit score is lower than the cutoff score. [113210] |
| 113215 | Section 1022.72(b)(1)(ii) of Regulation V states that, in the case of credit that has been granted, extended, or provided on the most favorable material terms to more than 40 percent of consumers, a person may set its cutoff score at a point at which the approximate percentage of consumers who historically have been granted, extended, or provided credit on material terms other than the most favorable terms would receive risk-based pricing notices under this section. [113215] |
| 113220 | Section 1022.72(b)(1)(iii)(A) of Regulation V requires that a person currently using risk-based pricing with respect to the credit products it offers to calculate the cutoff score by considering the credit scores of all or a representative sample of the consumers to whom it has granted, extended, or provided credit for a specific type of credit product. [113220] |
| 113222 | Section 1022.72(b)(1)(iii)(C) of Regulation V requires a person using the credit score proxy method to calculate its cutoff score(s) no less than every two years in the manner described in paragraph (b)(1)(iii)(A) of this section. The cutoff score(s) generally must be calculated within one year for a person using proxy methods that rely on market research, third-party data, or information from a portfolio from which the person acquired. [113222] |
| 113223 | Section 1022.72(b)(1)(iii)(D) of Regulation V requires a person that generally uses two or more credit scores in setting the material terms of credit granted, extended, or provided to a consumer, to determine the cutoff score using the same method the person uses to evaluate multiple scores when making credit decisions. If the person does not consistently use the same method for evaluating multiple scores, the person must determine the cutoff using a reasonable means. [113223] |
| 113225 | Section 1022.72(b)(1)(iv) of Regulation V requires a person using the credit score proxy method who provides credit to a consumer for whom a credit score is not available, assume that the consumer receives credit on material terms that are materially less favorable than the most favorable credit terms offered to a substantial proportion of consumers and must provide a risk-based pricing notice to the consumer. [113225] |
| 113230 | Section 1022.72(b)(2) of Regulation V states that a person that sets the  of credit that is granted, extended, or provided to a consumer by placing the consumer within one of a discrete number of pricing tiers for a specific type of credit product, based in whole or in part on a consumer report, may comply with the requirements of paragraph (a) of this section by providing a risk-based pricing notice to each consumer who is not placed within the top pricing tier or tiers, as described in paragraph (b)(2)(ii) or (b)(2)(iii). [113230] |
| 113235 | Section 1022.72(c) of Regulation V states that a credit card issuer subject to the requirements of paragraph (a) of this section may use the case-by-case method, credit score proxy method, or tiered pricing method to identify consumers to whom it must provide a risk-based pricing notice. Alternatively, a credit card issuer may satisfy its obligation under |

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| | paragraph (a) of this section by providing a risk-based pricing notice to consumers who meet the criteria outlined in section 1022.72(c)(1)(i) or 1022.72(c)(1)(ii). [113235] |
| 113240 | Section 1022.72(d) of Regulation V states that a person is generally subject to the requirements of paragraph (a) of this section and must provide a risk-based pricing notice to a consumer in the form and manner required by this subpart if the person uses a consumer report in connection with a review of credit that has been extended to the consumer; and based in whole or in part on the consumer report, the annual percentage rate is increased. [113240] |
| 113250 | Section 1022.73(a)(1) of Regulation V requires the risk-based pricing notice required by section 1022.72(a) or section 1022.72(c) to include the information specified in paragraphs (a)(1)(i) through (a)(1)(ix) of this subpart [113250] |
| 113255 | Section 1022.73(a)(2) of Regulation V requires the risk-based pricing notice required by section 1022.72(d) to include the information specified in paragraphs (a)(2)(i) through (a)(2)(ix) of this subpart. [113255] |
| 113260 | Section 1022.73(b) of Regulation V requires that the risk-based pricing notice required by § 1022.72(a), (c.), or (d) to be clear and conspicuous and provided to the consumer in oral, written, or electronic form. [113260] |
| 113265 | Section 1022.73(c)(1) of Regulation V requires that a risk-based pricing notice be provided to a consumer in accordance with the timeframes set forth in paragraph (c)(1)(i), (c)(1)(ii), or (c)(1)(iii) of this subpart, as applicable. [113265] |
| 113270 | Section 1022.73(c)(2) of Regulation V requires that the conditions set forth in paragraph (c)(2)(i) or (c)(2)(ii) of this subpart be satisfied when a person to whom a credit obligation is initially payable grants, extends, or provides credit to a consumer for the purpose of financing the purchase of an automobile from an auto dealer or other party that is not affiliated with the person. [113270] |
| 113275 | Section 1022.73(c)(3) of Regulation V requires that the risk based pricing notice be provided in the timeframes set forth in paragraph (c)(3)(i) or (c)(2)(ii) of this subpart when credit under an open-end credit plan is granted, extended, or provided to a consumer in person or by telephone for the purpose of financing the contemporaneous purchase of goods or services. [113275] |
| 113280 | Section 1022.75(a) of Regulation V requires that a risk-based pricing notice be provided when the conditions set forth in section 1022.72(d) have been met, even if a consumer has previously received a risk-based pricing notice in connection with a grant, extension, or other provision of credit. [113280] |
| 113285 | Section 1022.75(b) of Regulation V requires the person to whom a credit obligation is initially payable provide the risk-based pricing notice described in § 1022.74(a) or (c) , or satisfy the requirements for and provide the notice required under one of the exceptions in § 1022.74(d), (e), or (f) even if that person immediately assigns the credit agreement to a third party and is not the source of funding for the credit. [113285] |
| 113290 | Section 1022.75(c)(1) of Regulation V requires a person to provide a risk-based pricing notice to each consumer in a transaction involving two or more consumers who are granted, extended, or otherwise provided credit in order to satisfy the requirements of section 1022.72(a) or (c). If the consumers have the same address, a person may satisfy the requirements by providing a single notice addressed to both consumers. [113290] |
| 113295 | Section 1022.75(c)(2) of Regulation V requires a person to provide a credit score notice disclosure to each consumer in a transaction involving two or more consumers who are granted, extended, or otherwise provided credit, to satisfy the exceptions in section 1022.74(d), (e), or (f). Whether the consumers have the same address or not, the person must provide a separate notice to each |

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| | consumer. Each separate notice must contain only the credit score(s) of the consumer to whom the notice is provided, and not the credit score(s) of the other consumer. [113295] |
| 113401 | Section 1022.21(a)(1) of Regulation V prohibits a financial institution from using eligibility information about a consumer that the institution receives from an affiliate to make a solicitation for marketing purposes to the consumer unless: (1) It is clearly and conspicuously disclosed to the consumer in writing or, if the consumer agrees, electronically, in a concise notice that the institution may use eligibility information about that consumer received from an affiliate to make solicitations for marketing purposes to the consumer; (2) The consumer is provided a reasonable opportunity and a reasonable and simple method to "opt out," or prohibit the institution from using eligibility information to make solicitations for marketing purposes to the consumer; and (3) The consumer has not opted out. [113401] |
| 113402 | Section 1022.21(a)(3) of Regulation V requires that the affiliate marketing notice be provided: (1) By an affiliate that has or has previously had a pre-existing business relationship with the consumer; or (2) As part of a joint notice from two or more members of an affiliated group of companies, provided that at least one of the affiliates on the joint notice has or has previously had a pre-existing business relationship with the consumer. [113402] |
| 113601 | Section 1022.22(a)(5) of Regulation V requires that a consumer be given a new opt-out notice if, after all continuing relationships with the financial institution or its affiliate(s) are terminated, the consumer subsequently establishes another continuing relationship with the financial institution or its affiliate(s) and the consumer's eligibility information is to be used to make a solicitation. The new opt-out notice must apply, at a minimum, to eligibility information obtained in connection with the new continuing relationship. [113601] |

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| 113801 | Section 1022.22(b) of Regulation V requires that the election of a consumer to opt out must be effective for a period of at least five years beginning when the consumer's opt-out election is received and implemented, unless the consumer subsequently revokes the opt-out in writing or, if the consumer agrees, electronically. [113801] |
| 114001 | Section 1022.23(a)(1) of Regulation V of FDIC regulations) requires that a notice be clear, conspicuous, and concise, and accurately disclose all of the elements under (i) through (vii) of this section of the regulation. [114001] |
| 114002 | Section 1022.23(a)(2) of Regulation V of FDIC regulations) requires that if two or more consumers jointly obtain a product or service: (1) The opt-out notice must explain how an opt-out direction by a joint consumer will be treated; (2) If each joint consumer is permitted to opt out separately, one of the joint consumers must be permitted to opt out on behalf of all joint consumers and the joint consumers must be permitted to exercise their separate rights to opt out in a single response; (3) It is impermissible to require all joint consumers to opt out before implementing any opt-out direction. [114002] |
| 114201 | Section 1022.26(a) of Regulation V requires the opt-out notice be provided so that each consumer can reasonably be expected to receive actual notice. [114201] |
| 114401 | Section 1022.27(a)(1) of Regulation V prohibits, after the opt-out period expires, a financial institution from making solicitations based on eligibility information the financial institution receives from an affiliate to a consumer who previously opted out, unless: (1) The consumer has been given a renewal notice that complies with the requirements of this section of the regulation and Sections 1022.24 through 1022.26, and a reasonable opportunity and a reasonable and simple method to renew the opt-out, and the consumer does not renew the opt-out; or (2) An exception in Section 1022.21(c) applies. [114401] |

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| 114402 | Section 1022.27(a)(2) of Regulation V requires that each opt-out renewal must be effective for a period of at least five years. [114402] |
| 114403 | Section 1022.27(a)(3) of Regulation V requires that the renewal notice be provided: (1) By the affiliate that provided the previous opt-out notice, or its successor; or (2) As part of a joint renewal notice from two or more members of an affiliated group of companies, or their successors, that jointly provided the previous opt-out notice. [114403] |
| 114601 | Section 1022.27(b) of Regulation V requires that the renewal notice be clear, conspicuous, and concise, and accurately disclose all of the elements under (1) through (8) of this section of the regulation. [114601] |
| 114710 | Section 1022.30(b) of Regulation V prohibits a creditor from obtaining or using medical information pertaining to a consumer in connection with any determination of the consumer’s eligibility or continued eligibility for credit, except as provided in this section. [114710] |
| 114750 | Section 1022.31 of Regulation V prohibits a person, as described in paragraph (a) of this section, from disclosing medical information about a consumer, received from a consumer reporting agency or its affiliate, to any other person, except as necessary to carry out the purpose for which the information was initially disclosed, or as otherwise permitted by statute, regulation, or order. [114750] |
| 115001 | Section 1022.42 of Regulation V requires a financial institution that meets the definition of "furnisher" in the regulation to establish and implement reasonable written policies and procedures regarding the accuracyand integrity of the information relating to consumers that it furnishes to a consumer reporting agency. Each furnisher must consider the guidelines in Appendix E of this part in developing its policies and procedures, and periodically review the policies and procedures and update them as necessary to ensure their continued effectiveness. [115001] |

| Violation Codes | Description |
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| 115101 | Section 1022.43(a) of Regulation V requires a financial institution that meets the definition of "furnisher" in the regulation and that receives a direct dispute from a consumer pursuant to paragraphs (c) and (d) of this section, to conduct a reasonable investigation of a direct dispute if it relates to one of the four items below, unless specifically exempted by (b) of this part: (1) the consumer's liability for a credit account or other debt with the furnisher; (2) the terms of a credit account or other debt with the furnisher; (3) the consumer's performance or other conduct concerning an account or other relationship with the furnisher; or (4) any other information contained in a consumer report regarding an account or other relationship with the furnisher that bears on the consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living. [115101] |
| 115105 | Section 1022.43(e) of Regulation V requires a financial institution that meets the definition of "furnisher" in the regulation and that received a direct dispute from a consumer pursuant to paragraphs (c) and (d) of this section to: (1) conduct a reasonable investigation with respect to the disputed information; (2) review all relevant information provided by the consumer with the dispute notice; (3) complete its investigation of the dispute and report the results to the consumer before the expiration of the period under section 611(a)(1) of the Fair Credit Reporting Act within which a consumer reporting agency would be required to complete its action if the consumer had elected to dispute the information under that section; and (4) if the investigation finds that the information reported was inaccurate, promptly notify each consumer reporting agency to which the furnisher provided inaccurate information of that determination and provide any correction to make the information accurate. [115105] |
| 115106 | Section 1022.43(f) of Regulation V requires a financial institution that meets the definition of "furnisher" inthe regulation and that receives a frivolous or irrelevant dispute, to notify the consumer of this determination not |

| Violation Codes | Description |
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| | later than five business days after making the determination, by mail or, if authorized by the consumer for that purpose, by any other means available to the furnisher. The notice must include the reasons for such determination and identify any information required to investigate the disputed information. [115106] |
| 117001 | Section 1022.82(c) of Regulation V requires a user of consumer reports to develop and implement reasonable policies and procedures designed to enable the user to form a reasonable belief that a consumer report relates to the consumer about whom it has requested the report when the user receives a notice of address discrepancy. [117001] |
| 117101 | Section 1022.82(d)(1) of Regulation V requires a user to develop and implement reasonable policies and procedures for furnishing an address for the consumer that the user has reasonably confirmed is accurate to the consumer reporting agency from whom it received the notice of address discrepancy when the user: (i) can form a reasonable belief that the consumer report relates to the consumer; (ii) establishes a continuing relationship with the consumer; and (iii) regularly and in the ordinary course of business furnishes information to the consumer reporting agency from which the notice of address discrepancy was obtained. [117101] |
| 117201 | Section 1022.82(d)(3) of Regulation V requires that the user furnish the consumer's address that the user has reasonably confirmed is accurate to the consumer reporting agency as part of the information it regularly furnishes for the reporting period in which it establishes a relationship with the consumer. [117201] |
| 117501 | Section 334.91(c) of FDIC regulations requires a card issuer to establish and implement reasonable policies and procedures to assess the validity of a change of address if it receives notification of a change of address for a consumer's debit or credit card account and, within a short period of time afterwards (during at least the first 30 days after it receives notification), the card issuer receives a request for an additional or replacement card for the same account. Under these circumstances, the card issuer may not issue an additional or replacement card until the card issuer: (i) notifies the cardholder of the request; or (ii) otherwise assesses the validity of the change of address in accordance with its policies and procedures. [117501] |
| 117601 | Section 334.91(e) of FDIC regulations requires that any written or electronic notice the card issuer provides must be clear and conspicuous and provided separately from its regular correspondence with the cardholder.[117601] |
| | **Fair Debt Collection Practices** |
| 240000 | Uncoded. [240000] |
| 240101 | Section 804 of the Fair Debt Collection Practices Act requires debt collectors to adhere to prescribed procedures in communicating with any person other than the consumer for the purpose of acquiring location information about the consumer. [240101] |
| 241101 | Section 805 of the Fair Debt Collection Practices Act prescribes certain circumstances under which a debt collector may not communicate with a consumer in connection with the collection of any debt without the prior consent of the consumer or the express permission of a court of competent jurisdiction; prohibits a debt collector from communicating, in connection with the collecting of any debt, with any person other than the consumer, his attorney, a consumer reporting agency, the creditor, the attorney of the creditor, or the attorney of the debt collector, except in the limited manner permitted; and requires a debt collector to cease further communication with a consumer when notified in writing that the consumer refuses to pay a debt or that the consumer wishes the debt collector to cease communication, except for the limited purposes permitted. [241101] |
| 241601 | Section 807 of the Fair Debt Collection Practices Act prohibits a debt collector from using any false, deceptive, or misleading representation or means in connection with the collection of any debt. [241601] |

| Violation Codes | Description |
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| 241901 | Section 808 of the Fair Debt Collection Practices Act prohibits a debt collector from using unfair or unconscionable means to collect a debt. [241901] |
| 242201 | Section 809 of the Fair Debt Collection Practices Act requires the debt collector to send the consumer a written notice containing prescribed information within five days after the initial communications with him in connection with the collection of a debt. [242201] |
| 242501 | Section 811(a) of the Fair Debt Collection Practices Act requires a debt collector who brings legal action to follow prescribed guidelines. [242501] |
| 242801 | Section 812(a) of the Fair Debt Collection Practices Act prohibits any person from using certain deceptive forms. [242801] |
| | **Fair Housing** |
| 350000 | Uncoded. [350000] |
| 352201 | Section 338.3(a) of FDIC regulations requires banks to include the Equal Housing Lender or Equal Housing Opportunity logotype and legend in written advertisement and the "Equal Housing Lender" or "Equal Opportunity Lender" statement in oral advertisements. [352201] |
| 352801 | Section 338.3(b) of FDIC regulations prohibits the use of words, symbols, models or other forms of communication in advertisements which express, imply or suggest a discriminatory preference or policy of exclusion in violation of the provision of the Fair Housing Act or the Equal Credit Opportunity Act. [352801] |
| 353101 | Section 338.4 of FDIC regulations requires banks to display the Equal Housing Lender or Equal Housing Opportunity poster, which conforms to size and text specifications, in lobby areas where deposits are received or loans covered by the Act are made. [353101] |
| 358801 | Section 338.9 of FDIC regulations requires a bank which refers any applicants to a controlled entity and which purchases any home loans originated by the controlled entity to require the controlled entity to enter into a written agreement with the bank. The written agreement shall provide that the controlled entity shall comply with the requirements of Part 338. [358801] |
| 358901 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race. [358901] |
| 358902 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of color. [358902] |
| 358903 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of religion. [358903] |
| 358904 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of sex. [358904] |

| Violation Codes | Description |
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| 358905 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of handicap. [358905] |
| 358906 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of familial status. [358906] |
| 358907 | Section 100.110(b) of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions (as defined under Section 100.115) to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of national origin. [358907] |
| 359001 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of race. [359001] |
| 359002 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of color. [359002] |
| 359003 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of religion. [359003] |
| 359004 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of sex. [359004] |
| 359005 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing |

| Violation Codes | Description |
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| | information which is inaccurate or different from that provided others, because of handicap. [359005] |
| 359006 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of familial status. [359006] |
| 359007 | Section 100.120 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in residential real estate-related transactions to discriminate against any person by failing or refusing to provide to any person, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of national origin. [359007] |
| 359201 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of race. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoods but not in others because of race; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of race; or imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of race. [359201] |
| 359202 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of color. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoods but not in others because of color; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of color; or imposing or using different terms or conditions on themarketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of color. [359202] |
| 359203 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of religion. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoodsbut not in others because of religion; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of religion; or imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which |

| Violation Codes | Description |
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| | are secured by, dwellings because of religion. [359203] |
| 359204 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of sex. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoods but not in others because of sex; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of sex; or imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of sex. [359204] |
| 359205 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of handicap. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoods but not in others because of handicap; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of handicap; or imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of handicap. [359205] |
| 359206 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of familial status. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoods but not in others because of familial status; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of familial status; or imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of familial status. [359206] |
| 359207 | Section 100.125 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases because of national origin. Unlawful conduct includes: purchasing loans or other debts or securities secured by dwellings in certain communities or neighborhoods but not in others because of national origin; pooling or packaging loans or other debts or securities which relate to, or which are secured by, dwellings differently because of national origin; or imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, dwellings because of national origin. [359207] |
| 359401 | Section 100.130 of the Department of Housing and Urban Development Fair Housing |

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| | regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of race. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of race; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of race. [359401] |
| 359402 | Section 100.130 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of color. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of color; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of color. [359402] |
| 359403 | Section 100.130 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of religion. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of religion; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of religion. [359403] |
| 359404 | Section 100.130 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of sex. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of sex; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of sex. [359404] |
| 359405 | Section 100.130 of the Department of Housing |

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| | and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of handicap. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of handicap; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of handicap. [359405] |
| 359406 | Section 100.130 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of familial status. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of familial status; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of familial status. [359406] |

| Violation Codes | Description |
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| 359407 | Section 100.130 of the Department of Housing and Urban Development Fair Housing regulations (24 CFR) makes it unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of national origin. Unlawful conduct includes: using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of national origin; determining the type of loan or other financial assistance to be provided with respect to a dwelling or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, because of national origin. [359407] |
| | **Financial Information Privacy Rule** |
| 840000 | Uncoded. [840000] |
| 840101 | Section 1016.4(a)(1) of Regulation P requires a financial institution to provide a clear and conspicuous initial notice that accurately reflects its privacy policies and practices to an individual who becomes its customer, as defined under §1016.3, not later than when a customer relationship is established, except as provided in paragraph (e) of this section. [840101] |
| 840102 | Section 1016.4(a)(2) of Regulation P requires a financial institution to provide a clear and conspicuous initial notice that accurately reflects its privacy policies and practices to a consumer, as defined under §1016., before disclosing any nonpublic personal information about the consumer to any nonaffiliated third party, if such a disclosure is made other than as authorized by §§1016.14 and 1016.15 . [840102] |

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| 840301 | Section 1016.4(f) of Regulation P requires an initial privacy notice required by this section to be delivered in accordance with §1016.9. [840301] |
| 840501 | Section 1016.5(a)(1) of Regulation P requires a financial institution to provide a clear and conspicuous notice to customers that accurately reflects its privacy policies and practices not less than annually during the continuation of the customer relationship. [840501] |
| 840601 | Section 1016.5(d) of Regulation P requires an annual notice required by this section to be delivered in accordance with §1016.9. [840601] |
| 840801 | Section 1016.6(a) of Regulation P requires that initial, annual, and revised privacy notices provided by a financial institution include each of the following items of information that applies to the financial institution and to the consumers who are sent a privacy notice:<br>(1)The categories of nonpublic personal information that it collects;<br>(2)The categories of nonpublic personal information that it discloses;<br>(3)The categories of affiliates and nonaffiliated third parties to whom it discloses nonpublic personal information, other than those parties to whom it discloses information under §§1016.14 and 1016.15;<br>(4)The categories of nonpublic personal information about its former customers that it discloses and the categories of affiliates and nonaffiliated third parties to whom it discloses nonpublic personal information about its former customers, other than those parties to whom it discloses information under §§1016.14 and 1016.15 / (332.15);<br>(5)If it discloses nonpublic personal information to a nonaffiliated third party under §1016.13 (and no other exception in §1016.14 or 1016.15 applies to that disclosure), a separate statement of the categories of information it discloses and the categories of third parties with whom it has contracted;<br>(6)An explanation of the consumer's right under §1016.10(a) to opt out of the disclosure of nonpublic personal information to nonaffiliated third parties, including the method(s) by which the consumer may exercise that right at that time;<br>(7)Any disclosures that it makes under section 603(d)(2)(A)(iii) of the Fair Credit Reporting Act (15 U.S.C. 1681a(d)(2)(A)(iii)) (that is, notices regarding the ability to opt out of disclosures of information among affiliates);<br>(8)Its policies and practices with respect to protecting the confidentiality and security of nonpublic personal information; and<br>(9)Any disclosure that it makes under paragraph (b) of this section. [840801] |
| 841001 | Section 1016.7(a)(1) of Regulation P requires a financial institution that provides an opt out notice under §1016.10(a), to provide a clear and conspicuous notice to each of its consumers that accurately explains the right to opt out under that section. The notice must state: (i) That you disclose or reserve the right to disclose nonpublic personal information about your consumer to a nonaffiliated third party; (ii) That the consumer has the right to opt out of that disclosure; and (iii) A reasonable means by which the consumer may exercise the opt out right. [841001] |
| 841201 | Section 1016.7(c) of Regulation P requires a financial institution that provides the opt out notice later than the initial notice required under §1016.4, to include a copy of the initial notice with the opt out notice in writing or, if the consumer agrees, electronically. [841201] |
| 841202 | Section 1016.7(d) of Regulation P requires a financial institution that provides an opt out notice to consumers that jointly obtain a financial product or service to explain how the opt out direction will be treated and permit, in accordance with this section, the joint consumers to exercise the right to opt out. An institution may not require all joint consumers to opt out before it implements any opt out direction. [841202] |
| 841301 | Section 1016.7(g) of Regulation P requires financial institutions to comply with a consumer's opt out direction as soon as reasonably practicable after it is received. [841301] |
| 841501 | Section 1016.7(i)(1) of Regulation P requires that a consumer's direction to opt out under |

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| | this section shall remain effective until the consumer revokes it in writing or, if the consumer agrees, electronically. [841501] |
| 841502 | Section 1016.7(i)(2) of Regulation P requires then when a customer relationship terminates, the customer's opt out direction continues to apply to the nonpublic personal information that the financial institution collected during, or related to, that relationship. If the individual subsequently establishes a new customer relationship with you, the opt out direction that applied to the former relationship does not apply to the new relationship. [841502] |
| 841601 | Section 1016.7(j) of Regulation P requires an opt out notice required by this section to be delivered in accordance with §1016.9. [841601] |
| 841801 | Section 1016.8(a) of Regulation P prohibits a financial institution, directly or through any affiliate, from disclosing any nonpublic personal information about a consumer to a nonaffiliated third party other than as described in the initial notice that it provided to that consumer under §1016.4, unless: (1)The financial institution provided to the consumer a clear and conspicuous revised notice that accurately describes your policies and practices; (2)The financial institution provided to the consumer a new opt out notice;(3) The financial institution has given the consumer a reasonable opportunity, before you disclose the information to the nonaffiliated third party, to opt out of the disclosure; and (4)The consumer does not opt out. [841801] |
| 842001 | Section 1016.8(c) of Regulation P requires a revised policy notice required by this section to be delivered in accordance with §1016.9. [842001] |
| 842301 | Section 1016.10(a)(1) of Regulation P prohibits a financial institution from disclosing, directly or through any affiliate, any nonpublic personal information about a consumer to a nonaffiliated third party unless: (i) The consumer has been provided an initial notice as required under §1016.4 ; (ii) The consumer has been provided an opt out notice as required in §1016.7; (iii) The consumer has been given a reasonable opportunity, before the information is disclosed to the nonaffiliated third party, to opt out of the disclosure; and (iv) The consumer does not opt out. [842301] |
| 842401 | Section 1016.11(a)(1) of Regulation P requires that if you are a financial institution that receives nonpublic personal information from a nonaffiliated financial institution under an exception in §§1016.14 or 1016.15 of this part, your disclosure and use of that information is limited as follows: (i) You may disclose the information to the affiliates of the financial institution from which you received the information; (ii) You may disclose the information to your affiliates, but your affiliates may, in turn, disclose and use the information only to the extent that you may disclose and use the information; and (iii) You may disclose and use the information pursuant to an exception in §§1016.14 or 1016.15 in the ordinary course of business to carry out the activity covered by the exception under which you received the information. [842401] |
| 842501 | Section 1016.11(b)(1) of Regulation P requires that if you are a financial institution that receives nonpublic personal information from a nonaffiliated financial institution other than under an exception in §§1016.14 or 1016.15 of this part, you may disclose the information only: (i) To the affiliates of the financial institution from which you received the information; (ii) To your affiliates, but your affiliates may, in turn, disclose the information only to the extent that you can disclose the information; and (iii) To any other person, if the disclosure would be lawful if made directly to that person by the financial institution from which you received the information. [842501] |
| 842601 | Section 1016.11(c) of Regulation P requires that if you are a financial institution that discloses nonpublic personal information to a nonaffiliated third party under an exception in §§1016.14 or 1016.15 of this part, the third party may disclose and use that information only as follows:The third party may disclose the information to your affiliates;The third party may disclose the information to its |

| Violation Codes | Description |
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| | affiliates, but its affiliates may, in turn, disclose and use the information only to the extent that the third party may disclose and use the information; and The third party may disclose and use the information pursuant to an exception in §§1016.14 or 1016.15 in the ordinary course of business to carry out the activity covered by the exception under which it received the information. [842601] |
| 842701 | Section 1016.11(d) of Regulation P requires that if you are a financial institution that discloses nonpublic personal information to a nonaffiliated third party other than under an exception in §§1016.14 or 1016.15 of this part, the third party may disclose the information only:<br>(1)To your affiliates;<br>(2)To its affiliates, but its affiliates, in turn, may disclose the information only to the extent the third party can disclose the information; and<br>(3)To any other person, if the disclosure would be lawful if you made it directly to that person. [842701] |
| 842901 | Section 1016.12(a) of Regulation P prohibits a financial institution from disclosing, directly or through an affiliate (other than to a consumer reporting agency), an account number or similar form of access number or access code for a consumer's credit card account, deposit account, or transaction account to any nonaffiliated third party for use in telemarketing, direct mail marketing, or other marketing through electronic mail to the consumer. [842901] |
| | **Flood Insurance** |
| 150000 | Uncoded. [150000] |
| 150101 | Section 339.3(a) of FDIC regulations prohibits a financial institution from making, increasing, extending, or renewing a designated loan secured by a building, a mobile home, or personal property unless the underlying security is covered by flood insurance. [150101] |
| 150102 | Section 339.3(a) of FDIC regulations requires that the building, mobile home, or personal property securinga designated loan be covered by flood insurance for the term of the loan. [150102] |
| 150103 | Section 339.3(a) of FDIC regulations requires that the amount of insurance must be at least equal to the lesser of the outstanding principal balance of the designated loan or the maximum limit of coverage available for the particular type of property securing the loan. [150103] |
| 150201 | Section 339.5 of FDIC regulations requires a financial institution that escrows taxes, insurance premiums, fees or any other charges for a loan secured by residential improved real estate or a mobile home that is made, increased, extended, or renewed on or after October 1, 1996, to also require the escrow of all premiums and fees for any required flood insurance. [150201] |
| 150202 | Section 339.5 of FDIC regulations requires a financial institution, or a servicer, to deposit the flood insurance premiums on behalf of the borrower in an escrow account. [150202] |
| 150203 | Section of 339.5 of FDIC regulations requires a financial institution to pay the amount owed to the insurance provider from the escrow account by the due date when such premiums are due following the receipt of a notice from the Director of FEMA or other provider of flood insurance that premiums are due. [150203] |
| 150301 | Section 339.6(b) of FDIC regulations requires the financial institution to maintain a copy of the completed standard flood hazard determination form, in either hard copy or electronic form, for the period of time the financial institution owns the loan. [150301] |
| 150401 | Section 339.6(a) of FDIC regulations requires a financial institution to use the standard flood hazard determination form developed by the Director of FEMA when determining whether the building or mobile home offered as collateral for a loan is or will be located in a special flood hazard area in which flood |

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| | insurance is available. [150401] |
| 150501 | Section 339.9(a) of FDIC regulations requires a financial institution to furnish a written notice to the borrower and to the servicer in all cases whether or not flood insurance is available under the Act for the collateral securing the loan when making, increasing, extending, or renewing a loan secured by a building or a mobile home located or to be located in a designated special flood hazard area. [150501] |
| 150502 | Section 339.9(c) of FDIC regulations requires that the financial institution provide the notice required by paragraph (a) of this section to the borrower within a reasonable time before the completion of the transaction, and to the servicer as promptly as practicable after the financial institution provides notice to the borrower and in any event no later than the time the bank provides other similar notices to the servicer concerning hazard insurance and taxes. [150502] |
| 150503 | Section 339.9(d) of FDIC regulations requires a financial institution to maintain a record of the receipt of the notices by the borrower and the servicer for the period of time the financial institution owns the loan. [150503] |
| 150601 | Section 339.7 of FDIC regulations requires a financial institution or servicer that determines at any time during the term of a designated loan, that the building or mobile home and any personal property securing the designated loan is not covered by flood insurance or is covered by flood insurance in an amount less than the amount required by Section 339.3 to notify the borrower that the borrower should obtain flood insurance, at the borrower's expense, in an amount at least equal to the amount required under Section 339.3 for the remaining term of the loan. [150601] |
| 150602 | Section 339.7 of FDIC regulations requires a financial institution or servicer to purchase insurance on the borrower's behalf if the borrower fails to obtain flood insurance within 45 days after notification. [150602] |

| Violation Codes | Description |
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| 150701 | Section 339.8(a) of FDIC regulations requires that a determination fee charged by a financial institution for determining whether the building or mobile home securing the loan is located in a special flood hazard areas be reasonable. [150701] |
| 150801 | Section 339.8(b) of FDIC regulations states that the determination fee authorized by paragraph (a) of this section may be charged to the borrower if the determination meets one of the following conditions:<br>(1)Is made in connection with a making, increasing, extending, or renewing of the loan that is initiated by the borrower;<br>(2)Reflects the Director of FEMA's revision or updating of floodplain areas or flood-risk zones;<br>(3)Reflects the Director of FEMA's publication of a notice or compendium that<br>(i)Affects the area in which building or mobile home securing the loan is located; or<br>(ii)By determination of the Director of FEMA, may reasonably require a determination whether the<br>building or mobile home securing the loan is located in a special flood hazard area; or<br>(4)Results in the purchase of flood insurance coverage by the lender or its servicer on behalf of the borrower under Section 339.7. [150801] |
| 150901 | Section 339.9(b) of FDIC regulations requires that the written notice include a warning, in a form approved by the Director of FEMA, that the building or the mobile home is or will be located in a special flood hazard area. [150901] |
| 150902 | Section 339.9(b) of FDIC regulations requires that the written notice include a description of the flood insurance purchase requirements set forth in section 102(b) of the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4012a(b)). [150902] |
| 150903 | Section 339.9(b) of FDIC regulations requires that the written notice include a statement, where applicable, that flood insurance coverage is available under the NFIP and may also be available from private insurers. [150903] |

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| 150904 | Section 339.9(b) of FDIC regulations requires that the written notice include a statement whether Federal disaster relief assistance may be available in the event of damage to the building or mobile home caused by flooding in a Federally-declared disaster. [150904] |
| 151001 | Section 339.9(e) of FDIC regulations states that a financial institution must obtain satisfactory written assurance from a seller or lessor that, within a reasonable time before the completion of the sale or lease transaction, the seller or lessor will provide an applicable notice required by paragraph (a) to a purchaser or lessee if the financial institution does not provide such notice. [151001] |
| 151002 | Section 339.9(e) of FDIC regulations requires a financial institution to maintain a record of the written assurance from the seller or lessor for the period of time the financial institution owns the loan. [151002] |
| 151101 | Section 339.9(f) of FDIC regulations requires a financial institution to use the prescribed language presented in appendix A to this part in the written notice to borrowers. [151101] |
| 151201 | Section 339.10(a) of FDIC regulations requires a financial institution to notify the Director of FEMA in writing of the identity of the servicer of the loan when a financial institution makes, increases, extends, renews, sells, or transfers a loan secured by a building or mobile home located or to be located in a special flood hazard area. [151201] |
| 151301 | Section 339.10(b) of FDIC regulations requires a financial institution to notify the Director of FEMA of any change in the servicer of a loan described in paragraph (a) of this section within 60 days after the effective date of change. [151301] |
| **G** | **Garnishment of Accounts Containing Federal Benefit Payments** |
| 720000 | Uncoded. [720000] |
| 720101 | Section 212.4(a) of Treasury's regulations requires that prior to taking any other action related to a garnishment order issued for Federal benefits against a debtor, and no later than two business days following receipt of the order, financial institutions shall examine the order to determine if the U.S. or a State child support enforcement agency has attached or included a Notice of Right to Garnish Federal Benefits. [720101] |
| 720110 | Section 212.4(b) of Treasury's regulations requires that if a Notice of Right to Garnish Federal Benefits is attached or included with a garnishment order then the financial institution shall follow its customary procedures for handling the order and shall not follow the procedures in §§ 212.5 and 212.6. [720110] |
| 720501 | Section 212.5(a) of Treasury's regulations requires financial institutions, when served a garnishment order, to perform an account review: (1) No later than two business days following receipt of the order and sufficient information from the creditor that initiated the order to determine whether the debtor is an account holder; or (2) In cases where the financial institution is served a batch of orders, by a later date that may be permitted by the creditor that initiated the orders. The financial institution shall maintain records of the creditor's permission consistent with § 212.11(b). [720501] |
| 720505 | Section 212.5(b) of Treasury's regulations requires a financial institution to follow its customary procedures for handling garnishment orders if the account review shows that a benefit agency did not deposit a benefit payment into the account during the look back period. [720505] |
| 720515 | Section 212.5(d) of Treasury's regulations requires that a financial institution perform an account review without consideration for any other account attributes or the garnishment order including but not limited to the following: (1) The presence of other funds, from whatever source, that may be commingled in the account with funds from a benefit payment; (2) The existence of a co-owner on the account; (3) The existence of benefit payments to multiple beneficiaries, and/or under multiple programs deposited in the |

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| | account; (4) The balance in the account provided the balance is above zero dollars on the date of account review; (5) Instructions to the contrary in the order; or (6) The nature of the debt or obligation underlying the order. [720515] |
| 720520 | Section 212.5(e) of Treasury's regulations requires that a financial institution perform an account review prior to taking any other actions related to the garnishment order that may affect funds in the account. [720520] |
| 720525 | Section 212.5(f) of Treasury's regulations requires that a financial institution perform the account review separately for each account in the name of an account holder against whom a garnishment order has been issued. A financial institution shall not trace the movement of funds between accounts by attempting to associate funds from a benefit payment deposited into one account with amounts subsequently transferred to another account. [720525] |
| 721001 | Section 212.6(a) of Treasury's regulations requires that the financial institution shall immediately calculate and establish the protected amount for an account. The financial institution shall ensure that the account holder has full and customary access to the protected amount, which the financial institution shall not freeze in response to the garnishment order. An account holder does not have to assert any right of garnishment exemption prior to accessing the protected amount in the account. [721001] |
| 721005 | Section 212.6(b) of Treasury's regulations requires the financial institution to calculate and establish the protected amount separately for each account in the name of an account holder. [721005] |
| 721010 | Section 212.6(c) of Treasury's regulations requires that the protected amount calculated and established by a financial institution shall be exempt from garnishment under law. [721010] |
| 721015 | Section 212.6(d) of Treasury's regulations requires that for funds in excess of the protected amount that the financial institution follows its customary procedures for handling garnishment orders, including freezing funds. [721015] |
| 721020 | Section 212.6(e) of Treasury's regulations requires the financial institution to issue a notice to the account holder named in the garnishment order. [721020] |
| 721025 | Section 212.6(f) of Treasury's regulations requires that the financial institution perform the account review only one time upon first service of a garnishment order. The financial institution shall not repeat the account review or take any other action related to the order if the same order is subsequently served again upon the financial institution. If the financial institution is subsequently served a new or different garnishment order against the same account holder then the financial institution shall perform a separate and new account review. [721025] |
| 721030 | Section 212.6(g) of Treasury's regulations states that a financial institution shall not continually garnish amounts deposited or credited to the account following the date of the account review, and shall not freeze any funds subsequently deposited or credited unless served with a new or different garnishment order. [721030] |
| 721035 | Section 212.6(h) of Treasury's regulations states that a financial institution shall not charge or collect a garnishment fee against a protected amount of Federal benefits, and may not charge or collect a garnishment fee after the date of the account review. [721035] |
| 721501 | Section 212.7(a) of Treasury's regulations requires that the financial institution send a notice in the following cases: (1) A benefit agency deposited a benefit payment into an account during the look back period; and (2) The balance in the account on the date of the account review was above zero dollars and the financial institution established a protected amount. [721501] |

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| 721505 | Section 212.7(b) of Treasury's regulations requires that a financial institution notify the account holder named in the garnishment order of the following facts and events in readily understandable language: (1) The financial institution's receipt of an order against the account holder; (2) The date the order was served; (3) A succinct explanation of garnishment; (4) The financial institution's requirement under Federal regulation to ensure that account balances up to the protected amount are protected and made available to the account holder if a benefit agency deposited a benefit payment into the account in the last two months; (5) The account subject to the order and the protected amount established by the financial institution; (6) The financial institution's requirement pursuant to State law to freeze other funds in the account to satisfy the order and the amount frozen, if applicable; (7) The amount of any garnishment fee charged to the account; (8) A list of the Federal benefit payments subject to this part; (9) The account holder's right to assert against the creditor that initiated the order a further garnishment exemption for amounts above the protected amount, by completing exemption claim forms, contacting the court of jurisdiction, or contacting the creditor, as customarily applicable for a given jurisdiction; (10) The account holder's right to consult an attorney or legal aid service in asserting against the creditor that initiated the order a further garnishment exemption for amounts above the protected amount; and (11) The name of the creditor, and if contact information is included in the order, means of contacting the creditor. [721505] |
| 721510 | Section 212.7(c) of Treasury's regulations permits the financial institution to notify the account holder named in the garnishment order of the following facts and events in readily understandable language: (1) Means of contacting a local free attorney or legal aid service; (2) Means of contacting the financial institution; (3) By issuing the notice required by this part, the financial institution is not providing legal advice. [721510] |
| 721520 | Section 212.7(e) of Treasury's regulations requires the financial institution to issue the notice directly to the account holder, or to a fiduciary who administers the account and receives communications on behalf of the account holder, and only information and documents pertaining to the garnishment order, including other notices or forms that may be required under State or local government law, may be included in the communication. [721520] |
| 721525 | Section 212.7(f) of Treasury's regulations requires the financial institution to send the notice to the account holder within three business days from the date of the account review. [721525] |
| 723001 | Section 212.11(b) of Treasury's regulations requires that a financial institution maintain records of account activity and actions taken in response to a garnishment order, sufficient to demonstrate compliance with this part, for a period of not less than two years from the date on which the financial institution receives the garnishment order. [723001] |
| **H** | **Home Mortgage Disclosure Act (HMDA)** |
| 370000 | Uncoded. [370000] |
| 370101 | Section 1003.4(a) of Regulation C requires a nonexempt financial institution to collect data regarding applications for, and originations and purchases of, home purchase loans, home improvement loans, and refinancings for each calendar year. An institution is required to collect data regarding requests under a preapproval program (as defined in § 1003.2) only if the preapproval request is denied or results in the origination of a home purchase loan. All reportable transactions shall be recorded within thirty calendar days after the end of the calendar quarter in which final action is taken. [370101] |
| 370102 | Section 1003.4(a) of Regulation C requires a nonexempt financial institution to collect certain data on applications for, and originations and purchases of, home purchase loans, home improvement loans, and refinancings for each calendar year. An institution is required to collect data regarding requests under a |

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| | preapproval program (as defined in § 1003.2) only if the preapproval request is denied or results in the origination of a home purchase loan. These data must be collected on a register in the format prescribed in Appendix A. The data recorded shall include the following items:<br>(1) An identifying number for the loan or loan application, and the date the application was received.<br>(2) The type of loan or application.<br>(3) The purpose of the loan or application.<br>(4)Whether the application is a request for preapproval and whether it resulted in a denial or in an origination.<br>(5)The property type to which the loan or application relates.<br>(6)The owner-occupancy status of the property to which the loan or application relates.<br>(7)The amount of the loan or the amount applied for.<br>(8)The type of action taken, and the date.<br>(9)The location of the property to which the loan or application relates, by MSA or by Metropolitan Division, by state, by county, and by census tract, if the institution has a home or a branch office in that MSA or Metropolitan Division.<br>(10)The ethnicity, race, and sex of the applicant or borrower, and the gross annual income relied on in processing the application.<br>(11)The type of entity purchasing a loan that the institution originates or purchases and then sells within the same calendar year (this information need not be included in quarterly updates).<br>(12)For originated loans subject to Regulation Z, 12 CFR part 1026, the difference between the loan's annual percentage rate (APR) and the average prime offer rate (as defined in paragraph (ii) of this section) for a comparable transaction as of the date the interest rate is set, if that difference is equal to or greater than 1.5 percentage points for loans secured by a first lien on a dwelling, or equal to or greater than 3.5 percentage points for loans secured by a subordinate lien on a dwelling.<br>(13)Whether the loan is subject to the Home Ownership and Equity Protection Act of 1994.<br>(14)The lien status of the loan or application (first lien, subordinate lien, or not secured by a lien on a dwelling). [370102] |

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| 370103 | Section 1003.4(a) of Regulation C requires a nonexempt financial institution to collect data regarding applications for, and originations and purchases of, home purchase loans, home improvement loans, and refinancings for each calendar year. These transactions shall be recorded in accordance with Appendix A and the Official Staff Commentary on Regulation C, which provides that a nonexempt financial institution should not report as originations loans that it forwarded to another lender for approval prior to closing, and that were approved and subsequently acquired by that lender (whether or not they were closed in the name of the nonexempt financial institution). Additionally, the Official Staff Commentary on Regulation C provides that a nonexempt financial institution shall report the data for all applications that did not result in originations (whether or not they would have closed in the name of the nonexempt financial institution). [370103] |
| 370301 | Section 1003.4(b) of Regulation C requires a nonexempt financial institution to collect data regarding applications for, and originations and purchases of, home purchase loans, home improvement loans, and refinancings for each calendar year. An institution is required to collect data regarding requests under a preapproval program (as defined in § 1003.2) only if the preapproval request is denied or results in the origination of a home purchase loan. These collected data shall include the ethnicity, race, and sex of the applicant or borrower as prescribed in Appendix B. [370301] |
| 370302 | Section 1003.4(d) of Regulation C requires that a nonexempt financial institution shall not report:<br>(1) Loans originated or purchased by the financial institution acting in a fiduciary capacity (such as trustee);<br>(2) Loans on unimproved land;<br>(3) Temporary financing (such as bridge or construction loans);<br>(4) The purchase of an interest in a pool of loans (such as mortgage-participation certificates, mortgage-backed securities, or real estate mortgage investment conduits);<br>(5) The purchase solely of the right to service |

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| | loans; or<br>(6) Loans acquired as part of a merger or acquisition, or as part of the acquisition of all of the assets and liabilities of a branch office as defined in § 1003.2(1). [370302] |
| 370303 | Section 1003.4(e) of Regulation C requires nonexempt banks and savings associations that are required to report data on small business, small farm, and community development lending under regulations that implement the Community Reinvestment Act of 1977 to also collect the location of property located outside metropolitan areas in which the institution has a home or branch office, or outside any metropolitan area. [370303] |
| 370501 | Section 1003.5(a)(1) of Regulation C requires a nonexempt financial institution to send its complete loan/application register to the agency office specified in Appendix A by March 1 following the calendar year for which the loan data are compiled. The institution shall retain a copy for its records for at least three years. [370501] |
| 370505 | Section 1003.5(a)(2of Regulation C requires a nonexempt subsidiary of a bank or savings association to complete a separate loan/application register. The subsidiary shall submit the register, directly or through its parent, to the agency that supervises its parent, to the agency office specified in Appendix A, by March 1 following the calendar year for which the loan data are compiled. The subsidiary shall retain a copy for its records for at least three years. [370505] |
| 370701 | Section 1003.5(b)(2) of Regulation C requires a nonexempt financial institution to make its disclosure statement (prepared by the FFIEC) available to the public at its home office no later than three business days after receiving it from the FFIEC. [370701] |
| 370702 | Section 1003.5(b)(3) of Regulation C requires a nonexempt financial institution to either:<br>(i)Make its disclosure statement available to the public, within ten business days of receiving it, in at least one branch office in each other metropolitan area where the institution has offices (the disclosure statement need only contain data relating to the metropolitan area where the branch is located); or<br>(ii)Post the address for sending written requests in the lobby of each branch office in other metropolitan area where the institution has offices; and mail or deliver a copy of the disclosure statement within fifteen calendar days of receiving a written request (The disclosure statement need only contain data relating to the metropolitan area for which the request is made.). Including the address in the general notice required under paragraph (e) of this section satisfies this requirement. [370702] |
| 370801 | Section 1003.5(c) of Regulation C requires a nonexempt financial institution to make its loan/application register available to the public after removing the following information regarding each entry: the application or loan number, the date that the application was received, and the date action was taken. An institution shall make its modified register available following the calendar year for which the data are compiled, by March 31 for a request received on or before March 1, and within thirty calendar days for a request received after March 1. The modified register need only contain data relating to the metropolitan area for which the request is made. [370801] |
| 370901 | Section 1003.5(d) of Regulation C requires a nonexempt financial institution to make its modified register available to the public for a period of three years and its disclosure statement available for a period of five years. An institution shall make the data available for inspection and copying during the hours the office is normally open to the public for business. It may impose a reasonable fee for any cost incurred in providing or reproducing the data. [370901] |
| 371101 | Section 1003.5(e) of Regulation C requires a nonexempt financial institution to post a general notice about the availability of its HMDA data in the lobby of its home office and of each branch office located in a metropolitan area. An institution shall provide promptly upon request the location of the |

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| | institution's offices where the statement is available for inspection and copying, or it may include the location in the lobby notice. [371101] |
| | **Homeowners Protection Act** |
| 830000 | Uncoded. [830000] |
| 830101 | Section 4(a)(1) of the Homeowners Protection Act requires written initial disclosures at the time of consummation for residential mortgage transactions requiring borrower paid mortgage insurance. [830101] |
| 830102 | Section 4(a)(1)(A) of the Homeowners Protection Act requires specific information on the initial disclosures for a fixed rate residential mortgage transaction. This information includes an initial amortization schedule, notice of the borrower's right to request the cancellation of the private mortgage insurance (PMI) at a scheduled or actual 80% loan-to-value level, the automatic termination date when the PMI is scheduled to reach a 78% loan-to-value level, and the Act's exemptions from cancellation or termination. [830102] |
| 830103 | Section 4(a)(1)(B) of the Homeowners Protection Act requires an initial disclosure notice for adjustable rate residential mortgage transactions that includes the borrower's right to request the cancellation of the private mortgage insurance (PMI) at a scheduled or actual 80% loan-to-value level, the servicer's requirement to notify the borrower when the 80% loan-to-value level is scheduled or achieved, the requirement to automatically terminate the PMI at a 78% loan-to-value level, and the Act's exemptions from cancellation or termination. [830103] |
| 830201 | Section 4(a)(2) of the Homeowners Protection Act requires an initial disclosure notice for high-risk residential mortgage transactions stating that private mortgage insurance would not be required beyond the midpoint of the loan's amortization schedule if the payments are current. [830201] |
| 830202 | Section 6(c)(1) of the Homeowners Protection Act requires, in a residential mortgage transaction involving lender paid mortgage insurance, that the written notice containing information specified under this section be provided not later than the date of the loan commitment. [830202] |
| 830203 | Section 6(c)(1) of the Homeowners Protection Act requires, in a residential mortgage transaction involving lender paid mortgage insurance, that a written notice be provided to the borrower explaining certain unique features of "lender paid mortgage insurance" (LPMI) and how this type of insurance differs from "borrowerpaid mortgage insurance" (BPMI). [830203] |
| 830301 | Section 4(a)(3) of the Homeowners Protection Act requires annual written statements for residential mortgage transactions that require private mortgage insurance (PMI). The annual statement must set forth the borrower's rights to cancellation or termination of the PMI and the servicer's address and telephone number so the borrower may contact the servicer to determine if the borrower may cancel the PMI. [830301] |
| 830302 | Section 4(a)(1)(B) of the Homeowners Protection Act requires the servicer to notify the borrower when the principal balance of an adjustable rate residential mortgage transaction reaches 80% of the original value ofthe secured property so the borrower may have the opportunity to request that PMI be cancelled. [830302] |
| 830303 | Section 4(b) of the Homeowners Protection Act requires annual written statements for residential mortgages requiring private mortgage insurance (PMI) that were consummated before July 29, 1999. The statements must indicate that the PMI may be canceled with the consent of the lender or in accordance withstate law and shall include the servicer's address and telephone number so the borrower may contact the servicer to determine if the borrower may cancel the PMI. [830303] |
| 830401 | Section 5(a) of the Homeowners Protection Act requires the servicer to notify the borrow- |

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| | er in writing not later than 30 days after the private mortgage insurance (PMI) is cancelled or terminated. The notice shall disclose that the PMI is terminated and the borrower no longer has the PMI, and that no further premiums, payments, or other fees are due or payable by the borrower in connection with the PMI. [830401] |
| 830402 | Section 5(b)(1) of the Homeowners Protection Act requires the servicer to provide a written notice to the borrower that a mortgage will not qualify for cancellation or termination of private mortgage insurance. The notice shall disclose the grounds on which the request was determined. If an appraisal was used, the servicer must give the results of the appraisal to the borrower. [830402] |
| 830403 | Section 5(b)(2) of the Homeowners Protection Act requires that the notice required under Section 5(b)(1) must be provided not later than 30 days following the later of: (1) the date the borrower's request for cancellation is received; or (2) the date on which the borrower satisfies any evidence or certification requirements. If the requirements of an automatic termination are not met, the notice is due not later than 30 days after the scheduled termination date. [830403] |
| 830501 | Section 6(c)(2) of the Homeowners Protection Act requires, in a residential mortgage transaction involving lender paid mortgage insurance, that a written notice to be provided to the borrower not later than 30 days after the termination date that would apply in the case of borrower paid mortgage insurance. The notice shall indicate that the borrower may wish to review financing options that could eliminate the requirement for private mortgage insurance. [830501] |
| 830502 | Section 3(a) of the Homeowners Protection Act requires the servicer to cancel private mortgage insurance (PMI) when the borrower submits a request in writing to the servicer, has a good payment history, and meets certain previously established qualifications.[830502] |
| 830503 | Section 3(b) of the Homeowners Protection Act requires the servicer to terminate private mortgage insurance (PMI) on the earliest date that both: (1) the mortgage principal is scheduled to reach 78% of the original value of the secured property; and (2) the borrower is current on mortgage payments. [830503] |
| 830601 | Section 3(c) of the Homeowners Protection Act prohibits the servicer from requiring private mortgage insurance beyond the first day of the month immediately following the date that is the midpoint of the loan's amortization period if the loan payments are current. [830601] |
| 830602 | Section 3(d) of the Homeowners Protection Act prohibits additional payments or premiums for private mortgage insurance 30 days after the insurance is cancelled or terminated. [830602] |
| 830603 | Section 3(e) of the Homeowners Protection Act requires the servicer to return all unearned private mortgage insurance (PMI) premiums to the borrower within 45 days after canceling or terminating PMI coverage. [830603] |
| 830701 | Section 3(f)(2) of the Homeowners Protection Act requires the servicer to terminate borrower paid mortgage insurance for high-risk non-conforming loans when the mortgage principal is scheduled to reach 77% of the original value of the secured property. [830701] |
| 830702 | Section 7 of the Homeowners Protection Act prohibits the imposition of fees or other costs on any borrower with respect to any disclosure or notification requirements of this Act. [830702] |
| | **Homeownership Counseling** |
| 900000 | Uncoded. [900000] |
| 900101 | Section 106(c)(5) of the Housing and Urban Development Act of 1968, as amended, requires a creditor within 45 days of delinquency to notify the eligible homeowner who fails to pay any amount by the due date of the availability of homeownership counseling. The notice shall: (i) notify the homeowner or |

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| | mortgage applicant of the availability of any homeownership counseling offered by the creditor (or proposed creditor); (ii) if provided to an eligible mortgage applicant, state that completion of a counseling program is required for insurance pursuant to section 203 of the National Housing Act; and (iii) notify the homeowner or mortgage applicant of the availability of homeownership provided by nonprofit organizations approved by the Secretary and experienced in the provision of homeownership counseling, or provide the toll-free telephone number described in subparagraph (D)(i); and (iv) notify the homeowner by a statement or notice, written in plain English by the Secretary of Housing and Urban Development, in consultation with the Secretary of Defense and the Secretary of Treasury, explaining the mortgage and foreclosure rights of servicemembers, and the dependents of such servicemembers, under the Servicemembers Civil Relief Act (50 U.S.C. App 501 et seq.), including the toll-free military one source number to call if service-members, or the dependents of such service-members, require further assistance. [900101] |
| **I** | **Interstate Branching and Banking** |
| 820000 | Uncoded. [820000] |
| 820101 | Part 369 of the FDIC regulations prohibits a bank from using any authority to engage in interstate branching pursuant to the Interstate Act primarily for the purpose of deposit production. The bank's statewide loan-to-deposit ratio is less than 50 percent of the relevant host state loan-to-deposit ratio and the bank is not meeting the credit needs of the communities in the host state that are served by the bank. [820101] |
| **L** | **Limitations On Terms Of Consumer Credit Extended To Service Members And Dependents – PART 232** |
| 760000 | Uncoded. [760000] |
| 760401 | Section 232.4(b) of the Department of Defense regulations states that a creditor or an assignee may not impose an MAPR greater than 36 percent in connection with an extension of consumer credit to a covered borrower. [760401] |
| 760501 | Section 232.5(a)(1) of Limitations on Terms of Consumer Credit Extended to Service Members and Dependents requires a nonex-empt financial institution provide each applicant prior to becoming obligated on the covered transaction, a clear and conspicuous “covered borrower identification statement.” In addition, each applicant is required to sign the statement indicating either they are or are not a covered borrower. [760501] |
| 760601 | Section 232.6(a) of the Department of Defense regulations requires a creditor to provide the member or dependent the following infor-mation clearly and conspicuously before consummation of the consumer credit transaction: (1) The MAPR and the total dollar amount of all charges included in the MAPR; (2) Anydisclosures required by Regulation Z; (3) A clear description of the payment obligation of the covered borrower; and (4) A statement that says in part, "Federal law provides important protections to regular or reserve members of the Army, Navy, Marine Corps, Air Force, or Coast Guard, serving on active duty under a call or order that does not specify a period of 30 days or fewer, and their dependents." [760601] |
| 760701 | Section 232.6(b)(1) of the Department of Defense regulations requires that the creditor provide the disclosures required by this part in writing in a form the covered borrower can keep. [760701] |
| 760702 | Section 232.6(b)(2) of the Department of Defense regulations requires that the creditor provide the disclosures required by this part orally before consummation. [760702] |
| 760901 | Section 232.8(a) of the Department of Defense regulations makes it unlawful for any creditor to extend consumer credit to a covered borrower when: (1) The creditor rolls over, renews, repays, refinances, or consolidates any consumer credit extended to the covered borrower by the same creditor with the |

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| | proceeds of other consumer credit extended by that creditor to the same borrower, unless the new transaction results in more favorable terms to the covered borrower, such as a lower MAPR; (2) The covered borrower is required to waive the covered borrower's right to legal recourse under any otherwise applicable provision of State or Federal law; (3) The creditor requires the covered borrower to submit to arbitration or imposes other onerous legal notice provisions in the case of a dispute; (4) The creditor demands unreasonable notice from the covered borrower as a condition for legal action; (5) The creditor uses a check or other method of access to a deposit, savings, or other financial account maintained by the covered borrower; (6) The creditor requires that the covered borrower establish an allotment to repay the obligation; and (7) The covered borrower is prohibited from prepaying the consumer credit or is charged a penalty fee for prepaying all or part of the consumer credit. [760901] |
| **N** | **NDP – Insurance Sales** |
| 860000 | Uncoded. [860000] |
| 860101 | Section 343.30(a) of FDIC regulations prohibits banks and others who act on their behalf or who sell insurance on bank premises from engaging in any practice that would lead a consumer to believe that an extension of credit is conditional upon either:<br>(1)the purchase of an insurance product or annuity from the bank or any of its affiliates; or<br>(2)an agreement by the consumer not to obtain, or a prohibition on the consumer from obtaining, an insurance product or annuity from an unaffiliated entity. [860101] |
| 860110 | Section 343.30(b)(1) of FDIC regulations prohibits banks, others who act on their behalf, and others who sell insurance on bank premises from engaging in any practice or using any advertisement at any office of, or on behalf of, the bank or a subsidiary of the bank that could mislead any person or otherwise cause a reasonable person to reach an erroneous belief with respect to the fact that an insurance product or annuity sold or offered for sale is not backed by the Federal government or the bank, or the fact that the insurance product or annuity is not insured by the FDIC. [860110] |
| 860120 | Section 343.30(b)(2) of FDIC regulations prohibits banks, others who act on their behalf, and others who sell insurance on bank premises from engaging in any practice or using any advertisement at any office of, or on behalf of, the bank or a subsidiary of the bank that could mislead any person or otherwise cause a reasonable person to reach an erroneous belief with respect to the fact that an insurance product or annuity that involves investment risk does involve such risk, including the potential that principal may be lost and that the product may decline in value. [860120] |
| 860130 | Section 343.30(b)(3) of FDIC regulations prohibits banks and others who act on their behalf or who sell insurance on bank premises from engaging in any practice or using any advertisement at any office of, or on behalf of, the bank or a subsidiary of the bank that could mislead any person or otherwise cause a reasonable person to reach an erroneous belief with respect to the fact that:<br>(1)the approval of an extension of credit to a consumer by the bank or subsidiary may not be conditioned on the purchase of an insurance product or annuity by the consumer from the bank or a subsidiary of the bank; and<br>(2)the consumer is free to purchase the insurance product or annuity from another source. [860130] |
| 860201 | Section 343.30(c) of FDIC regulations prohibits banks, others who act on their behalf, and others who sell insurance on bank premises from selling or offering for sale, as principal, agent, or broker, any life or health insurance product if the status of the applicant or insured as a victim of domestic violence or as a provider of services to victims of domestic violence is considered as a criterion in any decision with regard to insurance underwriting, pricing, renewal, or scope of coverage of such product, or with regard to the payment of insurance claims on such product, |

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| | except as required or expressly permitted under state law. [860201] |
| 860301 | Section 343.40(a) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must, in connection with the initial purchase of an insurance product or annuity by a consumer, disclose to the consumer, except to the extent the disclosure would not be accurate, that:<br>(1)the insurance product or annuity is not a deposit or other obligation of, or guaranteed by, the bank or an affiliate of the bank;<br>(2)the insurance product or annuity is not insured by the FDIC or any other agency of the United States, the bank, or (if applicable) an affiliate of the bank; and<br>(3)in the case of an insurance product or annuity that involves an investment risk, there is investment risk associated with the product, including the possible loss of value. [860301] |
| 860310 | Section 343.40(b) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must in the case of an application for credit in connection with which an insurance product or annuity is solicited, offered, or sold, disclose that the bank may not condition an extension of credit on either:<br>(1)the consumer's purchase of an insurance product or annuity from the bank or any of its affiliates; or<br>(2)the consumer's agreement not to obtain, or a prohibition on the consumer from obtaining, an insurance product or annuity from an unaffiliated entity. [860310] |
| 860401 | Section 343.40(c)(1) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must provide the disclosures required by §343.40(a) orally and in writing before the completion of the initial sale of an insurance product or annuity to a consumer, unless the exceptions contained in §343.40(c)(2),(3),or (4) for sales transacted by mail, telephone or electronically are applicable. [860401] |
| 860420 | Section 343.40(c)(2) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must provide the disclosures required by §343.40(b) orally and in writing at the time the consumer applies for an extension of credit in connection with which an insurance product or annuity is solicited, offered, or sold, unless the exceptions contained in §343.40(c)(2),(3),or (4) for sales transacted by mail, telephone, or electronically are applicable. [860420] |
| 860450 | Section 343.40(c)(5) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must provide all disclosures required by §343 in a manner which is conspicuous, simple, direct, readily understandable, and designed to call attention to the nature and significance of the information provided. [860450] |
| 860460 | Section 343.40(c)(6) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must provide all disclosures required by §343 in a meaningful form. [860460] |
| 860470 | Section 343.40(c)(7) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must obtain from the consumer, at the time a consumer receives the disclosures required under §343.40(a) or (b), or at the time of the initial purchase by the consumer of an insurance product or annuity, a written acknowledgment by the consumer that the consumer received the disclosures, unless an exception for sales transacted by telephone is applicable. [860470] |
| 860501 | Section 343.40(d) of FDIC regulations requires that banks, others who act on their behalf, and others who sell insurance on bank premises must provide the disclosures described in §343.40(a) in advertisements and promotional material for insurance products or annuities unless the advertisements and promotional materials are of a general nature describing or listing the services or products offered by a bank. [860501] |

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| 860601 | Section 343.50(a) of FDIC regulations requires banks, to the extent practicable, to keep the area where they conduct transactions involving insurance products or annuities physically segregated from areas where retail deposits are routinely accepted from the general public, identify the areas where insurance product or annuity sales activities occur, and clearly delineate and distinguish those areas from the areas where the bank's retail deposit-taking activities occur. [860601] |
| 860610 | Section 343.50(b) of FDIC regulations prohibits a bank teller from referring a consumer who seeks to purchase an insurance product or annuity to a qualified person who sells that product except unless the teller receives no more than a one-time, nominal fee of a fixed dollar amount for each referral that does not depend on whether the referral results in a transaction. [860610] |
| 860701 | Section 343.60 of FDIC regulations prohibits a bank from permitting any person to sell or offer for sale any insurance product or annuity in any part of its office or on its behalf, unless the person is at all times appropriately qualified and licensed under applicable State insurance licensing standards with regard to the specific products being sold or recommended. [860701] |
| | **NDP – Investment Sales** |
| 870101 | Section 344.2(b)of FDIC regulations requires that banks which effect securities transactions for customers maintain, directly or indirectly, effective systems of records and controls regarding their customer securities transactions to ensure safe and sound operations. The records and systems maintained must clearly and accurately reflect the information required under §344 and provide an adequate basis for an audit. [870101] |
| 870201 | Section 344.4(a) of FDIC regulations requires that banks which effect securities transactions for customers which are not subject to the exceptions listed in §344.2 maintain for three years the following categories of records: Chronological, Account, Order Ticket, Record of Broker/Dealers, and Notification, which are described in detail in §344.4 (a). [870201] |
| 870301 | Section 344.5 of FDIC regulations requires that banks which effect securities transactions for customers which are not subject to the exceptions listed in §344.2 shall give or send, by mail, facsimile or other means of electronic transmission, to the customers at or before completion of the transaction either a broker/dealer confirmation or a written notification in the form required by §344.5(b), unless notification is provided in an alternative form or at an alternative time as provided by §344.6. [870301] |
| 870320 | Section 344.6(c)(1) of FDIC regulations requires that where banks exercise investment discretion over accounts for which they serve as agents, the banks must provide the customers who own these accounts with an itemized statement at least once every three months. The statement must specify the funds and securities in the custody or possession of the bank at the end of the period covered by the statement, as well as all debits, credits and transactions in the customer's account during this period. [870320] |
| 870330 | Section 344.6(c)(2) of FDIC regulations requires that banks that exercise investment discretion over accounts for which they serve as agents must, if requested by the customers who own these accounts, provide such customers with the written notification described in 344.5. [870330] |
| 870340 | Section 344.6 (d) of FDIC regulations requires that banks which effect securities transactions for cash management sweep accounts send their customers a written statement, in the form required by § 344.6(f), for each month in which a purchase or sale of a security takes place in such accounts and not less than once every three months if no securities transactions occur. [870340] |
| 870350 | Section 344.6 (e) of FDIC regulations requires that banks which offer collective investment fund accounts shall, at least annually, provide customers with a fund financial report or provide notice that such a report is available to |

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| | each person to whom a regular periodic accounting would ordinarily be rendered. The report shall be based on an audit by independent public accountants or internal auditors responsible only to the board of directors of the bank. [870350] |
| 870370 | Section 344.6 (f) of FDIC regulations requires that banks which offer periodic plan accounts provide, not less than every three months, a written statement showing: the funds or securities in the custody or possession of the bank; all service charges and commissions paid by the customer in connection with plan account transactions; and all other debits and credits of the customers' plan account. [870370] |
| 870380 | Section 344.6 (f)(3) of FDIC regulations requires that banks which offer periodic plan accounts provide, upon receipt of a written request, the information described in § 344.5, except that information that relates to remuneration paid to the bank by a source other than the customer need not be provided. [870380] |
| 870401 | Section 344.7 of FDIC regulations prohibits banks from effecting or entering into a contract for the purchase or sale of a security (other than an exempted security as defined in §344.7) that provides for payment of funds and delivery of securities later than the third business day after the date of the contract unless otherwise expressly agreed to by the parties at the time of the transaction or unless the contract is subject to an exception listed in §344.7(b). [870401] |
| 870501 | Section 344.8 (a)(1) of FDIC regulations requires that banks which effect securities transactions for customers which are not subject to the exceptions listed in §344.2 shall establish written policies and procedures providing for the assignment of responsibility for supervision of all officers or employees who: (1) transmit orders to or place orders with broker/dealers; or (2) execute transactions in securities for customers. [870501] |
| 870520 | Section 344.8(a)(2) of FDIC regulations requires that banks which effect securities transactions for customers which are not subject to the exceptions listed in §344.2 shall establish written policies and procedures providing for the assignment of responsibility for supervision and reporting, separate from those in §344.8(a)(1), with respect to all officers or employees who process orders for notification or settlement purposes, or perform other back office functions with respect to securities transactions effected for customers. [870520] |
| 870530 | Section 344.8(a)(3) of FDIC regulations requires that banks which effect securities transactions for customers which are not subject to the exceptions listed in §344.2 shall establish written policies and procedures providing for the fair and equitable allocation of securities and prices to accounts when orders for the same security are received at approximately the same time and are placed for execution either individually or in combination. [870530] |
| 870540 | Section 344.8(a)(4) of FDIC regulations requires that banks which effect securities transactions for customers which are not subject to the exceptions listed in §344.2 shall establish written policies and procedures providing, where applicable, and where permissible under local law, for the crossing of buy and sell orders on a fair and equitable basis to the parties to the transaction. [870540] |
| 870601 | Section 344.9(a) of FDIC regulations requires that unless subject to an exception listed in either §344.2 or §344.9(b), bank officers and employees who: (1)make investment recommendations or decisions for the accounts of customers; (2)participate in the determination of such recommendations or decisions; or (3)in connection with their duties, obtain information concerning which securities are being purchased or sold or recommend such action; must report to the bank, within ten business days after the end of the calendar quarter, all transactions in securities made by them or on their behalf, either at the bank or elsewhere in which they have a beneficial interest. The report must identify the securities purchased or sold and indicate the dates of the |

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| | transactions and whether the transactions were purchases or sales. [870601] |
| 880101 | Section 403.5(d)(1)(i) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty obtain the repurchase agreement in writing, unless the institution is subject to the exception set forth in § 403.5(d)(3). [880101] |
| 880120 | Section 403.5(d)(1)(ii) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty confirm in writing the specific securities that are the subject of a repurchase transaction pursuant to such agreement at the end of the day of initiation of the transaction and at the end of any other day during which other securities are substituted if the substitution results in a change to issuer, maturity date, par amount or coupon rate specified in the previous confirmation, unless the institution is subject to the exception set forth in §403.5(d)(3). [880120] |
| 880130 | Section 403.5(d)(1)(iii) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty advise the counterparty in the repurchase agreement that the funds held by the financial institution pursuant to a repurchase transaction are not a deposit and therefore are not insured by the Federal Deposit Insurance Corporation, or the National Credit Union Share Insurance Fund, as applicable, unless the institution is subject to the exception set forth in §403.5(d)(3). [880130] |
| 880140 | Section 403.5(d)(1)(iv) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty, include in the written repurchase agreement the provision by which the financial institution retains the right to substitute securities, if the counterparty agrees to grant the financial institution the right to substitute securities, unless the institution is subject to the exception set forth in §403.5(d)(3). [880140] |
| 880150 | Section 403.5(d)(1)(v) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty, includes in the written repurchase agreement the Required Disclosure Statement set forth in § 403.5(d)(1)(v) if the counterparty agrees to grant the financial institution the right to substitute securities unless the institution is subject to the exception set forth in §403.5(d)(3). [880150] |
| 880160 | Section 403.5(d)(1)(vi) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty, must maintain possession or control of securities that are the subject of the agreement in accordance with 17 CFR §450.4(a) of Treasury regulations , except when exercising its right of substitution in accordance with the provisions of the agreement and §403.5(d)(1)(iv), unless the institution is subject to the exception set forth in §403.5(d)(3). [880160] |
| 880201 | Section 403.5(d) (2) (i) of Treasury regulations requires that a financial institution which retains custody of securities that are the subject of a repurchase agreement between the financial institution and a counterparty make use of confirmations which specify the items listed in § 403.5(d)(2)(i), unless the institution is subject to the exception set forth in § 403.5(d)(3). [880201] |
| 890000 | Uncoded. [890000] |
| 890101 | Section 450.4(a)(1) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities for customer accounts must keep customer securities (including securities of counterparties to hold-in-custody repurchase transactions) segregated from the assets of the bank |

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| | and kept free from liens, charges, or claims of third parties granted or created by the bank. [890101] |
| 890201 | Section 450.4(a)(2)(i) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities for customer accounts, but which maintains such securities at another bank must:<br>(1)notify the custodial institution that the securities belong to the customers and should be maintained in separate, designated customer accounts;<br>(2)receive adequate assurances from the custodian bank that customer securities are being maintained in an account designated for customers which does not contain any proprietary securities of the bank; and<br>(3)instruct the custodial institution to keep such customer securities free of liens, charges, or claims. [890201] |
| 890210 | Section 450.4(a)(2)(ii) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities as a custodian for other institutions must keep identified customer securities separate from other securities held for the other institution. [890210] |
| 890220 | Section 450.4(a)(2)(i)(B) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities as a custodian for other institutions must maintain these securities in a separate, designated account. [890220] |
| 890301 | Section 450.4(a)(3)(i) of Treasury Department regulations (17 CFR) requires that a bank which holds customer securities that are maintained at a Federal Reserve Bank ensure that any lien, charge or other claim of such Federal Reserve Bank or other person claiming through it against securities of the bank expressly excludes customer securities. [890301] |
| 890401 | Section 450.4(a)(4)(i) of Treasury Department regulations (17 CFR) requires that in instances where the bank holds identified customer securities or customer securities placed in a "segregated account" by and for a broker or dealer, the bank must keep such securities free from liens. [890401] |
| 890410 | Section 450.4(a)(4)(ii) Treasury Department regulations (17 CFR) requires that in instances where:<br>(1)the bank holds identified customer securities or customer securities placed in a "segregated account" by and for a broker or dealer;<br>(2)the bank is a clearing bank, and<br>(3)the bank does not transfer securities to a segregated account as instructed by the broker or dealer because of the need for collateral for an extension of clearing credit; the bank must notify the proper regulatory agency of the broker or dealer and segregate such securities as soon as the securities are no longer required for collateral. [890410] |
| 890420 | Section 450.4(a)(6) of Treasury Department regulations (17 CFR) requires that in instances where:<br>(1)the bank holds identified customer securities or customer securities placed in a "segregated account" by and for a broker or dealer; and<br>(2)the securities are subject to a securities lending arrangement;the bank must carry out the loan of securities in full compliance with FFIEC Policy Statement on Securities Lending. [890420] |
| 890501 | Section 450.4(b)(1) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities for customer accounts must issue a confirmation or safekeeping receipt identifying the issuer, maturity date, par amount, and coupon rate for each security held for a customer. [890501] |
| 890550 | Section 450.4(b)(2) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities for customer accounts, but does not send confirmations to non-U.S. citizens residing outside the United States, must obtain a written waiver from the customer. [890550] |
| 890601 | Section 450.4(c) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities for |

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| | customer accounts must keep customer securities records separately from other records, and ensure that such records contain the information required by §450.4(c). [890601] |
| 890701 | Section 450.4(d) of Treasury Department regulations (17 CFR) requires that a bank which holds government securities for customer accounts must count or verify government securities held for customers by the bank or by other institutions annually, and reconciles these counts with customer accounts and with custodian accounts held for customers. [890701] |
| 890725 | Section 450.4(d)(2)of Treasury Department regulations (17 CFR) require that where a bank holds government securities for customer accounts which are in transfer, in transit, pledged, loaned, borrowed, deposited, not received, not delivered, subject to repurchase or reverse repurchase agreements, or subject to bank's control but not in its possession, the bank must verify such securities after thirty days in such status. [890725] |
| 890750 | Section 450.4(d)(3) of Treasury Department regulations (17 CFR) require that where a bank holds government securities for customer accounts which are in transfer, in transit, pledged, loaned, borrowed, deposited, not received, not delivered, subject to repurchase or reverse repurchase agreements, or subject to bank's control but not in its possession, the bank must document the required counts and reconcilements, along with any differences, within seven days. [890750] |
| 890801 | Section 450.4(e) of Treasury Department regulations (17 CFR) require that where the bank holds identified customer securities or customer securities placed in a "segregated account" by and for a broker or dealer, the bank must keep such securities separate from other securities of the broker or dealer. [890801] |
| 890901 | Section 450.4(f) of Treasury Department regulations (17 CFR) require that a bank which holds government securities for customer accounts must preserve customer records and counts of securities for six years. [890901] |
| **O** | **Other Laws** |
| 990000 | Uncoded. [990000] |
| **P** | **Preservation of Consumers' Claims and Defenses** |
| 260000 | Uncoded. [260000] |
| 260101 | Section 433.2(a) of the Federal Trade Commission's Rule regarding Preservation of Consumers' Claims and Defenses prohibits a seller from taking or receiving a consumer credit contract which fails to contain the prescribed notice. [260101] |
| 260301 | Section 433.2(b) of the Federal Trade Commission's Rules regarding Preservation of Consumers' Claims and Defenses prohibits a seller from accepting the proceeds of any purchase money loan, as full or partial payment of a consumer credit contract, unless the consumer credit contract made in connection with such purchase money loan contains the prescribed notice. [260301] |
| | **Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure (Sweep Accounts) – Part 360.8** |
| 910101 | Section 360.8(e) of FDIC regulations requires beginning July 1, 2009, in all new sweep account contracts, in renewals of existing sweep account contracts and within sixty days after July 1, 2009, and no less than annually thereafter, institutions must prominently disclose in writing to sweep account customers whether their swept funds are deposits within the meaning of 12 U.S.C. 1813(1). If the funds are not deposits, the institution must further disclose the status such funds would have if the institution failed – for example, general creditor status or secured creditor status. Such disclosures must be consistent with how the institution reports such funds on its quarterly Consolidated Reports of Condi- |

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| | tion and Income or Thrift Financial Reports. The disclosure requirements imposed under this section do not apply to sweep accounts where: The transfers are within a single account, or a sub-account; or the sweep account involves only deposit-to-deposit sweeps, such as zero-balance accounts, unless the sweep results in a change in the customer's insurance coverage. [910101] |
| | **Protecting Tenants at Foreclosure Act** |
| 400000 | Uncoded. [400000] |
| 400101 | Section 702(a)(1) of the Protecting Tenants at Foreclosure Act requires a financial institution that takes foreclosure action on a federally-related mortgage loan or on any dwelling or residential real property to send any bona fide tenants a notice to vacate at least 90 days before the effective date of such notice. [400101] |
| 400201 | Section 702(a)(2) of the Protecting Tenants at Foreclosure Act requires a financial institution that forecloses on a property that has a bona fide lease to honor the existing lease for renters until the end of the term of the lease. An institution may terminate a lease effective on the date of sale of the unit to a purchaser who will occupy the unit as a primary residence, subject to the receipt by the tenant of the 90 day notice required under Section 702(a)(1). [400201] |
| **R** | **Real Estate Settlement Procedures Act (RESPA)** |
| 130000 | Uncoded. [130000] |
| 130301 | Section 1024.7(a) of Regulation X of the Consumer Financial Protection Bureau requires a lender that receives an application, or information sufficient to complete an application, for a federally related mortgage loan to provide the applicant with a good faith estimate not later than three business days after the application is received or prepared. The notice must be provided to the loan applicant by hand delivery, by placing it in the mail, or, if the applicant agrees, by fax, e-mail, or other electronic means. Such good faith estimate may be provided by the lender or mortgage broker; however, the lender is responsible for ascertaining whether the GFE has been provided. [130301] |
| 130304 | Section 1024.7(a)(4) of Regulation X of the Consumer Financial Protection Bureau prohibits a financial institution from charging, as a condition for providing a good faith estimate for a federally related mortgage loan, any fee for an appraisal, inspection, or other similar settlement service. The lender may, at its option, charge a fee limited to the cost of a credit report, but may not charge additional fees until after the applicant has indicated an intention to proceed with the loan covered by the good faith estimate received by the applicant borrower from the lender. [130304] |
| 130305 | Section 1024.7(a)(5) of Regulation X of the Consumer Financial Protection Bureau prohibits a financial institution from requiring, as a condition for providing the good faith estimate that an applicant submits supplemental documentation to verify the information provided on the application. [130305] |
| 130404 | Section 1024.7(b)(4) of Regulation X of the Consumer Financial Protection Bureau prohibits a mortgage broker from charging, as a condition for providing a good faith estimate for a federally related mortgage loan, any fee for an appraisal, inspection, or other similar settlement service. The mortgage broker may charge a credit report fee, but may not charge additional fees until after the applicant has indicated an intention to proceed with the loan covered by the good faith estimate received by the applicant borrower from the mortgage broker. [130404] |
| 130405 | Section 1024.7(b)(5) of Regulation X of the Consumer Financial Protection Bureau prohibits a mortgage broker from requiring, as a condition for providing the good faith estimate, that an applicant submits supplemental documentation to verify the information provided on the application. [130405] |
| 130601 | Section 1024.7(c) of Regulation X of the Consumer Financial Protection Bureau |

| Violation Codes | Description |
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| | requires the estimate of the charges and terms for all settlement services to be available for at least 10 business days from when the good faith estimate is provided, unless specifically exempted by this section. [130601] |
| 130901 | Section 1024.7(d) of Regulation X of the Consumer Financial Protection Bureau requires financial institutions to use the good faith form set forth in Appendix C. The loan originator must prepare the form in accordance with the requirements of this section and the Instructions in Appendix C. [130901] |
| 131201 | Section 1024.7(e)(1) of Regulation X of the Consumer Financial Protection Bureau prohibits the actual charges at settlement from exceeding the amounts on the good faith estimate for: 1) the origination charge; 2) the credit or charge for the interest rate chosen while the borrower's interest rate is locked; 3) the adjusted origination charge while the borrower's interest rate is locked; and 4) transfer taxes. [131201] |
| 131202 | Section 1024.7(e)(2) of Regulation X of the Consumer Financial Protection Bureau prohibits the sum of the charges at settlement for the following services to exceed 10 percent above the sum of the amounts included on the good faith estimate: 1) lender required settlement services where the lender selects the third party settlement service provider; 2) lender-required settlement services, title services and required title insurance, and owner's title insurance, when the borrower uses a settlement service provider identified by the loan originator; and 3) government recording charges. [131202] |
| 131301 | Section 1024.7(f) of Regulation X of the Consumer Financial Protection Bureau prohibits a financial institution from changing the settlement charges and terms listed on the good faith estimate unless done within the tolerances provided in paragraph (e) of this section, unless a revised good faith estimate is provided consistent with one of the following circumstances: 1) changed circumstances affecting settlement costs; 2) changed circumstances affecting loan; 3) borrower-requested changes; 4) expiration of original good faith estimate; 5) interest rate dependent charges and terms; or 6) new construction home purchase. If a financial institution provides a revised good faith estimate, then the loan originator must retain documentation of any reasons for providing a revised good faith estimate for no less than 3 years after settlement. [131301] |
| 131303 | Section 1024.7(f)(1) of Regulation X of the Consumer Financial Protection Bureau requires a financial institution that provides a revised good faith estimate due to changed circumstances affecting settlement costs, changed circumstances affecting loan, or borrower-requested changes, to provide the revised good faith estimate within 3 business days of receiving the information sufficient to establish changed circumstances or the borrower's request. [131303] |
| 131306 | Section 1024.7(f)(5) of Regulation X of the Consumer Financial Protection Bureau prohibits changes to the charges and terms on the original good faith estimate, except as provided in paragraph (f) of this section, unless a borrower has not locked in the interest rate, or a locked interest rate has expired. In these cases, the institution may adjust the charge or credit for the interest rate chosen, the adjusted origination charges, per diem interest, and loan terms related to the interest rate. If the borrower later locks the interest rate, a revised good faith estimate must be provided showing the revised interest rate-dependent charges and terms. [131306] |
| 131307 | Section 1024.7(f)(6) of Regulation X of the Consumer Financial Protection Bureau permits a financial institution that anticipates settlement on a new construction home purchase to occur more than 60 calendar days from the time a good faith estimate is provided to clearly and conspicuously disclose that any time up until 60 calendar days prior to closing, the loan originator may issue a revised good faith estimate. If no such separate disclosure is provided, the loan originator can not issue a revised good faith estimate, except as provided in paragraph (f) of this section. [131307] |
| 131340 | Section 1024.7(i) of Regulation X of the |

| Violation Codes | Description |
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| | Consumer Financial Protection Bureau states that a loan originator shall be deemed to have violated section 5 of RESPA if any charges at settlement exceed the charges listed on the good faith estimate by more than the permitted tolerances, and the loan originator has not cured the tolerance violation by reimbursing the borrower the amount by which the tolerance was exceeded, at settlement or within 30 calendar days after settlement. A borrower will be deemed to have received timely reimbursement if the loan originator delivers or places the payment in the mail within 30 calendar days after settlement. [131340] |
| 132101 | Section 1024.8 of Regulation X of the Consumer Financial Protection Bureau requires that the settlement agent shall use the HUD-1 settlement statement in every settlement involving a federally-related mortgage loan unless specifically exempted. The HUD-1A form may be used for transactions in which there is a borrower and no seller, such as refinancing loans and subordinate lien loans. [132101] |
| 132401 | Section 1024.8(b) of Regulation X of the Consumer Financial Protection Bureau requires the settlement agent to complete the HUD-1 or HUD-1A in accordance with the instruction set forth in Appendix A. The loan originator must transmit to the settlement agent all information necessary to complete the HUD-1 or HUD-1A. [132401] |
| 132402 | Section 1024.8(b)(1) of Regulation X of the Consumer Financial Protection Bureau requires the settlement agent to state the actual charges paid by the borrower and seller on the HUD-1, or by the borrower on the HUD-1A. The settlement agent must separately itemize each third party charge paid by the borrower and seller. All origination services performed by or on behalf of the loan originator must be included in the loan originator's own charge. Administrative and processing services related to title services must be included in the title underwriter's or title agent's own charge. The amount stated on the HUD-1 or HUD-1A for any itemized service cannot exceed the amount actually received by the settlement service provider for that itemized service, unless the charge is an average charge in accordance with paragraph (b)(2) of this section. [132402] |
| 132404 | Section 1024.8(b)(2)(i) of Regulation X of the Consumer Financial Protection Bureau requires that if a financial institution uses an average charge on the HUD-1 or HUD-1A, such charge shall be no more than the average amount paid for a settlement service by one settlement service provider to another settlement service provider on behalf of borrowers and sellers for a particular class of transactions involving federally related mortgage loans. The total amounts paid by borrowers and sellers for a settlement service based on the use of an average charge may not exceed the total amounts paid to the providers of that service for the particular class of transaction. [132404] |
| 132405 | Section 1024.8(b)(2)(iv) of Regulation X of the Consumer Financial Protection Bureau prohibits the use of an average charge for any settlement service if the charge for the service is based on the loan amount or property value. [132405] |
| 132409 | Section 1024.8(b)(2)(v) of Regulation X of the Consumer Financial Protection Bureau requires the settlement service provider to retain all documentation used to calculate the average charge for a particular class of transactions for at least 3 years after any settlement for which that average charge was used. [132409] |
| 132501 | Section 1024.8(c) of Regulation X of the Consumer Financial Protection Bureau states that a violation of any of the requirements of this section will be deemed to be a violation of section 4 of RESPA. An inadvertent or technical error in completing the HUD-1 or HUD-1A shall not be deemed a violation of section 4 of RESPA if a revised HUD-1 or HUD-1A is provided in accordance with the requirements of this section within 30 calendar days after settlement. [132501] |
| 132601 | Section 1024.9(a)(1) of Regulation X of the Consumer Financial Protection Bureau |

| Violation Codes | Description |
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| | prohibits the person reproducing the HUD-1 from deleting information that appears in Section A. The person reproducing the HUD-1 may insert its business name and logo and may rearrange the other information that appears in Section A. [132601] |
| 132701 | Section 1024.10(a) of Regulation X of the Consumer Financial Protection Bureau requires the settlement agent to provide the HUD-1 or HUD-1A to the borrower for inspection, upon request, during the business day immediately preceding the day of settlement. [132701] |
| 133001 | Section 1024.10(b), (c) and (d) of Regulation X of the Consumer Financial Protection Bureau requires the settlement agent to provide the HUD-1 or HUD-1A to the borrower and the seller, and/or their agents at or before settlement, unless waived by the borrower. [133001] |
| 133301 | Section 1024.10(e) of Regulation X of the Consumer Financial Protection Bureau requires retention of the HUD-1 or HUD-1A settlement statement and related documents for five years after the date of settlement unless the lender disposes of its interest in the mortgage and does not service the mortgage. [133301] |
| 133601 | Section 1024.12 of Regulation X of the Consumer Financial Protection Bureau prohibits the imposition of a fee for the preparation of the HUD-1 or the HUD-1A settlement statements, escrow account statements required pursuant to Section 10 of RESPA, or Truth in Lending disclosure statement. [133601] |
| 133901 | Section 1024.14 of Regulation X of the Consumer Financial Protection Bureau prohibits acceptance of kickbacks, unearned fees or other thing of value as part of a real estate settlement service. [133901] |
| 134201 | Section 1024.15(b)(1) of Regulation X of the Consumer Financial Protection Bureau states that an affiliated business relationship is not a violation of Section 8 of RESPA and of Section 1024.14 if the conditions set forth in this section are satisfied. The person making each referral has provided to each person whose business is referred a written disclosure, in the format of the Affiliated Business Relationship Disclosure Statement set forth in Appendix D. The disclosures must be provided on a separate piece of paper no later than the time of each referral or, if the lender requires use of a particular provider, the time of loan application except for the prescribed exemptions. [134201] |
| 134501 | Section 1024.15(b)(2) of Regulation X of the Consumer Financial Protection Bureau states that a controlledbusiness arrangement is not a violation of Section 8 of RESPA and of Section 1024.14 if the conditions set forth in this section are satisfied. No person making a referral has required any person to use any particular provider of settlement services or business incident thereto, except for the exclusions listed. [134501] |
| 134801 | Section 1024.15(b)(3) of Regulation X of the Consumer Financial Protection Bureau states that a controlled business arrangement is not a violation of Section 8 of RESPA and of Section 1024.14 if the conditions set forth in this section are satisfied. The only thing of value that is received from the arrangement other than payments listed in Section 1024.14(g) is a return on an ownership interest or franchise relationship as defined in the section. [134801] |
| 135101 | Section 1024.15(d) of Regulation X of the Consumer Financial Protection Bureau requires that any documents provided pursuant to this section shall be retained for five (5) years after the date of execution. [135101] |
| 135401 | Section 1024.17(c)(1)(i) of Regulation X of the Consumer Financial Protection Bureau limits the amount the lender may require a borrower at settlement to deposit into any escrow account to an amount sufficient to paythe charges respecting the mortgaged property, such as taxes and insurance, which are attributed to the period from the date such payment(s) were paid until the initial payment date. [135401] |

| Violation Codes | Description |
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| 135701 | Section 1024.17(c)(1)(ii) of Regulation X of the Consumer Financial Protection Bureau limits the amount the lender may require a borrower to deposit monthly into any escrow account to a sum equal to one-twelfth of the total annual escrow payments which the servicer reasonably anticipates paying from the account. [135701] |
| 136001 | Section 1024.17(c)(2) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to conduct an escrow account analysis to determine the amount the borrower shall deposit into an escrow account before establishing the account. [136001] |
| 136301 | Section 1024.17(c)(3) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to conduct an escrow account analysis at the completion of the escrow account computation year to determine the borrower's monthly escrow account payments for the next computation year. [136301] |
| 136302 | Section 1024.17(c)(3) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to make adjustments for surpluses, shortages, or deficiencies to a borrower's escrow account in accordance with the escrow account analysis. [136302] |
| 136303 | Section 1024.17(c)(3) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to prepare and submit an annual escrow account statement to the borrower. [136303] |
| 136601 | Section 1024.17(c)(4) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to use the aggregate accounting method in conducting an escrow account analysis. [136601] |
| 136901 | Section 1024.17(c)(5) of Regulation X of the Consumer Financial Protection Bureau limits the cushion to one-sixth of the estimated annual disbursements from the escrow account using aggregate analysis accounting. [136901] |
| 136905 | Section 1024.17(c)(6) of Regulation X of the Consumer Financial Protection Bureau prohibits a servicer from practicing pre-accrual in conjunction with an escrow account. [136905] |
| 136910 | Section 1024.17(c)(7) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to estimate the amount of escrow account items to be disbursed. If the servicer knows the charge for an escrow item in the next computation year, then the servicer shall use that amount in estimating disbursement amounts. If the charge is unknown to the servicer, the servicer may base the estimate on the preceding year's charge, or the preceding year's charge as modified by an amount not exceeding the most recent year's change in the national Consumer Price Index (CPI, all items). In cases of unassessed new construction, the servicer may base an estimate on the assessment of comparable residential property in the market area. [136910] |
| 136915 | Section 1024.17(c)(8) of Regulation X requires the servicer to examine the federally related mortgage loan documents to determine the applicable cushion for each escrow account. The cushion shall be established in accordance with the requirements of this section. [136915] |
| 136920 | Section 1024.17(c)(9) of Regulation X of the Consumer Financial Protection Bureau requires certain procedures for escrow account items that are billed for periods longer than one year. In such cases, the servicer shall estimate the borrower's payments for a full cycle of disbursements. [136920] |
| 137201 | Section 1024.17(e)(1) of Regulation X of the Consumer Financial Protection Bureau requires the new servicer to provide the borrower with an initial escrow account statement within 60 days if either the monthly payment amount or the accounting method used is changed. [137201] |
| 137501 | Section 1024.17(f)(2)(i) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to refund any surplus greater than or equal to 50 dollars within 30 |

| Violation Codes | Description |
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| | days from the date of an escrow account analysis. [137501] |
| 137601 | Section 1024.17(f)(3)(i) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to follow certain procedures if an escrow account analysis discloses a shortage of less than one month's escrow account payment. [137601] |
| 137610 | Section 1024.17(f)(3)(ii) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to follow certain procedures if an escrow account analysis discloses a shortage that is greater than or equal to one month's escrow account payment. [137610] |
| 137701 | Section 1024.17(f)(4) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to follow certain procedures if an escrow account analysis confirms a deficiency. [137701] |
| 137801 | Section 1024.17(f)(5) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to notify the borrower at least once during the escrow account computation year of any shortage or deficiency in the escrow account. [137801] |
| 138101 | Section 1024.17(g)(1) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to provide an initial escrow account statement at or within 45 calendar days of settlement. [138101] |
| 138401 | Section 1024.17(g)(1)(i) of Regulation X of the Consumer Financial Protection Bureau requires the initial escrow account statement to include the amount of the borrower's monthly mortgage payment and the portion of the monthly payment going into the escrow account. [138401] |
| 138402 | Section 1024.17(g)(1)(i) of Regulation X of the Consumer Financial Protection Bureau requires the initial escrow account statement to include an itemization of estimated taxes, insurance premiums, and other charges that the servicer reasonably anticipates to be paid from the escrow account during the account computation year. [138402] |
| 138701 | Section 1024.17(g)(2) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to provide an initial escrow account statement, for escrow accounts established after settlement, within 45 calendar days from the date the escrow account is established. [138701] |
| 139001 | Section 1024.17(h)(1) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to format and complete the initial escrow account statement as set forth in HUD Public Guidance Documents entitled "Initial Escrow Account Disclosure Statement – Format" and "Initial Escrow Account Disclosure Statement – Example". [139001] |
| 139301 | Section 1024.17(i) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to submit an annual escrow account statement to the borrower within 30 days of the completion of the escrow account computation year. [139301] |
| 139302 | Section 1024.17(i) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to provide the borrower with the previous year's projection or initial escrow account statement. [139302] |
| 139601 | Section 1024.17(i)(1) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include an account history, reflecting the activity in the escrow account during the escrow account computation year and a projection of the activity in the account for the next year. [139601] |
| 139901 | Section 1024.17(i)(1)(i) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include the amount of the borrower's current monthly mortgage payment and the portion of the monthly payment going into the escrow account. [139901] |

| Violation Codes | Description |
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| 140301 | Section 1024.17(i)(1)(ii) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include the amount of the past year's monthly mortgage payment and the portion of the monthly payment that went into the escrow account. [140301] |
| 140601 | Section 1024.17(i)(1)(iii) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include the total amount paid into the escrow account during the past computation year. [140601] |
| 140901 | Section 1024.17(i)(1)(iv) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include the total amount paid out of the escrow account during the past computation year for taxes, insurance premiums, and other charges. [140901] |
| 141201 | Section 1024.17(i)(1)(v) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include the balance in the escrow account at the end of the period. [141201] |
| 141501 | Section 1024.17(i)(1)(vi) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include an explanation of how any surplus is being handled by the servicer. [141501] |
| 141801 | Section 1024.17(i)(1)(vii) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include an explanation of how any shortage or deficiency is to be paid by the borrower. [141801] |
| 142101 | Section 1024.17(i)(1)(viii) of Regulation X of the Consumer Financial Protection Bureau requires the annual escrow account statement to include the reason(s) why the estimated low monthly balance was not reached, if applicable. [142101] |
| 142401 | Section 1024.17(i)(4)(i) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to deliver a short year statement, if applicable, to the borrower within 60 days from the end of the short year. [142401] |
| 142701 | Section 1024.17(i)(4)(ii) of Regulation X of the Consumer Financial Protection Bureau requires the transferor servicer to deliver a short year statement to the borrower within 60 days from the effective date of transfer. [142701] |
| 143001 | Section 1024.17(i)(4)(iii) of Regulation X requires the servicer to deliver a short year statement to the borrower within 60 days after receiving the pay-off funds when a borrower pays off a federally related mortgage loan during the escrow account computation year. [143001] |
| 143301 | Section 1024.17(k) of Regulation X of the Consumer Financial Protection Bureau provides that the servicer shall pay the disbursements from an escrow account in a timely manner (on or before the deadline to avoid a penalty) so long as the borrower's payment is not more than 30 days overdue. [143301] |
| 143350 | Section 1024.17(k)(5)(i) and (ii) of Regulation X provides that, with respect to a borrower whose mortgage payment is more than 30 days overdue but who has established an escrow account for the payment of hazard insurance, a servicer may not purchase force-placed insurance unless a servicer is unable to disburse funds from the borrower's escrow account to ensure that the borrower's hazard insurance premium charges are paid in a timely manner. A servicer is unable to disburse funds only if the servicer has a reasonable basis to believe that either the borrower’s property is vacant or the borrower’s hazard insurance has terminated for reasons other than non-payment. A servicer shall not be considered unable to disburse funds from the borrower's escrow account because the escrow account contains insufficient funds for paying hazard insurance premium charges. [143350] |

| Violation Codes | Description |
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| 143360 | Section 1024.17(k)(5)(iii) of Regulation X provides that, subject to the requirements of Section 1024.37, a servicer that qualifies as a small servicer pursuant to Section 1026.41(e)(4) may purchase force-placed insurance and charge the cost of that insurance to the borrower if the cost to the borrower of the force-placed insurance is less than the amount the small servicer would need to disburse from the borrower's escrow account to ensure timely payment of the borrower's hazard insurance premium charges. [143360] |
| 143601 | Section 1024.17(l)(1) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to keep records reflecting the servicer's handling of each borrower's escrow account. [143601] |
| 143901 | Section 1024.17(l)(2) of Regulation X of the Consumer Financial Protection Bureau requires the servicer to keep records for a period of at least five years after the servicer last serviced the escrow account. [143901] |
| 144101 | Section 1024.20(a) of Regulation X requires that not later than three business days after the lender, mortgage broker, or dealer receives an application, or information sufficient to complete an application, the lender must provide the loan applicant with a clear and conspicuous written list of homeownership counseling organizations that provide relevant counseling services in the loan applicant’s location. (The list of homeownership counseling organizations distributed to each loan applicant under this section shall be obtained no earlier than 30 days prior to the time when the list is provided to the loan applicant). [144101] |
| 144201 | Section 1024.33(a) of Regulation X requires the lender, mortgage broker who anticipates using table funding, or dealer in a first-lien dealer loan to provide a servicing disclosure statement within three days (excluding legal public holidays, Saturdays, and Sundays) after a person applies for a first-lien mortgage loan. [144201] |

| Violation Codes | Description |
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| 144501 | Section 1024.33(a) of Regulation X requires that the servicing disclosure statement provide information on whether the servicing of the mortgage loan may be transferred, sold, or assigned to any other person at any time. Appendix MS-1 of Regulation X contains a model form for the disclosures required under this paragraph. [144501] |
| 146901 | Section 1024.33(b)(3) of Regulation X requires that the transferor notice be made to the borrower not less than 15 days before the effective date of the transfer, and the transferee notice be made to the borrower not more than 15 days after the effective date of the transfer. (Both notices may be combined if all requirements are met. In certain cases, the transferor or transferee may make the notice not more than 30 days after the effective date of the transfer.) [146901] |
| 147201 | Section 1024.33(b)(4) of Regulation X requires that the transfer notice contain the following information:<br>- effective date of the transfer;<br>- name, address, and toll-free or collect call telephone number for an employee or department of the new servicer that can be contacted by the borrower to obtain answers to servicing transfer inquiries;<br>- name, address, and toll-free or collect call telephone number for an employee or department with the former servicer that can be contacted by the borrower to obtain answers to servicing transfer inquiries;<br>- date on which the former servicer stops accepting payments on the loan and the date the new servicer begins accepting payments on the loan, (these dates shall be either the same or consecutive days);<br>- whether the transfer will affect the terms or continuance of optional insurance and any action the borrower must take to maintain coverage; and<br>- a statement that the transfer of servicing does not affect any terms or conditions of the mortgage loan other than those directly related to servicing the loan. [147201] |
| 147501 | Section 1024.33(c)(1) of Regulation X |

| Violation Codes | Description |
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| | requires that, during the 60-day period starting on the effective date of transfer, a payment may not be treated as late for any purpose if the former servicer rather than the new servicer receives payment on or before the applicable due date (including any grace period allowed under the mortgage loan instruments). [147501] |
| 147505 | Section 1024.33(c)(2) of Regulation X requires that, beginning on the effective date of transfer of the servicing of any mortgage loan, with respect to payments received incorrectly by the former servicer rather than the new servicer, the former servicer shall promptly either: (i) Transfer the payment to the new servicer for application to a borrower's mortgage loan account, or (ii) Return the payment to the person that made the payment and notify such person of the proper recipient of the payment. [147505] |
| 148801 | Section 1024.32(a) of Regulation X requires disclosures under Subpart C of Regulation X to be clear and conspicuous, in writing, and in a form that a recipient may keep. The disclosures may be provided in electronic form, subject to compliance with the consumer consent and other applicable provisions of the E-Sign Act. [148801] |
| 149001 | Section 1024.34(a) of Regulation X requires the servicer to make payments from the escrow account in a timely manner, that is, on or before the deadline to avoid a penalty, as governed by the requirements in § 1024.17(k). [149001] |
| 149005 | Section 1024.34(b) of Regulation X requires a servicer to return to the borrower any |
| 149105 | Section 1024.35(a) of Regulation X requires a servicer to comply with the requirements of this section for any written notice from a borrower that asserts an error, as defined in §1024.35(b), and that includes the name of the borrower, information that enables the servicer to identify the borrower's mortgage loan account, and the error the borrower believes has occurred. A qualified written request that asserts an error relating to the servicing of a mortgage loan is a notice of error for purposes of this section, and a servicer must comply with all requirements applicable to a notice of error with respect to such qualified written request. [149105] |
| 149115 | Section 1024.35(c) of Regulation X requires a servicer, who designates a specific address for receiving notices of error, to provide a written notice to a borrower of the address, including a statement that the borrower must use the specified address to assert an error. The servicer must designate the same address for receiving information requests pursuant to § 1024.36(b). If the servicer changes the designated address, the servicer must provide advance written notice. A servicer that maintains a Web site with any contact addresses must post the designated address on the Web site. [149115] |
| 149120 | Section 1024.35(d) of Regulation X requires a servicer to provide to the borrower a written response acknowledging receipt of the notice of error within five days (excluding legal public holidays, Saturdays, and Sundays) after receiving the error notice. [149120] |
| 149130 | Section 1024.35(e)(1) of Regulation X requires a servicer to conduct a reasonable investigation of a notice of error and to provide a written notice that correction has occurred, that no error occurred, or that a different or additional error(s) occurred. This section further requires the servicer's notice to include, as appropriate, the effective date of the correction, a description of any additional errors identified, the action taken to correct the errors, a statement of the reason or reasons for the determination of no errors, a statement of the borrower's right to request documents relied upon by the servicer in reaching its determination of no errors, information regarding how the borrower can request such documents, and contact information, including |

| Violation Codes | Description |
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| | a telephone number, for further assistance. [149130] |
| 149135 | Section 1024.35(e)(2) of Regulation X permits a servicer to request supporting documentation from a borrower in connection with the investigation of an asserted error, but the servicer may not: (i) Require a borrower to provide such information as a condition of investigating an asserted error; or (ii) Determine that no error occurred because the borrower failed to provide any requested information without conducting a reasonable investigation. [149135] |
| 149140 | Section 1024.35(e)(3) of Regulation X states that a servicer generally has 30 days (excluding legal public holidays, Saturdays, and Sundays) from receipt of the error notice to investigate and respond to the notice, except that a servicer may extend this period by an additional 15 days (excluding legal public holidays, Saturdays, and Sundays) if, prior to the expiration of the original 30-day period, it notifies the borrower in writing of the extension and the reasons for it. [149140] |
| 149145 | Section 1024.35(e)(3)(i) of Regulation X states that: (A) a servicer must respond within seven days (excluding legal public holidays, Saturdays, and Sundays) if the alleged error is a failure to provide an accurate payoff balance amount, and (B) a servicer must respond by the earlier of 30 days (excluding legal public holidays, Saturdays, and Sundays) or the date of a foreclosure sale if the error involves either (i) making the first notice or filing for a judicial or non-judicial foreclosure process before the time periods allowed by Section 1024.41(f) or (j), or (ii) moving for foreclosure judgment or order of sale or conducting a foreclosure sale in violation of Section 1024.41(g) or (j). [149145] |
| 149150 | Section 1024.35(e)(4) of Regulation X requires a servicer to provide to the borrower, at no charge, copies of documents and information relied upon by the servicer in making its determination that no error occurred within 15 days (excluding legal public holidays, Saturdays, and Sundays) of receiving the borrower's request for such documents. If a servicer withholds documents relied upon because it has determined that such documents constitute confidential, proprietary or privileged information, the servicer must notify the borrower of its determination in writing within 15 days (excluding legal public holidays, Saturdays, and Sundays) of receipt of the borrower's request for such documents. [149150] |
| 149160 | Section 1024.35(g) of Regulation X requires a servicer to notify the borrower in writing not later than five days (excluding legal public holidays, Saturdays, and Sundays) after the servicer reasonably determines that the notice of error is duplicative, overbroad, or untimely. The notice to the borrower shall set forth the basis under this section upon which the servicer has made such determination. [149160] |
| 149165 | Section 1024.35(h) of Regulation X states that a servicer shall not charge a fee, or require a borrower to make any payment that may be owed on a borrower's account, as a condition of responding to a notice of error. [149165] |
| 149170 | Section 1024.35(i) of Regulation X prohibits a servicer from furnishing adverse |
| 149201 | Section 1024.36(a) of Regulation X requires a servicer to comply with the requirements of this section for any written request for information from a borrower that includes the name of the borrower, information that enables the servicer to identify the borrower's mortgage loan account, and states the information the borrower is requesting with respect to the borrower's mortgage loan. A qualified written request that requests information relating to the servicing of the mortgage loan is a request for information for purposes of this section, and a servicer must comply with all requirements applicable to a |

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| | request for information with respect to such qualified written request. [149201] |
| 149205 | Section 1024.36(b) of Regulation X requires a servicer, who designates a specific address for requesting information, to provide a written notice to a borrower of the address, including a statement that the borrower must use the specified address to request information. The servicer must designate the same address for receiving notices of error pursuant to § 1024.35(c). If the servicer changes the designated address, the servicer must provide advance written notice. A servicer that maintains a Web site with any contact addresses must post the designated address on the Web site. [149205] |
| 149210 | Section 1024.36(c) of Regulation X requires a servicer to provide to the borrower a written response acknowledging receipt of an information request within five days (excluding legal public holidays, Saturdays, and Sundays) after receiving the information request. [149210] |
| 149220 | Section 1024.36(d)(1) of Regulation X requires a servicer to respond in writing to an information request by either: providing the requested information and contact information, including phone number, for further assistance; or conducting a reasonable search for the information and advising the borrower that the servicer has determined that the requested information is not available to it, the basis for the servicer's determination, and contact information, including phone number, for further assistance. [149220] |
| 149225 | Section 1024.36(d)(2) of Regulation X states that a servicer generally must respond in writing to an information request within 30 days (excluding legal public holidays, Saturdays, and Sundays) of receipt, except that a servicer may extend this period by an additional 15 days (excluding legal public holidays, Saturdays, and Sundays) if, prior to the expiration of the original 30-day period, it notifies the borrower in writing of the extension and the reasons for it. A servicer must respond within 10 days (excluding legal public holidays, Saturdays, and Sundays) after receiving the request, if the borrower requested the identity or contact information for the owner or assignee of a mortgage loan. [149225] |
| 149235 | Section 1024.36(f) of Regulation X requires a servicer to notify the borrower in writing |
| 149240 | Section 1024.36(g) of Regulation X states that a servicer shall not charge a fee, or require a borrower to make any payment that may be owed on a borrower's account, as a condition of responding to an information request. [149240] |
| 149310 | Section 1024.37(b) of Regulation X prohibits a servicer from assessing a premium charge or fee related to force-placed insurance on a borrower unless the servicer has a reasonable basis to believe that the borrower has failed to comply with the mortgage loan contract's requirement to maintain hazard insurance. [149310] |
| 149320 | Section 1024.37(c)(1)(i) of Regulation X requires the servicer to mail or deliver an initial written notice to the borrower at least 45 days before assessing a charge or fee related to force-placed insurance. [149320] |
| 149330 | Section 1024.37(c)(1)(iii) of Regulation X states that a servicer may not assess charges or fees for force-placed insurance unless, by the end of the 15-day period after the servicer sends the reminder notice, the servicer has not have received evidence that the borrower has had required hazard insurance continuously in place. As evidence, the servicer may require a copy of the borrower's hazard insurance policy declaration page, the borrower's insurance certificate, the borrower's insurance policy, or other similar forms of written confirmation. [149330] |

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| 149340 | Section 1024.37(c)(2) of Regulation X requires that the first written force-placed insurance notice shall contain the following information:<br>The date of the notice;<br>(a)The servicer's name and mailing address;<br>(b) The borrower's name and mailing address;<br>(c)A statement that requests the borrower to provide hazard insurance information for the borrower's property and identifies the property by its physical address;<br>(d) A statement that the borrower's hazard insurance is expiring or has expired, as applicable, and that the servicer does not have evidence that the borrower has hazard insurance coverage past the expiration date, and that, if applicable, identifies the type of hazard insurance for which the servicer lacks evidence of coverage;<br>(e)A statement that hazard insurance is required on the borrower's property, and that the servicer has purchased or will purchase, as applicable, such insurance at the borrower's expense;<br>(f) A statement requesting the borrower to promptly provide the servicer with insurance information;<br>(g) A description of the requested insurance information and how the borrower may provide such information, and if applicable, a statement that the requested information must be in writing;<br>(h) A statement that insurance the servicer has purchased or purchases:<br>i. May cost significantly more than hazard insurance purchased by the borrower;<br>ii. Not provide as much coverage as hazard insurance purchased by the borrower;<br>(i) The servicer's telephone number for borrower inquiries; and<br>(j) If applicable, a statement advising the borrower to review additional information provided in the same transmittal. [149340] |
| 149345 | Section 1024.37(c)(3) of Regulation X requires a servicer to disclose the information under Section 1024.37(c)(2)(iv), (vi), and (ix)(A) and (B) in bold text, except that the information about the physical address of the borrower's property may be set in regular text. A servicer may use form MS-3A in appendix MS-3 of this part to comply with the written force-placed insurance requirements. [149345] |
| 149350 | Section 1024.37(c)(4) of Regulation X prohibits a servicer from including any information other than information required by Section 1024.37(c)(2) in the first written force-placed insurance notice. However, a servicer may provide such additional information to a borrower on separate pieces of paper in the same transmittal. [149350] |
| 149360 | Section 1024.37(d)(1) of Regulation X requires a servicer to provide a written reminder notice at least 15 days before assessing a charge or fee related to force-placed insurance. A servicer may not provide the reminder notice until at least 30 days after providing the first written notice required by Section 1024.37(c)(1)(i). [149360] |
| 149370 | Section 1024.37(d)(2)(i) of Regulation X requires a servicer to provide a reminder notice when the servicer receives no hazard insurance information after providing the initial notice required by Section 1024.37(c)(1)(i). The content of the reminder notice shall include the date of the reminder notice and all of the other information provided in the initial notice, as well as state that it is the second and final notice and identify the annual cost of force-placed insurance, or if unknown, a reasonable estimate of that cost. [149370] |
| 149375 | Section 1024.37(d)(2)(ii) of Regulation X requires a servicer to provide a reminder notice when the servicer does not receive evidence demonstrating continuous hazard insurance coverage after providing the first notice required by Section 1024.37(c)(1)(i). The content of this reminder notice shall include:<br>(A)The date of the notice;<br>(B)The following information required by paragraphs (c)(2) and (d)(2)(i) of this section: |

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| | the servicer's name and mailing address; the borrower's name and mailing address; a statement requesting that the borrower provide hazard insurance information for the borrower's property and that identifies the property by its physical address; the servicer's phone number for borrower inquiries; a statement advising that the borrower review additional information provided in the same transmittal (if applicable); a statement that it is the second and final notice; the annual cost of force-placed insurance, or if unknown, a reasonable estimate of that cost;<br>(C) A statement that the servicer has received the hazard insurance information that the borrower provided;<br>(D) A statement that requests the borrower to provide the information that is missing; and<br>(E) A statement that the borrower will be charged for insurance the servicer has purchased or purchases for the period of time during which the servicer is unable to verify coverage. [149375] |
| 149380 | Section 1024.37(d)(3) of Regulation X requires a servicer to disclose the information required by Section 1024.37(d)(2)(i)(B) and (D) in bold text. A servicer may use the sample reminder notices at forms MS-3(B) and MS-3(C) in appendix MS-3 of this part to comply with the written reminder notice requirements. [149380] |
| 149385 | Section 1024.37(d)(4) of Regulation X prohibits a servicer from including any information other than information required by Section 1024.37(d)(2)(i) or (ii) in the written reminder notice. However, a servicer may provide such additional information to a borrower on separate pieces of paper in the same transmittal. [149385] |
| 149395 | Section 1024.37(e)(1) of Regulation X requires that before a servicer assesses a borrower any premium charge or fee related to renewing or replacing existing force-placed insurance, the servicer must: (i) Provide a written renewal notice containing the information set forth in Section 1024.37(e)(2) at least 45 days before assessing on a borrower such charge or fee; and (ii) By the end of the 45-day period beginning on the date the written renewal notice was provided or placed in the mail to the borrower, not have received, from the borrower or otherwise, evidence demonstrating that the borrower has purchased hazard insurance coverage that complies with the loan contract's requirements to maintain hazard insurance. [149395] |
| 149401 | Section 1024.37(e)(2) of Regulation X requires a servicer to provide a written renewal notice before a servicer assesses on a borrower any premium charge or fee related to renewing or replacing existing force-placed insurance. The content of this renewal notice shall include:<br>(i) The date of the notice;<br>(ii) The servicer's name and mailing address;<br>(iii) The borrower's name and mailing address;<br>(iv) A statement that requests the borrower to update the hazard insurance information for the borrower's property and identifies the borrower's property by its physical address;<br>(v) A statement that the servicer previously purchased insurance on the borrower's property and assessed the cost of the insurance to the borrower because the servicer did not have evidence that the borrower had hazard insurance coverage for the property;<br>(vi) A statement that the insurance the servicer purchased previously has expired or is expiring, as applicable; and because hazard insurance is required on the borrower's property, the servicer intends to maintain insurance on the property by renewing or replacing the insurance it previously purchased;<br>(vii) A statement informing the borrower that insurance the servicer purchases may cost significantly more than hazard insurance purchased by the borrower; may not provide as much coverage as hazard insurance purchased by the borrower; and the cost of the force-placed insurance, stated as an annual premium, except if a servicer does not know the cost of force-placed insurance, a reasonable estimate shall be disclosed and identified as such. |

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| | (viii) A statement that if the borrower purchases hazard insurance, the borrower should promptly provide the servicer with insurance information.<br>(ix) A description of the requested insurance information and how the borrower may provide such information, and if applicable, a statement that the requested information must be in writing;<br>(x) The servicer's telephone number for borrower inquiries; and<br>(xi) If applicable, a statement advising a borrower to review additional information provided in the same transmittal. [149401] |
| 149405 | Section 1024.37(e)(3) of Regulation X requires certain information in the written renewal |
| 149410 | Section 1024.37(e)(4) of Regulation X prohibits a servicer from including any information other than information required by paragraph (e)(2) of this section in the written renewal notice. However, a servicer may provide such additional information to a borrower on separate pieces of paper in the same transmittal. [149410] |
| 149415 | Section 1024.37(e)(5) of Regulation X requires the servicer to provide the written renewal notice before each anniversary of a servicer purchasing force-placed insurance on a borrower's property. A servicer is not required to provide the written renewal notice more than once a year. [149415] |
| 149420 | Section 1024.37(f) of Regulation X of the Consumer Financial Protection Bureau requires that if the servicer mails the initial notice, the reminder notice, or the renewal notice, the servicer must use at least first-class mail. [149420] |
| 149425 | Section 1024.37(g) of Regulation X requires a servicer to cancel force-placed insurance within 15 days of receiving evidence demonstrating that the borrower has required hazard insurance coverage in place. A servicer must: (1) cancel the force-placed insurance the servicer purchased to insure the borrower's property; and (2) refund to such borrower all force-placed insurance premium charges and related fees paid by such borrower for any period of overlapping insurance coverage and remove from the borrower's account all force-placed insurance charges and related fees for such period that the servicer has accessed to the borrower. [149425] |
| 149430 | Section 1024.37(h) of Regulation X requires that, except for charges subject to State regulation and charges authorized by the Flood Disaster Protection Act of 1973, all charges related to force-placed insurance assessed to a borrower by or through the servicer must be bona fide and reasonable. A bona fide and reasonable charge is a charge for a service actually performed that bears a reasonable relationship to the servicer's cost of providing the service, and is not otherwise prohibited by applicable law. [149430] |
| 149501 | Section 1024.38(a) of Regulation X requires a servicer to maintain policies and procedures that are reasonably designed to achieve certain servicing-related objectives set forth in paragraph (b) of this section, which include: (1) Accessing and providing timely and accurate information; (2) Properly evaluating loss mitigation applications; (3) Facilitating oversight of, and compliance by, service providers; (4) Facilitating transfer of information during servicing transfers; and (5) Informing borrowers of the written error resolution and information request procedures. [149501] |
| 149565 | Section 1024.38(c)(1) of Regulation X requires a servicer to retain records that document actions taken with respect to a borrower's mortgage loan account until one year after the date a mortgage loan is discharged or servicing of a mortgage loan is transferred by the servicer to a transferee servicer. [149565] |

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| 149570 | Section 1024.38(c)(2) of Regulation X requires a servicer to maintain the following documents and data on each mortgage loan account serviced by the servicer in a manner that facilitates compiling such documents and data into a servicing file within five days:<br>(i) a schedule of all credits and debits to the account (including escrow accounts and suspense accounts);<br>(ii) a copy of the security instrument establishing the lien securing the mortgage loan;<br>(iii) any notes created by servicer personnel concerning communications with the borrower about the mortgage loan account;<br>(iv) a report of the data fields created by the servicer's electronic systems relating to the borrower's account (if applicable); and<br>(v) copies of any information or documents provided by the borrower in connection with error notices or loss mitigation. [149570] |
| 149601 | Section 1024.39(a) of Regulation X requires a servicer to establish or make good faith efforts to establish live contact with a delinquent borrower not later than the 36th day of the borrower's delinquency, unless exempt by Section 1024.39(d). Promptly after establishing live contact, the servicer must inform such borrower about the availability of loss mitigation options, if appropriate. [149601] |
| 149605 | Section 1024.39(b) of Regulation X requires a servicer to provide to a delinquent borrower a written notice with the following information not later than the 45th day of the borrower's delinquency:<br>(i) A statement encouraging the borrower to contact the servicer;<br>(ii) The telephone number and mailing address to access assigned loss mitigation personnel;<br>(iii) If applicable, a statement providing a brief description of examples of loss mitigation options that may be available from the servicer;<br>(iv) If applicable, either application instructions or a statement informing the borrower how to obtain more information about loss mitigation options from the servicer; and<br>(v) The Web site to access either the Bureau list or the HUD list of homeownership counselors or counseling organizations, and the HUD toll-free telephone number to access homeownership counselors or counseling organizations. [149605] |
| 149701 | Section 1024.40(a) of Regulation X requires a servicer to maintain policies and procedures that facilitate continuity of contact between the borrower and servicer and are reasonably designed to achieve the following objectives:<br>(1) Assign personnel to a delinquent borrower by the time the servicer provides the borrower with the written notice required by § 1024.39(b), but in any event, not later than the 45th day of the borrower's delinquency.<br>(2) Make available to a delinquent borrower, via telephone, personnel assigned to the borrower as described in paragraph (a)(1) of this section to respond to the borrower's inquiries, and as applicable, assist the borrower with available loss mitigation options until the borrower has made, without incurring a late charge, two consecutive mortgage payments in accordance with the terms of a permanent loss mitigation agreement.<br>(3) If a borrower contacts the personnel assigned to the borrower as described in paragraph (a)(1) of this section and does not immediately receive a live response from such personnel, ensure that the servicer can provide a live response in a timely manner. [149701] |
| 149705 | Section 1024.40(b) of Regulation X requires a servicer to maintain policies and procedures reasonably designed to ensure that servicer personnel assigned to a delinquent borrower perform the following functions:<br>(1) Provide the borrower with accurate information about: (i) Loss mitigation options available to the borrower; (ii) Actions the borrower must take to be evaluated for such loss mitigation options, including actions to submit a complete loss mitigation application, and, if applicable, actions the borrower must take to appeal the servicer's determination;<br>(iii) The status of any loss mitigation application that the borrower has submitted to the |

| Violation Codes | Description |
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| | servicer; (iv) The circumstances under which the servicer may make a referral to foreclosure; and (v) Applicable loss mitigation deadlines established by an owner or assignee of the borrower's mortgage loan.<br>(2) Retrieve, in a timely manner (i) A complete record of the borrower's payment history; and (ii) All written information the borrower has provided to the servicer, and if applicable, to prior servicers, in connection with a loss mitigation application;<br>(3) Provide the documents and information identified in paragraph (b)(2) of this section to other persons required to evaluate a borrower for loss mitigation options made available by the servicer, if applicable; and<br>(4) Provide a delinquent borrower with information about the procedures for submitting a notice of error pursuant to § 1024.35 or an information request pursuant to § 1024.36. [149705] |
| 149810 | Section 1024.41(b)(1) of Regulation X requires a servicer to exercise reasonable diligence in obtaining documents and information to complete a loss mitigation application. [149810] |
| 149815 | Section 1024.41(b)(2) of Regulation X requires a servicer to take two steps when it receives a loss mitigation application 45 days or more before a foreclosure sale: |
| 149820 | Section 1024.41(b)(3) of Regulation X provides borrowers certain protections depending on whether the servicer received a complete loss mitigation application at least a specified number of days before a foreclosure sale occurs. These time periods are calculated as of the date the servicer receives a complete loss mitigation application. [149820] |
| 149830 | Section 1024.41(c)(1) of Regulation X requires a servicer that receives a complete loss mitigation application more than 37 days before a foreclosure sale to take two steps within 30 days of receiving the complete loss mitigation application: |

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| | (i) Evaluate the borrower for all loss mitigation options available to the borrower from the owner or investor of the borrower's mortgage loan; and<br>(ii) Provide the borrower with a written notice stating which loss mitigation options, if any, the servicer will offer to the borrower on behalf of the owner or assignee of the mortgage. The notice must state the amount of time the borrower has to accept or reject an offered loss mitigation option pursuant to Section 1024.41(e), and, if applicable, that the borrower has the right to appeal the denial of any loan modification option as well as the time period and any requirements for making an appeal pursuant to Section 1024.41(h). [149830] |
| 149835 | Section 1024.41(c)(2) of Regulation X states that, in general, a servicer may not offer a loss mitigation option based on an evaluation of an incomplete application, unless one of two exceptions apply: reasonable time exception or short-term payment forbearance plan exception. [149835] |
| 149855 | Section 1024.41(c)(2)(iv) of Regulation X provides that a loss mitigation application is facially complete if either (i) the servicer's initial notice under Section 1024.41(b) advised the borrower that the application was complete, or (ii) the servicer's initial notice under Section 1024.41(b) requested additional information from the borrower to complete the application and the borrower submitted such additional information. If the servicer later discovers that additional information or corrections to a previously submitted document are required to complete the facially complete application, the servicer must promptly request the missing information or corrected documents and treat the application as complete for purposes of Section 1024.41(f)(2) and (g) until the borrower is given a reasonable opportunity to complete the application. If the borrower completes the application within this period, the application shall be considered complete as of the date it was actually complete for purposes of Section 1024.41(c), and the application shall be |

| Violation Codes | Description |
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| | considered complete as of the date it was facially complete for purposes of Section 1024.41(d), (e), (f)(2), (g), and (h). [149855] |
| 149860 | Section 1024.41(d) of Regulation X requires that if the servicer denies a complete loss mitigation application for any trial or permanent loan modification option, the notice provided to the borrower pursuant to Section 1024.41(c)(1)(ii) must also state the servicer's specific reason or reasons for denying each trial or permanent loan modification option, and, if applicable, that the borrower was not evaluated on other criteria. [149860] |
| 149870 | Section 1024.41(e)(1) of Regulation X requires a servicer offering a loss mitigation option to provide the borrower with a minimum period of time to accept or reject the option, depending on when the servicer receives a complete application. If a complete application is received 90 days or more before a foreclosure sale, the servicer must give the borrower at least 14 days to decide. If a complete application was received less than 90 days but more than 37 days before a foreclosure sale, the servicer must give the borrower at least seven days to decide. [149870] |
| 149880 | Section 1024.41(f)(1) of Regulation X requires that a servicer shall not make the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process unless: (i) A borrower's mortgage loan obligation is more than 120 days delinquent; (ii) The foreclosure is based on a borrower's violation of a due-on-sale clause; or (iii) The servicer is joining the foreclosure action of a subordinate lienholder. [149880] |
| 149885 | Section 1024.41(f)(2) of Regulation X requires that if a borrower submits a complete loss mitigation application before the 120th day of delinquency or before the servicer makes the first foreclosure notice or filing required by applicable law for any judicial or non-judicial foreclosure process, then the servicer cannot make the first foreclosure notice or filing unless one of the following occurs:<br>(i) the servicer sends a notice to the borrower stating that the borrower is ineligible for any loss mitigation option and the appeal process in Section 1024.41(h) is not applicable, the borrower did not timely appeal, or the appeal has been denied;<br>(ii) the borrower rejects all the offered loss mitigation options; or<br>(iii) the borrower fails to perform under a loss mitigation agreement. [149885] |
| 149890 | Section 1024.41(g) of Regulation X requires that if a borrower submits a complete loss mitigation application after a servicer has made the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process but more than 37 days before a foreclosure sale, then the servicer shall not move for foreclosure judgment or order of sale or conduct a foreclosure sale unless one of the following occurs: (1) the servicer sends a notice to the borrower stating that the borrower is ineligible for any loss mitigation option and for the appeal process in Section 1024.41(h), and, if an appeal is available, either the borrower did not timely appeal or the appeal has been denied; (2) the borrower rejects all the offered loss mitigation options; or (3) the borrower fails to perform under a loss mitigation agreement. [149890] |
| 149901 | Section 1024.41(h)(1) of Regulation X requires a servicer to permit a borrower to appeal the servicer's denial of a loss mitigation application for any trial or permanent loan modification program available to the borrower if the servicer receives a complete loss mitigation application 90 days or more before a foreclosure sale or during the pre-foreclosure period set forth in Section 1024.41(f). [149901] |
| 149905 | Section 1024.41(h)(2) of Regulation X requires a servicer to permit a borrower to make an appeal within 14 days after the servicer provides the offer of a loss mitigation option to the borrower pursuant to Section |

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| | 1024.41(c)(1)(ii). [149905] |
| 149910 | Section 1024.41(h)(3) of Regulation X requires that an appeal shall be reviewed by personnel different than those responsible for evaluating the borrower's complete loss mitigation application. [149910] |
| 149915 | Section 1024.41(h)(4) of Regulation X requires that within 30 days of the borrower making an appeal, the servicer shall provide a notice to the borrower stating whether it will offer the borrower a loss mitigation option based on the appeal, and, if applicable, how long the borrower has to accept or reject such an offer or a previously offered loss mitigation option. If the servicer offers a loss mitigation option after an appeal, the servicer must provide the borrower at least 14 days to decide whether to accept or reject the offered loss mitigation option. [149915] |
| 149925 | Section 1024.41(j) of Regulation X requires that a small servicer shall not make the first foreclosure notice or filing required by applicable law for any judicial or non-judicial foreclosure process unless (i) the borrower is more than 120 days delinquent, (ii) the foreclosure is based on a borrower's violation of a due-on-sale clause, or (iii) the servicer is joining a subordinate lienholder's foreclosure action. If the borrower is performing according to the terms of a loss mitigation agreement, a small servicer also shall not make the first foreclosure notice or filing required by applicable law for any judicial or non-judicial foreclosure process, shall not move for a foreclosure judgment or order of sale, or shall not conduct a foreclosure sale. [149925] |
| | **Regulation R – Broker Rules and Exemptions** |
| 850000 | Uncoded |
| 850110 | Section 3 (a)(4)(B)(i) through (xi) of the Securities and Exchange Act of 1934 prohibits a bank from conducting securities transaction without registering with the Securities and Exchange Commission unless such activities meet certain conditions and requirements and fall within at least one the following eleven exceptions: (1) third party brokerage ("networking") arrangements; (2) trust and fiduciary activities; (3) permissible securities transactions; (4) certain stock purchase plans; (5) sweep accounts; (6) affiliate transactions; (7) private securities offerings; (8) safekeeping and custody activities; (9) identified banking products; (10) municipal securities exception; and (11) de minimis transactions (not more than 500). [850110] |
| 854010 | Section 218.700 of Regulation R prohibits a bank utilizing the networking exception from paying an unregistered bank employee a fee for referring a customer to a broker-dealer unless such fee is a nominal, one-time cash fee of a fixed dollar amount, the bank has a written agreement with the third party broker-dealer, and the fee is not contingent on whether the referral results in a transaction. [854010] |
| 854030 | Section 218.700(b)(1) of Regulation R prohibits a bank utilizing the networking exception from compensating bank employees under a bonus or similar plan unless the compensation: (1) is paid on a discretionary basis, and (2) is based on multiple factors or variables which include: (a) multiple significant factors or variables that are not related to securities transactions at the broker-dealer, (b) a referral made by the employee is not a factor or variable in determining the employee's compensation under the plan, and (c) the employee's compensation under the plan is not determined by reference to referrals made by any other person. [854030] |
| 854032 | Section 218.700(b)(2) of Regulation R prohibits a bank utilizing the networking exception from compensating an officer, director, or employee under a bonus or similar plan on the basis of any measure of overall profitability or revenue of: (1) the bank (stand alone or consolidated), (2) any affiliate of the bank (other than broker-dealer), or any operating unit of the bank or an affiliate (other than broker-dealer) if the affiliate or operating unit does not over time predominately engage |

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| | in the business of making referrals to a broker-dealer, or (3) a broker-dealer unless (a) such measure of overall profitability or revenue is only one of multiple factors or variables used; (b) the factors or variables used to determine compensation include multiple significant factors or variables that are not related to the profitability or revenue of the broker-dealer; (c) a referral made by an employee is not a factor or variable in determining the employee's compensation under the plan; and (d) the employee's compensation under the plan is not determined by reference to referrals made by any other person. [854032] |
| 854034 | Section 218.700(c) of Regulation R prohibits a bank utilizing the networking exception from paying fees to bank employees for referring a customer to a broker-dealer unless the employee was personally involved in referring the customer to the broker-dealer, and the fee is a nominal, one-time cash fee of a fixed dollar amount that does not exceed: (1) twice the average of the minimum and maximum hourly wage established by the bank for the current or prior year for the job family that includes the employee; or 1/1000th of the average of the minimum and maximum annual base salary established by the bank for the current or prior year for the job family that includes the employee; (2) twice the employee's actual base hourly wage or 1/1000th of the employee's actual annual base salary; or (3) twenty-five dollars (adjusted periodically for inflation). [854034] |
| 855010 | Section 218.701(a)(1) of Regulation R prohibits a bank utilizing the networking exception from paying an unregistered bank employee a higher-than-nominal, contingent fee for referring a high net worth or institutional customer to a broker-dealer unless the bank has a written, third-party brokerage agreement and the bank employee (1) is predominantly engaged in banking activities other than making referrals; (2) is not subject to statutory disqualification; and (3) encounters the high net worth or institutional customer in the ordinary course of their assigned duties. [855010] |
| 855012 | Section 218.701(a)(2) of Regulation R requires the bank utilizing the networking exception to provide disclosures (set out in 218.701(b)) to high net worth or institutional customers in writing prior to or at the time of the referral, or orally prior to or at the time of the referral if the bank provides such information to the customer in writing within three business days of the referral, or by the broker-dealer if the written agreement between the bank and the broker-dealer provides for this. [855012] |
| 855014 | Section 218.701(a)(3) of Regulation R requires the bank and broker-dealer utilizing the networking exception to have a written agreement that addresses: (1) broker-dealer written disclosures, including the timing of such disclosures, if the bank delegates such responsibility to the broker-dealer; (2) customer and employee qualifications; (3) suitability or sophistication determination by the broker-dealer; (4) notice to the customer if transactions do not meet suitability standards; and (5) notice to the bank if the customer is not a high net worth or institutional customer, or if the employee is subject to statutory disqualification. [855014] |
| 855020 | Section 218.701(b) of Regulation R requires the bank utilizing the networking exception to provide disclosures to high net worth or institutional customers that clearly and conspicuously disclose: (1) the name of the broker or dealer; and (2) that the bank employee participates in an incentive compensation program under which the employee may receive a fee of more than a nominal amount for referring the customer to the broker or dealer and that payment of this fee may be contingent on whether the referral results in a transaction with the broker or dealer. [855020] |
| 857010 | Section 218.741(a) of Regulation R prohibits a bank that is exempt from the term "broker" under Section 3(a)(4) of the Securities and Exchange Act from effecting transactions on behalf of a customer in securities issued by a money market fund unless: (1) the bank provides some other product or service, directly or indirectly, which would not otherwise require the bank to register as a |

| Violation Codes | Description |
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| | broker-dealer, or (2) the bank effects the transactions on behalf of another bank as part of a program for the investment or reinvestment of deposit funds of, or collected by, the other bank if the securities are no-load. If the securities are not no-load, then the bank, or if applicable, other bank, must provide the customer a prospectus for the securities no later than at the time the customer authorizes the securities transactions and the bank, or other bank, must not characterize or refer to the class or services of securities as no-load. [857010] |
| 858010 | Section 218.760(a) of Regulation R prohibits a bank that is utilizing the safekeeping or custodial activities exception, as part of its customary banking activities, from accepting orders to effect securities transactions for an employee benefit account or an individual retirement account or similar account for which the bank acts as custodian unless the bank complies with employee compensation and advertising restrictions. [858010] |
| 858012 | Section 218.760(b) of Regulation R prohibits a bank that is utilizing the safekeeping or custodial activities exception, as part of its customary banking activities, from accepting orders to effect securities transactions for other custodial accounts unless the bank complies with the accommodation, employee compensation, bank fees, advertising, sales literature, and investment advice restrictions. [858012] |
| 858014 | Section 218.760(c) prohibits a bank that is utilizing the safekeeping or custodial activities exception from compensating employees if the fee is based on whether or not the securities transaction is executed for the account or if the fee is based on the quantity, price, or identity of securities purchased or sold by such account. [858014] |
| 858016 | Section 218.760(d) of Regulation R prohibits a bank that is utilizing the safekeeping or custodial activities exception from accepting orders for securities transactions for an account in which the bank acts as a custodian unless the bank does not act in a trustee or fiduciary capacity, other than as a directed trustee, and complies with handling and carrying broker activities requirements. [858016] |
| 858018 | Section 218.760(e) of Regulation R prohibits a bank that is utilizing the safekeeping or custodial activities exception from acting as a non-fiduciary and non-custodial administrator or recordkeeper for an employee benefit account if another bank acts as custodian unless: (1) both the bank and the administrator or recordkeeper bank comply with the employee benefit and individual retirement account restrictions in the custodial exemptions set out in 218.760(a), (c) and (d); and (2) the administrator or recordkeeper bank does not execute cross-trades with or for the employee benefit plan account or net orders for securities for the employee benefit plan account other than crossing or netting orders for shares of open-end investment companies not traded on an exchange or crossing orders between or netting orders for accounts of the custodian bank that contracted with the administrator or recordkeeper bank for services. [858018] |
| 858020 | Section 218.760(f) of Regulation R prohibits a bank that is utilizing the safekeeping or custodial activities exception to act as subcustodian for an account for which another bank acts as custodian unless: (1) for employee benefit plans, individual retirement accounts or similar accounts, both the custodian and subcustodian banks meet the conditions of the employee benefit and individual retirement accounts or similar accounts section of the custodial exemption set out in 218.760(a), (c) and (d); (2) for other custodial accounts, both the custodial bank and the subcustodial bank meet the requirements of the accommodation section of the custodial exemption; and, (3) the subcustodian bank does not execute a cross-trade with or for the account or net orders for securities for the account other than crossing or netting orders for shares of open-end investment companies not traded on an exchange or crossing orders between or netting orders for accounts of the custodian bank. [858020] |
| | **Right to Financial Privacy Act** |

| Violation Codes | Description |
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| 770000 | Uncoded. [770000] |
| 770101 | Section 1103(a) of the Right to Financial Privacy Act prohibits a financial institution from providing a federal governmental authority access to the financial records of a customer except in accordance with the provisions of the Act. [770101] |
| 770301 | Section 1103(b) of the Right to Financial Privacy Act prohibits the releasing of financial records of a customer before the federal government authority seeking such records has certified in writing that it has complied with the applicable provisions of the Act. [770301] |
| 770501 | Section 1104(b) of the Right to Financial Privacy Act prohibits a financial institution from requiring a customer to authorize disclosure of his or her financial records to a federal governmental authority as a condition of doing business with the financial institution. [770501] |
| 770701 | Section 1104(c) of the Right to Financial Privacy Act requires a financial institution to keep a record of all instances in which a customer's financial records were disclosed to a federal governmental authority pursuant to the customer's written authorization. [770701] |
| 770702 | Section 1104(c) of the Right to Financial Privacy Act requires a financial institution, upon customer's request, to give him or her a copy of the record kept of all instances in which the customer's financial records were disclosed to a federal governmental authority pursuant to the customer's written authorization. [770702] |
| 771101 | Section 1113(h)(6) of the Right to Financial Privacy Act requires a financial institution to maintain a record of each disclosure of a customer's financial records to a federal governmental authority in connection with the authority's consideration or administration of assistance to the customer in the form of a federal governmental loan, loan guaranty or loan insurance program. [771101] |
| 771102 | Section 1113(h)(6) of the Right to Financial Privacy Act requires a financial institution, upon a customer's request, to permit the customer to inspect the record of all disclosures made to a federal governmental authority in connection with the authority's consideration or administration of assistance to the customer in the form of a government loan, loan guaranty or loan insurance program. [771102] |
| **S** | **Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act)** |
| 391001 | Section 1007.103(a)(1) of Regulation G requires each employee of covered financial institution who acts as a mortgage loan originator to register with the Registry, obtain a unique identifier, and maintain registration in accordance with the requirements of this subpart. [391001] |
| 391005 | Section 1007.103(a)(2) of Regulation G requires each covered financial institution that employs one or more individuals who act as a residential mortgage originator to require each such employee to register with the Registry, maintain this registration, and obtain a unique identifier in accordance with the requirements of this subpart. The institution must also ensure an employee who is subject to the registration requirements does not act as a residential loan originator unless such employee is registered with the Registry. [391005] |
| 391015 | Section 1007.103(a)(4)(i) of Regulation G requires certain conditions be met for employees of a covered financial institution that were previously registered or licensed through the Registry. [391015] |
| 391020 | Section 1007.103(a)(4)(ii) of Regulation G requires certain conditions be met when registered or licensed mortgage loan originators become covered financial institution employees as a result of an acquisition, merger, or reorganization. These requirements must be met within 60 days from the effective date of the acquisition, merger, or reorganization. [391020] |

| Violation Codes | Description |
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| 391101 | Section 1007.103(b)(1)(i) of Regulation G ) requires mortgage loan originators who are registered with the Registry to renew their registration during the annual renewal period and to update their registration information, as appropriate, during the renewal process. [391101] |
| 391105 | Section 1007.103(b)(1)(ii) of Regulation G requires mortgage loan originators who are registered with the Registry to update their registration within 30 days of any of the following events:<br>(A)A change in the name of the registrant;<br>(B)The registrant ceases to be an employee of the covered financial institution; or<br>(C)The information required under paragraphs (d)(1)(iii) through (viii) of this section becomes inaccurate, incomplete, or out-of-date. [391105] |
| 391110 | Section 1007.103(b)(2) of Regulation G requires a registered mortgage loan originator to maintain his or her registration unless the individual is no longer engaged in the activity of a mortgage loan originator. [391110] |
| 391201 | Section 1007.103(d)(1) of Regulation G requires a covered financial institution to require each employee who is a mortgage loan originator to submit to the Registry the registration information under paragraphs (d)(1)(i) through (ix) of this section. Alternatively, the covered financial institution can submit the information on the employee's behalf. [391201] |
| 391205 | Section 1007.103(d)(2) of Regulation G requires an employee registering, renewing, or updating his or her registration as a mortgage loan originator to provide the appropriate authorizations and attestation of the registration. The employing covered financial institution or other employees of the covered financial institution cannot perform these activities on the behalf of a mortgage loan originator. [391205] |
| 391210 | Section 1007.103(d)(3) of Regulation G prohibits a covered financial institution from permitting an employee that is a mortgage loan administrator to submit the registration information required by paragraph (d)(1) to the Registry on behalf of the bank's employees unless the bank employs 10 or fewer fulltime employees. [391210] |
| 391301 | Section 1007.103(e)(1)(i) of Regulation G requires a covered financial institution to submit the following information to the Registry in connection with the registration of one or more mortgage loan originators:<br>(1)Name, main office address, and business contact information;<br>(2)Internal Revenue Service Employer Tax Identification Number (EIN);<br>(3)Research Statistics Supervision and Discount (RSSD) number, as issued by the Board of Governors of the Federal Reserve System;<br>(4)Identification of the bank's primary Federal regulator;<br>(5)Name(s) and contact information of the individual(s) with authority to act as the bank's primary point of contact for the Registry;<br>(6)Name(s) and contact information of the individual(s) with authority to enter the information required by paragraphs (d)(1) and (e) of this section to the Registry and who may delegate this authority to other individuals; and<br>(7)In the case of a subsidiary of a covered financial institution, indication that it is a subsidiary and the RSSD number of the parent bank. [391301] |
| 391305 | Section 1007.103(e)(1)(ii) of Regulation G requires that the individual(s) with authority to act as the bank's primary point of contact for the Registry and the individual(s) with authority to enter the information required by paragraphs (d)(1) and (e) of this section to the Registry must comply with the Registry protocols to verify their identity and must attest that they have the authority to enter data on behalf of the covered financial institution. The individual(s) must also attest that the information provided to the Registry pursuant to paragraph (e) is correct, and that the covered financial institution will keep the required information current and accurate supplementary information will be filed on a timely basis. [391305] |

| Violation Codes | Description |
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| 391310 | Section 1007.103(e)(1)(iii) of Regulation G requires a covered financial institution to update the information required by paragraph (e) of this section within 30 days of the date that this information becomes inaccurate. [391310] |
| 391315 | Section 1007.103(e)(1)(iv) of Regulation G requires a covered financial institution to renew the information required by paragraph (e) of this section on an annual basis. [391315] |
| 391320 | Section 1007.103(e)(2) of Regulation G requires a covered financial institution to submit to the Registry in connection with the registration of each employee who acts as a mortgage loan originator:<br>(i)confirmation that it employs the registrant after the information required by paragraph (d) of this section has been submitted to the Registry; and<br>(ii)within 30 days of the date the registrant ceases to be an employee of the bank, notification that it no longer employs the registrant and the date the registrant ceased to be an employee. [391320] |
| 392001 | Section 1007.104 of Regulation G requires a covered financial institution that employs one or more mortgage loan originators to adopt and follow written procedures designed to ensure compliance with this subpart. These policies and procedures must be appropriate to the nature, size, complexity, and scope of the mortgage lending activities of the bank, and apply only to those employees acting within the scope of their employment at the bank. At a minimum, these policies and procedures must:<br>(a)establish a process for identifying which employees of the bank are required to be registered mortgage loan originators;<br>(b)require that all employees of the covered financial institution who are mortgage loan originators be informed of the registration requirements of the S.A.F.E. Act and this subpart and be instructed on how<br>(c)to comply with such requirements and procedures;<br>(d)establish procedures to comply with the unique identifier requirements in Section 1007.105;<br>(e)establish reasonable procedures for confirming the adequacy and accuracy of employee registrations, including updates and renewals, by comparisons with its own records;<br>(f)establish reasonable procedures for tracking systems and monitoring compliance with the registration and renewal requirements and procedures;<br>(g)provide for independent testing for compliance with this subpart to be conducted at least annually by bank personnel or an outside party;<br>(h)provide for appropriate action in the case of any employee who fails to comply with the registration requirements of the S.A.F.E. Act , this subpart, or the bank's related policies and procedures, including prohibiting such employees from acting as mortgage loan originators or other appropriate disciplinary actions;<br>(i)establish a process for reviewing employee criminal history background reports received pursuant to this subpart, taking appropriate action consistent with Federal law, including section 19 of the Federal Deposit Insurance Act and implementing regulations with respect to these reports, and maintaining records of these reports and actions taken with respect to applicable employees; and<br>(j)establish procedures designed to ensure that any third party with which the bank has arrangement related to mortgage loan origination has policies and procedures to comply with the S.A.F.E. Act, including appropriate licensing and/or registration of individuals acting as mortgage loan originators. [392001] |
| 393001 | Section 1007.105(a) of Regulation G requires a covered financial institution to make the unique identifier(s) of its registered mortgage loan originator(s) available to consumers in a manner and method practicable to the institution. [393001] |
| 393005 | Section 1007.105(b) of Regulation G requires a registered mortgage loan originator to provide his or her unique identifier to a consumer: (1) upon request; (2) before acting as a mortgage loan originator; and (3) through the originator's initial written communication |

| Violation Codes | Description |
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| | with a consumer, whether on paper or electronically. [393005] |
| **S** | **Servicemembers Civil Relief Act of 2003 (SCRA)** |
| 030000 | Uncoded. [030000] |
| 030201 | Section 108 of the Servicemembers Civil Relief Act of 2003 prohibits a creditor from taking certain adverse actions against a servicemember due to the servicemember exercising his/her rights under the Act. [030201] |
| 030401 | Section 207(a)(1) of the Servicemembers Civil Relief Act of 2003 requires a creditor to reduce the interest rate on obligations of a servicemember, or a servicemember and spouse jointly, incurred prior to entry into military service to no more than 6 percent during the period of military service upon receipt of written notice and a copy of the military orders. [030401] |
| 030402 | Section 207(a)(2) of the Servicemembers Civil Relief Act of 2003 requires a creditor who reduces the interest rate on obligations of a servicemember, or servicemember and spouse jointly, to forgive interest in excess of 6 percent. [030402] |
| 030403 | Section 207(a)(3) of the Servicemembers Civil Relief Act of 2003 requires a creditor to reduce any periodic payment due from a servicemember by the amount of interest forgiven. [030403] |
| 030601 | Section 207(b)(2) of the Servicemembers Civil Relief Act of 2003 requires a creditor upon receipt of written notice from the servicemember and a copy of the military orders to apply the interest rate reduction retroactive to the date on which the servicemember is called to military service. [030601] |
| 030801 | Section 302(a) of the Servicemembers Civil Relief Act of 2003 prohibits a creditor from rescinding or terminating contracts by a servicemember for the purchase, lease, or bailment of real or personal property (including a motor vehicle) for any breach of terms occurring before or during military service, provided a deposit or installment has been paid by the servicemember prior to entry into military service, without a court order. The creditor is also prohibited from repossessing the property due to a breach of terms without a court order. [030801] |
| 031001 | Section 303(c) of the Servicemembers Civil Relief Act of 2003 prohibits the sale, foreclosure, or seizure of real or personal property due to a breach of an obligation by a servicemember during the period of military service or within 90 days after, without a court order. The prohibition applies to obligations which originated prior to the servicemember's entry into military service for which the servicemember is still obligated and is secured by a mortgage, trust deed, or other security instrument. Section 2203(a) of the Housing and Economic Recovery Act of 2008 (HERA) extends the stay, adjustment, sale, foreclosure and seizure provisions or legal proceedings from 90 days to 9 months following the end of the servicemember's period of military service. This amendment expires on December 31, 2012, at which time the statute will revert to the pre-existing language. [031001] |
| 031201 | Section 305(d) of the Servicemembers Civil Relief Act of 2003 requires a creditor to terminate leases within the stipulated timeframes once the requirements for termination are met. [031201] |
| 031401 | Section 305(f) of the Servicemembers Civil Relief Act of 2003 requires a creditor to refund lease amounts, paid in advance for a period after the effective date of the termination, within 30 days of the effective date of the termination of the lease. [031401] |
| 031601 | Section 306(a) of the Servicemembers Civil Relief Act of 2003 prohibits a creditor from exercising any right or option obtained under an assignment of the servicemember's life insurance policy during the period of military service or within one year thereafter, without a court order. The prohibition pertains to assignments which occurred prior to the servicemember's entry into military service |

| Violation Codes | Description |
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| | and is subject to the exceptions specified in Section 306(b) of the Act. [031601] |
| **T** | **Telephone Consumer Protection Act** |
| 700000 | Uncoded. [700000] |
| 700201 | Section 227(b)(1) of the Telephone Consumer Protection Act makes it unlawful for any person in the United States to: (a) make any call using any automatic telephone dialing system or an artificial or prerecorded voice: (i) to any emergency telephone line, (ii) to a telephone line of a guest room or patient room of a heath care facility or similar establishment, or (iii) to any telephone line assigned to a paging service, cellular telephone service, etc.; (b) initiate any telephone call to any residential telephone line using an artificial or prerecorded voice to deliver a message without the prior express consent of the called party; (c) use any telephone facsimile machine, computer, or other device to send an unsolicited advertisement to a telephone facsimile machine; or (d) use an automatic telephone dialing system so two or more telephone lines of a multi-line business is engaged simultaneously. [700201] |
| 700401 | Section 227(d)(1) of the Telephone Consumer Protection Act makes it unlawful for any person within the United States to: (a) initiate any communication using a telephone facsimile machine, or make any telephone call using any automatic telephone dialing system not complying with the technical and procedural standards under this subsection, or use any telephone facsimile machine or automatic telephone dialing system in a manner that does not comply with such standards; or (b) use a computer or other electronic device to send any message via a telephone facsimile machine unless such person clearly marks, in a margin at the top or bottom of each transmitted page of the message or on the first page of the transmission, the date and time it is sent and an identification of the business, other entity, or individual sending the message and the telephone number of the sending machine or of such business, other entity, or individual. [700401] |

| Violation Codes | Description |
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| | **Truth in Lending** |
| 050000 | Uncoded. [050000] |
| 050201 | Section 1026.60(a)(2)(i) of Regulation Z requires the disclosures in paragraphs (b) (1) through (5) (except for (b)(1)(iv)(B)) and (b)(7) through (15) of this section be provided in the form of a table with headings, content, and format substantially similar to any of the applicable tables found in G-10 in appendix G to this part. [050201] |
| 050202 | Section 1026.60(a)(2)(ii) of Regulation Z requires the table described in (a)(2)(i) of this section only contain information required or permitted by this section. Other information can be provided on or with the application or solicitation provided it is outside the required table. [050202] |
| 050203 | Section 1026.60(a)(2)(iii) of Regulation Z requires the disclosures required by paragraphs (b)(1)(iv)(B) and (b)(6) of this section to be placed directly beneath the table. [050203] |
| 050204 | Section 1026.60(a)(2)(iv) of Regulation Z requires that any annual percentage rate, any introductory rate, any rate that will apply after a premium initial rate expires, and any fee or percentage amounts or maximum limits on fee amounts required to be disclosed under applicable paragraphs of this section must be disclosed in bold text. However, bold text shall not be used for: the amount of any periodic fee disclosed pursuant to paragraph (b) (2) of this section that is not an annualized amount; and other annual percentage rates or fee amounts disclosed in the table. [050204] |
| 050205 | Section 1026.60(a)(2)(v) of Regulation Z requires for an application or solicitation accessed by the consumer in electronic form that the disclosures required under this section be provided to the consumer in electronic form on or with the application or solicitation. [050205] |
| 050206 | Section 1026.60(a)(2)(vi) of Regulation Z requires, except as provided in paragraph |

| Violation Codes | Description |
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| | (a)(2)(vi)(B) of this section, the table must be provided in a prominent location on or with an application or a solicitation. If the table is provided electronically, it must be provided in close proximity to the application or solicitation. [050206] |
| 050220 | Section 1026.60(a)(4) of Regulation Z requires that a card issuer not list fees for multiple states in the table required by paragraph (a)(2) (i) of this section. [050220] |
| 050401 | Section 1026.60(b) of Regulation Z requires the following disclosures on or with credit card applications or solicitations: annual percentage rate(s); fees for issuance or availability; fixed finance charge or minimum interest charge in excess of $1 with a brief description of the charge; transaction charges; grace period (or no grace period); balance computation method; cash advance fee; late payment fee; over-the-limit fee; balance transfer fee; returned payment fee; required insurance, debt cancellation or debt suspension coverage fee (and cross reference to any additional information provided); available credit fees or security deposits; and web site reference. [050401] |
| 050601 | Section 1026.60(c) of Regulation Z requires the disclosure of applicable items in §1026.60(b) on or with an application or solicitation that is mailed or provided by electronic communication. [050601] |
| 050801 | Section 1026.60(d) of Regulation Z requires that disclosures in paragraphs (b)(1) through (7) and (b)(14) of section 1026.60(b) to the extent applicable be provided orally in a telephone application or solicitation initiated by the card issuer. [050801] |
| 051001 | Section 1026.60(e) of Regulation Z requires the disclosures, to the extent applicable, in paragraphs (e)(1) or (e)(2) of this section on or with an application or solicitation made available to the general public, and requires the card issuer to provide a prompt response to requests for information regarding these disclosures. [051001] |

| Violation Codes | Description |
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| 052001 | Section 1026.40(a) of Regulation Z requires that disclosures should be made clearly and conspicuously, be grouped together, and segregated from all unrelated information except for the disclosure in (d)(4(iii), the itemization of third party fees, and variable rate information which may be provided separately. Disclosures in paragraph (d) (1) through (4) (ii) of this section should precede the other disclosures. [052001] |
| 052002 | Section 1026.40(a)(3) of Regulation Z requires for applications accessed by the consumer in electronic form that the disclosures required under this section be provided to the consumer in electronic form on or with the application. [052002] |
| 052201 | Section 1026.40(b) of Regulation Z requires that the disclosures and brochure be provided at the time an application is provided to the consumer. In the case of applications contained in magazines or other publications or received by telephone or via an intermediary, the disclosures and brochure should be delivered or mailed within three days of receipt of the application. [052201] |
| 052401 | Section 1026.40(d) of Regulation Z requires the following disclosures as applicable: (1) retention of information by the consumer, (2) conditions for disclosed terms, (3) security interest and risk of loss of home, (4) possible actions by creditor, (5) payment terms, (6) annual percentage rate, (7) fees imposed by creditor, (8) fees imposed by third parties to open a plan, (9) negative amortization, (10) transaction requirements, (11) tax implications and (12) disclosures for variable-rate plans. [052401] |
| 052601 | Section 1026.40(e) of Regulation Z requires that the home equity brochure published by the Federal Reserve Board or a suitable substitute be provided to the consumer. [052601] |
| 052801 | Section 1026.40(f)(1) of Regulation Z prohibits a creditor from changing the annual percentage rate unless the change is based on an index which is not under the creditor's control and which is available to the general |

| Violation Codes | Description |
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| | public. [052801] |
| 053001 | Section 1026.40(f)(2) of Regulation Z prohibits a creditor from terminating a plan and demanding repayment of the entire outstanding balance in advance of the original term (except for a reverse mortgage subject to paragraph (f) (4) of this section) unless: (1) there is fraud or material misrepresentation by the consumer, (2) the consumer fails to meet the repayment terms, or (3) any action or inaction by the consumer adversely affects the creditor's security or any right of the creditor in such security. [053001] |
| 053201 | Section 1026.40(f)(3) of Regulation Z prohibits a creditor from changing any term of a home equity plan unless the change is the result of one of the six conditions specifically noted by this section: (1) Provide in the initial agreement that specified changes will occur if a specific event takes place, or it may prohibit additional extensions of credit or reduce the credit limit during any period in which the maximum APR is reached, (2) change the index and margin used under the plan if the initial index is no longer available, the new index has a historical movement similar to the original index, and the new index or margin would have resulted in an APR substantially similar to the rate in effect at the time the original index became unavailable, (3) make a specific change if the consumer specifically agrees to it in writing at that time, (4) make a change that will unequivocally benefit the consumer throughout the remainder of the plan, (5) make an insignificant change to terms, or (6) other conditions specifically allowed by this section. [053201] |
| 053301 | Section 1026.40(f)(4) of Regulation Z prohibits a creditor from terminating a plan and demanding repayment of the entire outstanding balance in advance of the original term for reverse mortgage transactions that are subject to section 1026.33 except: (1) In the case of default, (2) If the consumer transfers title to the property, (3) If the consumer ceases using the property as a primary dwelling, or (4) Upon the consumer’s death. [053301] |
| 053401 | Section 1026.40(g) of Regulation Z requires the creditor to refund all fees paid by the consumer if any term required to be disclosed changes (other than a change due to fluctuations of the index) before the plan is opened, and the consumer elects not to open the plan. [053401] |
| 053601 | Section 1026.40(h) of Regulation Z prohibits a creditor from imposing a nonrefundable fee until three business days after the consumer receives the disclosures and brochure. [053601] |
| 053801 | Section 1026.41(a) of Regulation Z requires a servicer in connection with a closed-end consumer credit transaction secured by a dwelling to provide a periodic statement for each billing cycle, unless an exemption in paragraph (e) of this section applies. If a mortgage loan has a billing cycle shorter than 31 days, a periodic statement covering an entire month may be used. [053801] |
| 053805 | Section 1026.41(b) of Regulation Z requires the periodic statement for closed-end mortgage loans to be delivered or placed in the mail within a reasonably prompt time after the payment due date or the end of any courtesy period provided for the previous billing cycle. [053805] |
| 053810 | Section 1026.41(c) of Regulation Z requires the periodic statement for closed-end mortgage loans to include clear and conspicuous disclosures in writing, or electronically if the consumer agrees, and in a form that the consumer may keep. Sample forms for periodic statements are provided in appendix H-30. [053810] |
| 053815 | Section 1026.41(d)(1) of Regulation Z requires the periodic statement for closed-end mortgage loans to include the following, grouped together in close proximity to each other at the top of the first page of the statement: the amount due consisting of (i) Payment due date; (ii) The amount of any late payment fee and the date on which that fee will be imposed if the payment has not been |

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| | received; and (iii) The amount due, shown more prominently than other disclosures on the page and, if the transaction has multiple payment options, the amount due under each of the payment options. [053815] |
| 053820 | Section 1026.41(d)(2) of Regulation Z requires the periodic statement for closed-end mortgage loans to include the following, grouped together in close proximity to each other on the first page of the statement: an explanation of amount due consisting of (i) The monthly payment amount, including a breakdown showing how much, if any, will be applied to principal, interest, and escrow; (ii) The total sum of any fees or charges imposed since the last statement; and (iii) Any payment amount past due. Mortgage loans with multiple payment options must also have a breakdown of each payment option, along with information regarding how each payment option will impact the principal. [053820] |
| 053825 | Section 1026.41(d)(3) of Regulation Z requires the periodic statement for closed-end mortgage loans to include the following, grouped together in close proximity to each other on the first page of the statement: the past payment breakdown consisting of (i) The total of all payments received since the last statement, including a breakdown showing the amount, if any, that was applied to principal, interest, escrow, fees and charges, and the amount, if any, sent to any suspense or unapplied funds account; and (ii) The total of all payments received since the beginning of the current calendar year, including a break-down of that total showing the amount, if any, that was applied to principal, interest, escrow, fees and charges, and the amount, if any, currently held in any suspense or unapplied funds account. [053825] |
| 053830 | Section 1026.41(d)(4) of Regulation Z requires the periodic statement for closed-end mortgage loans to include a list of all the transaction activity that occurred since the last statement, including any activity that causes a credit or debit to the amount currently due, the date of the transaction, a brief description of the transaction, and the amount of each transaction. [053830] |
| 053835 | Section 1026.41(d)(5) of Regulation Z requires the periodic statement for closed-end mortgage loans to disclose any partial payment that was placed in a suspense or unapplied funds account and an explanation of what must be done for the funds to be applied. This information must be on the front page of the statement or, alternatively, may be included on a separate page enclosed with the periodic statement or in a separate letter. [053835] |
| 053840 | Section 1026.41(d)(6) of Regulation Z requires the periodic statement for closed-end mortgage loans to include contact information on the front page of the statement, consisting of a toll-free telephone number and, if applicable, an electronic mailing address that may be used by the consumer to obtain information about the consumer's account. [053840] |
| 053845 | Section 1026.41(d)(7) of Regulation Z requires the periodic statement for closed-end mortgage loans to include the following account information: (i) The amount of the outstanding principal balance; (ii) The current interest rate in effect for the mortgage loan; (iii) The date after which the interest rate may next change; (iv) The existence of any prepayment penalty, as defined in § 1026.32(b)(6)(i), that may be charged; and (v) The Web site to access either the Bureau list or the HUD list of homeownership counselors and counseling organizations and the HUD toll-free telephone number to access contact information for homeownership counselors or counseling organizations. [053845] |
| 053850 | Section 1026.41(d)(8) of Regulation Z requires the periodic statement for closed-end mortgage loans to include delinquency information if the consumer is more than 45 days delinquent. The following items, |

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| | grouped together in close proximity to each other on the first page of the statement, are required: (i) The date on which the consumer became delinquent; (ii) A notification of possible risks, such as foreclosure, and expenses, that may be incurred if the delinquency is not cured; (iii) An account history showing, for the previous six months or the period since the last time the account was current, whichever is shorter, the amount remaining past due from each billing cycle or, if any such payment was fully paid, the date on which it was credited as fully paid; (iv) A notice indicating any loss mitigation program to which the consumer has agreed, if applicable; (v) A notice of whether the servicer has made the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process, if applicable; (vi) The total payment amount needed to bring the account current; and (vii) A reference to the homeownership counselor information disclosed pursuant to paragraph (d)(7)(v) of this section. Alternatively, this information can be on a separate page enclosed with the periodic statement or in a separate letter. [053850] |
| 053870 | Section 1026.41(e)(3) of Regulation Z exempts a servicer from providing a periodic statement used for fixed-rate closed-end mortgage loans if the servicer provides a coupon book that meets certain conditions. [053870] |
| 053875 | Section 1026.41(e)(4) of Regulation Z exempts a creditor, assignee, or servicer from the periodic statement requirements for closed-end mortgage loans if it is a small servicer. A small servicer is defined as a servicer that either: (A) Services, together with any affiliates, 5,000 or fewer mortgage loans, for all of which the servicer (or an affiliate) is the creditor or assignee; or (B) Is a Housing Finance Agency, as defined in 24 CFR 266.5. In determining whether a servicer is a small servicer, the servicer is evaluated based on the mortgage loans serviced by the servicer and any affiliates as of January 1 for the remainder of the calendar year. A servicer that ceases to qualify as a small servicer will have six months from the time it ceases to qualify or until the next January 1, whichever is later, to comply with any requirements from which the servicer is no longer exempt as a small servicer. [053875] |
| 053880 | Section 1026.41(e)(5) of Regulation Z exempts a servicer from providing periodic statements for a mortgage loan while the consumer is a debtor in bankruptcy under Title 11 of the United States Code. [053880] |
| 060000 | Uncoded. [060000] |
| 060101 | Section 1026.5(a)(1) of Regulation Z requires a creditor make the disclosures required by this subpart clearly and conspicuously, in writing (except as excluded under (a) (ii) (A)), in a form that the consumer may keep (except as excluded under (a) (ii) (B). The disclosures required by this subpart may be provided to the consumer in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). [060101] |
| 060201 | Section 1026.5(a)(2) of Regulation Z requires that: (1) terminology used in providing the disclosures required by this subpart be consistent; (2) the terms finance charge and annual percentage rate be more conspicuous than any other required disclosure for home equity plans subject to § 1026.40 for disclosures required in a tabular format, the term penalty APR shall be used, as applicable. If credit insurance or debt cancellation suspension coverage is required, the term required shall be used and the program shall be identified by its name. If an annual percentage rate is required to be presented in tabular format, the term fixed, or a similar term, may not be used to describe such rate unless the creditor also specifies a time period that the rate will be fixed, or if no such time period is provided, the rate will not increase while the plan is open. [060201] |

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| 060301 | Section 1026.5(a)(3) of Regulation Z requires: (1) certain disclosures for credit and charge card applications and solicitations must be provided in a tabular format in accordance with the requirements of § 1026.60(a)(2) certain disclosures for home equity plans must precede other disclosures and must be given in accordance with the requirements of § 1026.40(a) certain account opening disclosures must be provided in a tabular format in accordance with the requirements of § 1026.6(b)(1) certain disclosures provided on periodic statements must be grouped together in accordance with the requirements of § 1026.7(b)(6) and (b)(13) and (b)(13) certain disclosures accompanying checks that access a credit card account must be provided in a tabular format in accordance with the requirements of § 1026.9(b)(3) certain disclosures provided in a change-in-terms notice must be provided in a tabular format in accordance with the requirements of § 1026.9(c)(2)(iv)(D) and (7) certain disclosures provided when a rate is increased due to delinquency, default or as a penalty must be provided in a tabular format in accordance with the requirements of § 1026.9(g)(3)(ii) . [060301] |
| 060701 | Section 1026.5(b)(1) of Regulation Z requires that initial disclosure statements required by §1026.6 be furnished to consumers before the first transaction. Charges that may be imposed as part of an open-end plan (not home-secured) and not required to be disclosed under §1026.6(b)(2) may be disclosed after account opening but before the consumer agrees to pay or becomes obligated to pay for the charge, provided they are disclosed at a time and in a manner that a consumer would be likely to notice them. [060701] |
| 060704 | Section 1026.5(b)(1)(iii) of Regulation Z requires that for telephone purchases, the disclosures may be provided as soon as reasonably practicable after the first transaction, if (A) the first transaction occurs when a consumer contacts a merchant by telephone to purchase goods and at the same time the consumer accepts an offer to finance the purchase by establishing an open-end plan with the merchant or third-party creditor; (B) the merchant or third-party creditor permits consumers to return any goods financed under the plan and provides consumers with a sufficient time to reject the plan and return the goods free of cost after the merchant or third-party creditor has provided the written disclosures required by §1026.6 the consumer's right to reject the plan and return the goods is disclosed to the consumer as a part of the offer to finance the purchase. [060704] |
| 060705 | Section 1026.5(b)(1)(iv) of Regulation Z prohibits a creditor from collecting any fee before account opening disclosures are provided. [060705] |
| 060901 | Section 1026.5(b)(2) of Regulation Z requires the creditor to mail or deliver periodic statements in appropriate situations within the specified time limits. [060901] |
| 061001 | Section 1026.5(b)(3) ) of Regulation Z requires the card issuer to furnish disclosures for credit and charge card applications and solicitations in accordance with the timing requirements of §1026.60. [061001] |
| 061301 | Section 1026.5(c) of Regulation Z requires the creditor to make disclosures which reflect the terms of the legal obligation between the parties involved and, when any information necessary for accurate disclosures is unknown, to clearly state that the disclosure is an estimate. [061301] |
| 061901 | Section 1026.5(d) of Regulation Z requires, when a transaction involves more than one customer and the right of rescission under Section 1026.15 is applicable, that the creditor make disclosures required by Sections 1026.6 and 1026.15(b) to each consumer having the right to rescind. [061901] |

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| 062501 | Section 1026.6(a)(1)(i) of Regulation Z requires the creditor to explain on the initial disclosure statement the circumstances under which a finance charge will be imposed, including the time period, if any, during which payment may be made without incurring a finance charge. [062501] |
| 062701 | Section 1026.6(a)(1)(ii) of Regulation Z requires an explanation on the initial disclosure statement of each periodic rate used to compute the finance charge, the range of balances to which it is applicable, and the corresponding annual percentage rate. If a creditor offers a variable-rate plan, the creditor shall also disclose: the circumstances under which the rate(s) may increase; any limitations on the increase; and the effect(s) of an increase. When different rates apply to different types of transactions, the creditor is required to explain which rates apply to which transactions. [062701] |
| 062901 | Section 1026.6(a)(1)(iii) of Regulation Z requires an explanation on the initial disclosure statement of the method used to determine the balance on which a finance charge may be computed. [062901] |
| 063101 | Section 1026.6(a)(1)(iv) of Regulation Z requires the creditor to explain on the initial disclosure statement the method of determining the amount of the finance charge, including a description of how any finance charge other than the periodic rate will be determined. [063101] |
| 063301 | Section 1026.6(a)(2) of Regulation Z requires the creditor to explain on the initial disclosure statement the amount of any charge, other than the finance charge, that may be imposed as part of the plan, or an explanation of how the charge will be determined. [063301] |
| 063501 | Section 1026.6(a)(4) of Regulation Z requires the creditor to state on the initial disclosure statement the fact that the creditor has or will acquire a security interest in the property purchased under the plan, or in other security identified by item or type. [063501] |
| 063701 | Section 1026.6(a)(5) of Regulation Z requires the creditor to provide a statement of billing rights that outlines the consumer's rights and the creditor's responsibilities under Sections 1026.12(c) and 1026.13 and that is substantially similar to the statement found in Model Form G-3 or, at the creditor’s option, Model Form G-3(A), in Appendix G. [063701] |
| 063801 | Section 1026.6(a)(3) of Regulation Z (Home Equity Plan) requires the creditor to furnish an initial disclosure statement with the following disclosures as applicable: possible actions by the creditor, payment terms, statement on negative amortization, transaction requirements, tax implications, statement on annual percentage rate, and certain variable-rate disclosures unless provided with the application, in a form the consumer could keep, and included a payment example for the payment option chosen by the consumer. [063801] |
| 063901 | Section 1026.6(b)(1) of Regulation Z (non home-secured plans) requires creditors to provide the initial account disclosures in a tabular format substantially similar to any of the applicable tables in G-17 in appendix G to this part. [063901] |
| 063902 | Section 1026.6(b)(1)(iof Regulation Z requires that any annual percentage rate, introductory rate, any rate that will apply after a premium initial rate expires, and any fee or percentage amounts required to be disclosed under applicable paragraphs must be disclosed in bold text. However, bold text shall not be used for: any maximum limits on fee amounts disclosed in the table that do not relate to fees that vary by state; the amount of any periodic fee disclosed pursuant to paragraph (b)(2) of this section that is not an annualized amount; and other annual percentage rates or fee amounts disclosed in the table. [063902] |

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| 063903 | Section 1026.6(b)(1)(ii) of Regulation Z requires that only certain disclosures in paragraph (b)(2) be placed in tabular format. The Section also requires that disclosures required by paragraphs (b)(2)(i)(D)(2), (b)(2)(vi), and (b)(2)(xv) be placed directly beneath the table. [063903] |
| 063910 | Section 1026.6(b)(2) of Regulation Z requires the account-opening table for open-end (not home-secured) plans include each periodic rate that may be used to compute the finance charge on an outstanding balance for purchases, a cash advance, or balance transfer, expressed as an annual percentage rate (as determined by Section 1026.14(b). When more than one rate applies for a category of transactions, the range of balances to which each rate is applicable shall also be disclosed. The annual percentage rate for purchases disclosed pursuant to this paragraph shall be in at least 16-point type, except for penalty rates that may apply upon the occurrence of one or more specific events. In addition, required information regarding variable-rates, discounted initial rates, premium initial rates, penalty rates, and introductory rates shall be disclosed, as applicable. [063910] |
| 063915 | Section 1026.6(b)(2) of Regulation Z requires the following disclosures in the account opening table for non home-secured plans: the corresponding annual percentage rate(s); any fees for issuance or availability; any one-time fees; any fixed finance charge with a brief description or minimum interest charge in excess of $1; transaction charges; the grace period (or the fact that there is no grace period); the balance computation method; any cash advance fee, late payment fee, over-the-limit fee, balance transfer fee, or returned payment fee; any required insurance, debt cancellation, or debt suspension coverage fee (and cross reference to any additional information provided); any available credit fees or security deposits; the Federal Reserve Board web site reference; and the billing error rights reference. [063915] |

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| 063920 | Section 1026.6(b)(3) of Regulation Z requires the creditor to explain on the initial disclosure statement the amount of any charge that may be imposed as part of the plan, including the amount of the charge or an explanation of how the charge will be determined. For finance charges, a statement of when the charge begins to accrue and an explanation of whether or not any time period exits within which any credit that hasbeen extended may be repaid without incurring the charge. If such a time period is provided, a creditor may, at its option and without disclosure, elect not to impose a finance charge when payment is received after the time period expires. [063920] |
| 063925 | Section 1026.6(b)(4)(i) of Regulation Z requires an explanation on the initial disclosure statement of each periodic rate used to calculate interest, the range of balances to which it is applicable, the corresponding annual percentage rate, and the balance computation method. The type of transaction to which each rate applies shall be disclosed, if different rates apply to different types of transactions. [063925] |
| 063926 | Section 1026.6(b)(4)(ii) of Regulation Z requires the following disclosures when the interest rate required by paragraph (4)(i) can vary: (A) the fact that the annual percentage rate may increase; (B) how the rate is determined, including the margin; (C) the circumstances under which the rate may increase; (D) the frequency with which the rate may increase; (E) any limitation on the amount the rate may change; and (F) the effect(s) of an increase. [063926] |
| 063927 | Section 1026.6(b)(4)(iii) of Regulation Z requires the following disclosures when interest rate changes required by paragraph (4)(i) are not based on an index or formula: (A) the initial rate (expressed as a periodic rate and a corresponding annual percentage rate); (B) how long the initial rate will remain in effect and the specific events that cause the |

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| | initial rate to change; (C) the rate (expressed as a periodic rate and the corresponding annual percentage rate) that will apply when the initial rate is no longer in effect and any limitation on the time period the new rate will remain in effect; (D) the balances to which the new rate will apply; and (E) the balances to which the current rate at the time of the change will apply. [063927] |
| 063930 | Section 1026.6(b)(5)(i) of Regulation Z requires certain disclosures regarding voluntary credit insurance, debt cancellation coverage, or debt suspension coverage. [063930] |
| 063931 | Section 1026.6(b)(5)(ii) of Regulation Z requires disclosure of the fact that a creditor has or will acquire an interest in property purchased as part of the transaction, or in other property identified by item or type. [063931] |
| 063932 | Section 1026.6(b)(5)(iii) of Regulation Z requires a statement that outlines the consumer's rights and the creditor's responsibilities under Sections 1026.12(c) and 1026.13 and that is substantially similar to the statement found in Model Form G–3(A) in appendix G to this part. [063932] |
| 064101 | Section 1026.7 of Regulation Z requires the creditor to provide a periodic statement. [064101] |
| 064301 | Section 1026.7(a)(1) of Regulation Z requires disclosure of the “previous balance” on the periodic statement used for home-equity plans. [064301] |
| 064501 | Section 1026.7(a)(2) of Regulation Z requires identification of each credit transaction on the periodic statement used for home-equity plans. [064501] |
| 064701 | Section 1026.7(a)(3) of Regulation Z requires the periodic statement used for home-equity plans to disclose any credit to the account during the billing cycle, including the amount and date of the crediting. [064701] |
| 064901 | Section 1026.7(a)(4) of Regulation Z requires the periodic statement used for home-equity plans to disclose each periodic rate that may be used to compute the finance charge, the range of balances to which it is applicable, and the corresponding annual percentage rate or rates. For variable rate plans, a statement that the annual percentage rate may vary shall also be disclosed. [064901] |
| 065501 | Section 1026.7(a)(5) of Regulation Z requires the periodic statement used for home-equity plans to disclose the amount of the balance to which a periodic rate was applied and an explanation of how that balance was determined. If the balance on a periodic statement is determined without first deducting all credits, the creditor must disclose that fact and the amount of such credits. [065501] |
| 066101 | Section 1026.7(a)(6) of Regulation Z requires disclosure on the periodic statement used for home-equity plans of the amount of any finance charge debited or added to the account during the billing cycle, using the term "finance charge." It also requires disclosure of the components of the finance charge, individually itemized and identified to show the amount(s) due to the application of periodic rates and the amount(s) of any other type of finance charge. [066101] |
| 066301 | Section 1026.7(a)(7) of Regulation Z requires the periodic statement for home-equity plans to disclose the annual percentage rate determined under Section 1026.14(c) / (226.14(c)) by using the term "annual percentage rate." [066301] |
| 066501 | Section 1026.7(a)(6)(ii) of Regulation Z requires the periodic statement used for home equity plans to disclose the amounts of any charges other than finance charges debited to |

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| | the account during the billing cycle, itemized and identified by type. [066501] |
| 066701 | Section 1026.7(a)(10) of Regulation Z requires the periodic statement used for home-equity plans to disclose the closing date of the billing cycle and the account balance outstanding on that date. [066701] |
| 066901 | Section 1026.7(a)(8) of Regulation Z requires the periodic statement used for home-equity plans to disclose the date by which, or the time period within which, the new balance or any portion of the new balance must be paid to avoid additional finance charges. [066901] |
| 067101 | Section 1026.7(a)(9) of Regulation Z requires the periodic statement used for home-equity plans to disclose the address for notice of billing errors. Alternatively, the address may be provided on the billing rights statement permitted by Section 1026.9(a)(2). [067101] |
| 067501 | Section 1026.7(b)(1) of Regulation Z requires disclosure of the "previous balance" on the periodic statement used for open-end (not home-secured) plans. [067501] |
| 067505 | Section 1026.7(b)(2) of Regulation Z requires identification of each credit transaction on the periodic statement used for open-end (not home-secured) plans. [067505] |
| 067510 | Section 1026.7(b)(3) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose any credit to the account during the billing cycle, including the amount and date of the crediting. [067510] |
| 067515 | Section 1026.7(b)(4) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose each periodic rate that may be used to compute the finance charge, the range of balances to which it is applicable, and the corresponding annual percentage rate or rates using the term, "Annual Percentage Rate." For variable rate plans, a statement that the annual percentage rate may vary shall also be disclosed. [067515] |
| 067520 | Section 1026.7(b)(5) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose the amount of the balance to a periodic rate was applied and an explanation of how that balance was determined, using the term "Balance Subject to Interest Rate." When a balance is determined without first deducting all credits and payments made during the billing cycle, the fact and the amount of the credits and payments shall be disclosed. As an alternative, a creditor that uses a balance computation method identified in Section 1026.60(g) may identify the name of the balance computation method and provide a toll-free telephone number where consumers may obtain more information and how resulting interest charges were determined [067520] |
| 067525 | Section 1026.7(b)(6)(i) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose the amounts of any charges imposed as part of the plan as stated in Section 1026.7(b)(3) to be grouped together in proximity to transactions identified under paragraph (b)(2) of this section. The periodic statement shall disclose this information in a format that is substantially similar to Sample G-18(A) in appendix G to this part. [067525] |
| 067530 | Section 1026.7(b)(6)(ii) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose the finance charges attributable to periodic interest rates, using the term "Interest Charge." This disclosure must be grouped together under the heading "Interest Charged," itemized and totaled by type of transaction, and a total of finance charges attributable to periodic interest rates, using the term "Total Interest," must be disclosed for the statement period and calendar year-to-date. A creditor shall use a format substantially similar to Sample G-18(A) in appendix G to this part. [067530] |
| 067535 | Section 1026.7(b)(6)(iii) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose charges imposed as part of the plan other than |

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| | charges attributable to periodic interest rates. These charges must be grouped together under the heading "Fees," be identified consistent with the feature or type, and be itemized. A total of charges, using the term "Fees," must be disclosed for the statement period and calendar year-to-date using a format substantially similar to Sample G-18(A) in appendix G. [067535] |
| 067540 | Section 1026.7(b)(7) of Regulation Z requires creditors that provide change-in-terms notices required by Section 1026.9(c), or a rate increase notice required by Section 1026.9(g), on with periodic statements, to disclose certain information set forth in Section 1026.9 in accordance with the appropriate format requirements. [067540] |
| 067545 | Section 1026.7(b)(8) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose the date by which, or the time period within which, the new balance or any portion of the new balance must be paid to avoid additional finance charges. [067545] |
| 067550 | Section 1026.7(b)(9) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose the address for notice of billing errors. Alternatively, the address may be provided on the billing rights statement permitted by Section 1026.9(a)(2). [067550] |
| 067555 | Section 1026.7(b)(10) of Regulation Z requires the periodic statement used for open-end (not home-secured) plans to disclose the closing date of the billing cycle and the account balance outstanding on that date. [067555] |
| 067560 | Section 1026.7(b)(11) of Regulation Z requires the periodic statement for a credit card account under an open-end (not-home-secured) consumer credit plan, except as provided in paragraph (b)(11)(ii) of this section and in accordance with the format requirements in paragraph (b)(13) of this section, to disclose the following information: (A) the due date for a payment; and (B) the amount of the late-payment fee and any increased periodic rate(s) (expressed as an annual percentage rate(s)) that may be imposed on the account as a result of a late payment. If a range of late payment fees may be assessed, the card issuer may state the range of fees, or the highest fee and an indication that the fee imposed could be lower. If the rate may be increased for more than one feature or balance, the card issuer may state the range of rates or the highest rate that could apply and at the issuer's option an indication that the rate imposed could be lower. [067560] |
| 067565 | Section 1026.7(b)(12)(i) of Regulation Z requires the periodic statement for a credit card account under an open-end (not home-secured) consumer credit plan, except as provided in paragraphs b(12)(ii) and (b)(12)(v) of this section, to provide the following disclosures: (A) the required minimum payment warning; (B) minimum repayment estimate; (C) minimum payment total cost estimate; (D) statement that minimum payment repayment estimate and minimum payment total cost estimate are based on the current outstanding balance and on the assumption that only minimum payments are made and no other amounts added to the balance; (E) a toll-free consumer credit counseling telephone number; and (F) certain disclosures regarding the estimated monthly payment, total cost estimate, and savings estimate. [067565] |
| 067570 | Section 1026.7(b)(12)(ii) of Regulation Z requires the periodic statement for a credit card account under an open-end (not home-secured) consumer credit plan to provide the following disclosures if negative or no amortization occurs when calculating the minimum payment repayment estimate: (A) the required minimum payment warning; (B) required statement regarding the advantage of paying more than the minimum payment; (C) the estimated monthly payment for repayment in 36 months; (D) statement regarding payoff in 3 years if consumer pays the estimated monthly payment; and (E) a toll-free consumer credit counseling telephone number. [067570] |
| 067575 | Section 1026.7(b)(12)(iii) of Regulation Z |

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| | requires the periodic statement for a credit card account under an open-end (not home-secured) consumer credit plan to provide the disclosures required by paragraph (b)(12)(i) or (b)(12)(ii) in accordance with the format requirements of paragraph (b)(13), and in a format substantially similar to Samples G-18(C)(1), G-18(C)(2), and G-18(C)(3) in Appendix G, as applicable. [067575] |
| 067580 | Section 1026.7(b)(12)(iv) of Regulation Z requires a card issuer, to the extent available from the United States Trustee or a bankruptcy administrator, to provide through the toll-free telephone number disclosed pursuant to paragraphs (b)(12)(i) or (b)(12)(ii) the name, street address, telephone number, and Web site address for at least three organizations that have been approved by the United States Trustee or a bankruptcy administrator pursuant to 11 U.S.C. 111(a)(1) to provide credit counseling services in, at the card issuer's option, either the state in which the billing address for the account is located or the state specified by the consumer. A card issuer must update the information provided by this section at least annually. [067580] |
| 067585 | Section 1026.7(b)(13) of Regulation Z requires card issuers to disclose the due date required by paragraph (b)(11) of this section on the front of the first page of the periodic statement. The amount of the late-payment fee and the annual percentage rate(s) required by paragraph (b)(11) of this section shall be stated in close proximity to the due date. The ending balance required by paragraph (b)(10) of this section and the disclosures required by paragraph (b)(12) of this section shall be disclosed in close proximity to the minimum payment due. The due date, late payment fee and annual percentage rate, ending balance, minimum payment due, and disclosures required by paragraph (b)(12) shall be grouped together. Sample G-18(D) in appendix G to this part set forth examples of how these terms may be grouped. [067585] |
| 067590 | Section 1026.7(b)(14) of Regulation Z requires card issuers of accounts that have an outstanding balance subject to a deferred interest or similar program, to disclose the date by which the outstanding balance must be paid in full in order to avoid the obligation to pay finance charges on the balance on the front of each periodic statement beginning with the first periodic statement issued during the deferred interest period that reflects the deferred interest or similar transaction. The disclosure must be substantially similar to Sample G-18(H) in Appendix G. [067590] |
| 068101 | Section 1026.8 of Regulation Z requires the creditor to properly identify credit transactions on or with the first periodic statement that reflects the transaction. [068101] |
| 069101 | Section 1026.9(a) of Regulation Z requires the creditor to mail or deliver the required billing rights statement at least once per calendar year (at intervals of not less than six months nor more than 18 months), either to all consumers or to each consumer entitled to receive a periodic statement for any one billing cycle. As an alternative, the creditor may mail or deliver, on or with each periodic statement, a statement substantially similar to Model Form G-4 or Model Form G-4(A) in Appendix G, as applicable. Creditors offering home-equity plans may use either Model Form, at their option.[069101] |
| 069501 | Section 1026.9(b) of Regulation Z requires certain disclosures when supplemental credit features are added to an existing account or when a credit device is delivered 30 days or more after the consumer opened the account. [069501] |
| 069601 | Section 1026.9(b)(3)(i) of Regulation Z requires certain disclosures for open-end plans not subject to requirements of Section 1026.40, if checks can be used to access a credit card account are provided more than 30 days after account-opening disclosures under Section 1026.6(b) are mailed or delivered, or are provided within 30 days of the account-opening disclosures and the finance charge for the checks differ from the terms previously disclosed. The creditor shall disclose on the front page containing the checks the terms in paragraph (b)(3)(i)(A) through (b)(3)(i)(D) in a tabular format similar to Sample G-19 in Appendix G. [069601] |

| Violation Codes | Description |
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| 069602 | Section 1026.9(b)(3)(ii) of Regulation Z requires the disclosures in paragraph (b)(3)(i) must be accurate as of the time the disclosures are mailed or delivered. A variable annual percentage rate is accurate if it was in effect within 60 days of when the disclosures are mailed or delivered. [069602] |
| 069801 | Section 1026.9(c)(1)(i) of Regulation Z requires the creditor to provide a written notice of a change in terms for home-equity plans subject to the requirements of Section 1026.40, whenever any term required to be disclosed under Section 1026.6(a) is changed or the required minimum periodic payment is increased. The notice shall be mailed or delivered at least 15 days prior to the effective date of change. [069801] |
| 069901 | Section 1026.9(c)(1)(iii) of Regulation Z requires creditors of home-equity plans subject to the requirements of Section 1026.40 to provide a change in terms notice if the creditor prohibits additional extensions of credit or reduces the credit limit pursuant to Section 1026.40(f)(3)(i). The creditor shall mail the notice not later than three business days after the action is taken and shall contain specific reasons for action. If the creditor requires the consumer to request reinstatement of credit privileges, the notice also shall state that fact. [069901] |
| 069910 | Section 1026.9(c)(2)(i) of Regulation Z requires creditors of open-end (not home-secured) plans to provide a change-in-terms notice whenever a significant change in account terms as described in paragraph (c)(2)(ii) is made to a term required to be disclosed under Section 1026.6(b)(3), (b)(4), or (b)(5) or the required minimum periodic payment is increased. The creditor must provide the written notice of the change at least 45 days prior to the effective date of the change to each consumer who may be affected. [069910] |
| 069915 | Section 1026.9(c)(2)(iv)(A) of Regulation Z requires the change in terms notice provided pursuant to paragraph (c)(2)(i) to contain the following information, as applicable:<br>(1)a summary of the changes made to terms required by Sections 1026.6(b)(1) and (b)(2), a description of any increase in the required minimum periodic payment, and a description of any security interest being acquired by the creditor;<br>(2)a statement that changes are being made to the account;<br>(3)notice of opt-out rights;<br>(4)the date the changes will become effective;<br>(5)a statement that the consumer may find additional information about the summarized changes in the notice;<br>(6)a statement regarding the penalty rate;<br>(7)required statements regarding an increase in the annual percentage rate. [069915] |
| 069920 | Section 1026.9(c)(2)(iv)(B) of Regulation Z requires card issuers that make a significant change in account terms on a credit card account under an open-end (not home-secured) consumer credit plan to make additional disclosures in conjunction with the disclosures provided under paragraph Section 1026.9(c)(2)(iv)(B) of Regulation Z requires card issuers that make a significant change in account terms on a credit card account under an open-end (not home-secured) consumer credit plan to make additional disclosures in conjunction with the disclosures provided under paragraph (c)(2)(iv)(A). The following disclosures are required, as applicable:<br>(1)a statement that the consumer has the right to reject the change or changes prior to the effective date of the changes, unless the consumer fails to make a required minimum periodic payment within 60 days after the due date for the payment;<br>(2)instructions for rejecting the change or changes, and a toll-free telephone number that the consumer may use to notify the creditor of the rejection; and<br>(3)a statement that if the consumer rejects the change or changes, the consumer's ability to use the account for further advances will be terminated or suspended. [069920] |
| 069930 | Section 1026.9(c)(2)(iv)(C) of Regulation Z requires certain disclosures for credit card accounts under an open-end (not home-secured) consumer credit plan if changes are made to the account that result from the |

| Violation Codes | Description |
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| | consumer's failure to make a minimum periodic payment within 60 days of the payment due date. [069930] |
| 069935 | Section 1026.9(c)(2)(iv)(D)(1) of Regulation Z requires creditors of open-end (not home-secured) plans who changes a term required to be disclosed pursuant to Sections 1026.6(b)(1) and (b)(2) to provide the information required by this section in a tabular format substantially similar to any of the account-opening tables founds in G-17 in appendix G to this part. The table must disclose the changed term and information relevant to the change, if that relevant information is required by Sections 1026.6(b)(1). The new terms shall be described in the same level of detail as required when disclosing the terms under Section 1026.6(b)(2). [069935] |
| 069940 | Section 1026.9(c)(2)(iv)(D)(2) of Regulation Z requires creditors of open-end (not home-secured) plans that disclose the notice of change in terms required by Section 1026.9(c)(2)(i) on or with a periodic statement to disclose the information described in paragraph (c)(2)(iv)(A)(1) of this section on the front of any page of the statement. The summary of changes described in paragraph (c)(2)(iv)(A)(1) of this section must immediately follow the information described in paragraph (c)(2)(iv)(A)(2) through (c)(2)(iv)(A)(7) of this section and be substantially similar to the format show in Sample G-20 or G-21 in appendix G to this part. [069940] |
| 069945 | Section 1026.9(c)(2)(iv)(D)(3) of Regulation Z requires certain disclosures when creditors of open-end (not home-secured) plans provide the notice of change in terms required by paragraph (c)(2)(i) separately from the periodic statement. The information described in paragraph (c)(2)(iv)(A)(1) of this section must, at the creditor's option, be disclosed on the front of the first page of the notice or segregated on a separate page from other information given with the notice. The summary of changes required to be a table pursuant to paragraph (c)(2)(iv)(A)(1) of this section may be on more than one page, and may use both the front and reverse sides, so long as the table begins on the front of the first page of the notice and there is a reference on the first page indicating that the table continues on the following page. The summary of changes described in paragraph (c)(2)(iv)(A)(1) of this section must immediately follow the information described in paragraph (c)(2)(iv)(A)(2) through (c)(2)(iv)(A)(7) of this section and be substantially similar to the format show in Sample G-20 or G-21 in appendix G to this part. [069945] |
| 069950 | Section 1026.9(c)(2)(vi) of Regulation Z requires creditors of open-end (not home-secured) plans to provide an advance notice of any decrease in the credit limit on an account before an over-the-limit fee or a penalty rate can be imposed solely as a result of the consumer exceeding the newly decreased credit limit. Notice shall be provided orally or in writing at least 45 days prior to imposing the over-the-limit fee or penalty rate and shall state that the credit limit on the accounts has been or will be decreased. [069950] |
| 070000 | Uncoded. [070000] |
| 070101 | Section 1026.9(d)(1) of Regulation Z requires the creditor to disclose the amount of any finance charge imposed prior to its imposition whenever a charge is made at the time of honoring a credit card which the financial institution did not issue. [070101] |
| 070201 | Section 1026.9(e) of Regulation Z requires a card issuer that imposes any annual or other periodic fee to renew a credit or charge card to mail or deliver written notice of renewal at least 30 days or one billing cycle, whichever is less, before mailing or delivering the statement on which the renewal fee is charged to the account. The notice must contain disclosures that would apply if the account were renewed and how and when the cardholder may terminate the account and avoid paying the renewal fee. If disclosures are provided on the back of a periodic statement, a reference must be included on the front of the statement. [070201] |
| 070301 | Section 1026.9(f)(1) of Regulation Z requires |

| Violation Codes | Description |
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| | written notice 30 days before a change in credit card account insurance providers occurs. The notice must explain any increase in the rate, any substantial decreases in coverage, and contain a statement that the consumer may discontinue the credit insurance. [070301] |
| 070401 | Section 1026.9(f)(2) of Regulation Z requires written notice 30 days after a change in insurance providers occurs. The notice must provide: (1) the name and address of the new insurance provider, (2) a copy of the new policy or certificate containing the basic terms of insurance and rate to be charged, and (3) a statement that the consumer may discontinue the insurance. [070401] |
| 070501 | Section 1026.9(g)(1) of Regulation Z requires creditors of open-end (not home-secured) plans to provide a written notice to each consumer who may be affected when (i) a rate is increased due to the consumer's delinquency or default; or (ii) a rate is increased as a penalty for one or more events specified in the account agreement, such as making a late payment or obtaining an extension of credit that exceeds the credit limit. The notice is to be provided at least 45 days prior to the effective date of the increase in rates. [070501] |
| 070505 | Section 1026.9(g)(3)(i) of Regulation Z requires creditors of open-end (not home-secured) plans to provide the following information on the notice sent pursuant to paragraph (g)(1) of this section, as applicable:<br>(1)a statement that the delinquency or default rate or penalty rate has been triggered;<br>(2)the date on which the delinquency or default rate or penalty rate will apply;<br>(3)the circumstances under which the delinquency or default rate or penalty rate will cease to apply to the consumer's account, or that the delinquency or default rate or penalty rate will remain in effect for a potentially indefinite time period;<br>(4)a statement indicating to which balances the delinquency or default rate or penalty rate will be applied;<br>(5)a description of any balances to which the current rate will continue to apply as of the effective date of the rate increase, unless a consumer fails to make a minimum periodic payment within 60 days from the due date for that payment; and<br>(6)for a consumer credit card account plan, a statement of no more than four principal reasons for the rate increase, listed in their order of importance. [070505] |
| 070510 | Section 1026.9(g)(3)(ii) of Regulation Z requires creditors of open-end (not home-secured) plans that disclose the notice required by paragraph (g)(1) of this section on or with the periodic statement to disclose the information described in paragraph (g)(3)(i) of this section in the form of a table on the front of any page of the periodic statement, above the notice described in paragraph (c)(2)(iii)(A) of this section if that notice is provided on the same statement. If the notice is not included on or with a periodic statement, the information must be disclosed on the front of the first page of the notice. Only information related to the increase in the rate to a penalty rate may be included with the notice, except that this notice may be combined with a notice described in paragraph (c)(2)(iv) or (g)(4) of this section. [070510] |
| 070701 | Section 1026.10(a) of Regulation Z requires the creditor to credit a payment to the customer's account as of the date of receipt. [070701] |
| 070801 | Section 1026.10(b) of Regulation Z requires that a creditor specify reasonable requirements that enable most consumers to make conforming loan payments. [070801] |
| 070810 | Section 1026.10(b)(4) requires a creditor to credit a nonconforming loan payment within five days of receipt. [070810] |
| 070901 | Section 1026.10(c) of Regulation Z requires the creditor to make credit adjustments to an account during the next billing cycle following the imposition of late payment or other charges resulting from the creditor's failure to promptly post a consumer's payment. [070901] |

| Violation Codes | Description |
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| 071001 | Section 1026.10(d) of Regulation Z requires that when a creditor does not receive or accept payments by mail on the due date, the creditor may generally not treat a payment received the next business day as late for any purpose. [071001] |
| 071101 | Section 1026.10(e) of Regulation Z prohibits creditors for credit card accounts under an open-end (not home-secured) consumer credit plan from imposing a separate fee to allow consumers to make a payment by any method, such as mail, electronic, or telephone payments, unless such payment method involves an expedited service by a customer service representative of the creditor. [071101] |
| 071201 | Section 1026.10(f) of Regulation Z requires that if a card issuer makes a material change in the address for receiving payments or procedures for handling payments, and such change causes a material delay in the crediting of a payment to the consumer's account during the 60-day period following the date on which such change took effect, the card issuer may not impose any late fee or finance charge for a late payment on the credit card account during the 60-day period following the date on which the change took effect. [071201] |
| 071501 | Section 1026.11(a) of Regulation Z requires that when a credit balance in excess of $1 is created on a credit account, the creditor shall—(1) Credit the amount of the credit balance to the consumer's account; or (2) Refund any part of the remaining credit balance within seven business days from receipt of a written request from the consumer; or (3) Make a good faith effort to refund to the consumer by cash, check, or money order, or credit to a deposit account of the consumer, any part of the credit balance remaining in the account for more than six months. [071501] |
| 071502 | Section 1026.11(b) of Regulation Z prohibits the creditor from terminating an account prior to its expiration date solely because the consumer does not incur a finance charge. A creditor may terminate an account due to inactivity (as defined in this section) for three or more consecutive months. [071502] |

| Violation Codes | Description |
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| 071503 | Section 1026.11(c)(1) of Regulation Z requires that card issuers of credit card accounts under an open-end (not home-secured) consumer credit plan must adopt reasonable written policies and procedures designed to ensure that an administrator of an estate of a deceased accountholder can determine the amount of and pay any balance on the account in a timely manner. [071503] |
| 071504 | Section 1026.11(c)(3) prohibits a card issuer of imposing any fees on a credit account or any increase in the annual percentage rate, except as provided by Section 1026.55(b)(2), after receiving a request from the administrator of an estate for the amount of the balance on a deceased consumer's account. In addition, a card issuer must waive or rebate any additional finance charge due to a periodic interest rate if payment in full of the balance disclosed to an administrator of an estate is received within 30 days after disclosure. [071504] |
| 072501 | Section 1026.12(a) of Regulation Z requires that credit cards be issued only in response to an oral or written request or application for the card, or as renewals of or substitutions for accepted credit cards. [072501] |
| 072701 | Section 1026.12(b) of Regulation Z prohibits the creditor from soliciting or accepting payment in excess of a cardholder's liability for unauthorized use, or from misrepresenting a cardholder's liability for unauthorized use. The liability of a cardholder for unauthorized use shall not exceed the lesser of $50 or the amount of money, property, labor, or services obtained by the unauthorized us before notification to the card issuer under paragraph (b)(3) of this section. [072701] |
| 072901 | Section 1026.12(c)(2) of Regulation Z prohibits the creditor from reporting a disputed item as delinquent if the cardholder, in accordance with paragraph (c)(1) of this section, withholds payment of the disputed amount until the dispute is settled or judgment is rendered. [072901] |
| 073101 | Section 1026.12(d)(1) of Regulation Z prohibits the creditor from offsetting a |

| Violation Codes | Description |
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| | cardholder's indebtedness against funds of the cardholder held on deposit with the card issuer. [073101] |
| 073301 | Section 1026.12(e)(2) of Regulation Z requires the card issuer to credit the consumer's account with the amount of the refund within three business days from receipt of a credit statement. [073301] |
| 073501 | Section 1026.12(f) of Regulation Z states that no card issuer may (i) prohibit any person who honors a credit card from offering a discount to induce the consumer to pay by cash, check or similar means, rather than by use of a credit card; or (ii) require any person who honors the card to open or maintain any account or obtain any other service not essential to the operation of the credit card plan from the card issuer or any other person, as a condition of participation in a credit card plan. [073501] |
| 074101 | Section 1026.13(c) of Regulation Z requires the creditor to provide written acknowledgment of receipt of notification of a billing error within 30 days after receipt, and to resolve billing errors within two complete billing cycles but no later than 90 days. [074101] |
| 074501 | Section 1026.13(d)(2) of Regulation Z prohibits collecting any portion of a disputed amount or deducting any part of a disputed amount or related charges from the cardholder's deposit account, and reporting or threatening to report adversely on a consumer's credit standing because of failure to pay a disputed amount. [074501] |
| 074601 | Section 1026.13(d)(3) of Regulation Z prohibits acceleration of any part of the consumer's indebtedness or restricting or closing a consumer's account solely because the consumer has exercised in good faith rights provided by this section. [074601] |
| 074901 | Section 1026.13(e) of Regulation Z requires the creditor to correct a consumer's account, within the time limits prescribed in paragraph (c)(2) of this section and to provide a written notification of corrections. [074901] |

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| 075301 | Section 1026.13(f) of Regulation Z requires the creditor to provide an appropriate written explanation when the creditor determines that no billing error or a different billing error occurred and, when requested by the consumer, to furnish copies of documentary evidence of the consumer's indebtedness. This section further requires the creditor to credit the consumer's account with any disputed amount and related charges, as applicable, when the creditor determines that a different billing error occurred. [075301] |
| 075901 | Section 1026.13(g) of Regulation Z requires the creditor to promptly provide written notification of the amount owed with regard to the disputed item, as well as when payment is due. The creditor must allow any time period disclosed under Section 1026.6(a)(1) during which the consumer can pay the amount due without incurring additional finance or other charges. [075901] |
| 077101 | Section 1026.15(a) of Regulation Z requires the creditor to provide each consumer whose ownership interest is or will be subject to the security interest in a credit plan secured by the consumer's principal dwelling the right to rescind the transaction. The creditor must honor the right to rescind until midnight of the third business day following the delivery of the right to rescind notice or delivery of all material disclosures, whichever occurs last. [077101] |
| 077301 | Section 1026.15(b) of Regulation Z requires that in any transaction subject to rescission the creditor deliver two copies of the written notice of the right to rescind to each consumer entitled to rescind (one copy to each if the notice is delivered in electronic form in accordance with the consumer consent and other applicable provisions of the E-Sign Act). The notice shall identify the transaction and clearly and conspicuously disclose: (i) the retention or acquisition of a security interest in the consumer's principal dwelling; (ii) the consumer's right to rescind; (iii) how to exercise the right to rescind; (iv) the effects of rescission; and (v) the date the rescission period expires. [077301] |

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| 077501 | Section 1026.15(c) of Regulation Z prohibits a creditor from disbursing funds until after the rescission period has expired and the creditor has reasonably satisfied that the consumer has not rescinded the transaction. [077501] |
| 077701 | Section 1026.15(e) of Regulation Z prohibits the waiver of the right to rescind unless there is a bona fide personal financial emergency. Use of printed forms for waiver of the right of rescind are prohibited. [077701] |
| 078501 | Section 1026.16 of Regulation Z requires that, if an advertisement for open-end credit states specific credit terms, it shall state only those that actually are or will be arranged or offered by the creditor, and if certain specific open-end credit terms are advertised, prescribed additional disclosures must be made. [078501] |
| 078502 | Section 1026.16(c)(1) of Regulation Z states if a catalog or other multiple-page advertisement, or an electronic advertisement (such as an advertisement appearing on an Internet Web site), gives information in a table or schedule in sufficient detail to permit determination of the disclosures required by paragraph (b) of this section, it shall be considered a single advertisement if: (i) the table or schedule is clearly and conspicuously set forth; and (ii) any statement of terms set forth in § 1026.6 appearing anywhere else in the catalog or advertisement clearly refers to the page or a location where the table or schedule begins. [078502] |
| 078503 | Section 1026.16(c)(2) of Regulation Z states a catalog or other multiple-page advertisement or an electronic advertisement (such as an advertisement appearing on an Internet Web site) complies with this paragraph if the table or schedule of terms includes all appropriate disclosures for a representative scale of amounts up to the level of the more commonly sold higher-priced property or services offered. [078503] |
| 078601 | Section 1026.16(d)(1)) of Regulation Z requires that, if the finance charge or other charges or payment terms are stated in an advertisement for a home equity plan, the advertisement must clearly and conspicuously set forth the following: (i) any loan fee that is a percentage of the credit limit and an estimate of any other fees for opening the plan stated as a single dollar amount or a reasonable range; (ii) the annual percentage rate; and (iii) the maximum annual percentage rate that may be imposed by the plan. [078601] |
| 078701 | Section 1026.16(d)(2) of Regulation Z (Home Equity Plan) requires that, if a discount or premium rate is advertised in a variable rate plan, the advertisement must state with equal prominence and in close proximity to the initial rate: (i) the period of time such initial rate will be in effect; and (ii) a reasonably current annual percentage rate that would have been in effect based on the index and margin. [078701] |
| 078801 | Section 1026.16(d)(3) of Regulation Z (Home Equity Plan) requires that, if an advertisement contains a statement about a minimum periodic payment, it shall also state with equal prominence and in close proximity to the minimum periodic payment that a balloon payment may result. If a balloon payment will occur when the consumer makes only the minimum payment under the plan, an advertisement that contains a statement about a minimum periodic payment shall also state with equal prominence and in close proximity to the minimum payment statement: (i) that a balloon payment will result; and (ii) the amount and timing of the balloon payment that will result if the consumer makes only the minimum payments for the maximum period of time that the consumer is permitted to make such payments. [078801] |
| 078901 | Section 1026.16(d)(4) of Regulation Z (Home Equity Plan) requires that any statement about tax deductibility must not be misleading in advertisements. If an advertisement distributed in paper form or through the Internet is for a home-equity plan secured by the consumer's principal dwelling, and the advertisement states that the advertised extension of credit may exceed the fair market value of the dwelling, the advertisement shall clearly and conspicuously state that: (i) the interest on the portion of the credit extension that is greater than the fair market value of the dwelling is |

| Violation Codes | Description |
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| | not tax deductible for Federal income tax purposes; and (ii) the consumer should consult a tax advisor. [078901] |
| 079001 | Section 1026.16(d)(5) of Regulation Z prohibits an advertisement from referring to a home-equity plan as "free money" or containing a similarly misleading term. [079001] |
| 079101 | Section 1026.16(d)(6)(i)(C) of Regulation Z requires that additional disclosures must be made under this section if any annual percentage rate that may be applied to a home equity plan is a promotional rate or if any payment is a promotional payment. [079101] |
| 079301 | Section 1026.16(f) of Regulation Z prohibits an advertisement from referring to an annual percentage rate as “fixed,” or use a similar term, unless the advertisement also specifies a time period that the rate will be fixed and the rate will not increase during that period, or if no such time period is provided, the rate will not increase while the plan is open. [079301] |
| 079401 | Section 1026.16(g) of Regulation Z requires that additional disclosures must be made under this section if any annual percentage rate that may be applied to an open-end (not home-secured plan) is a promotional rate. [079401] |
| 079430 | Section 1026.16(g)(3) of Regulation Z requires that if any annual percent rate that may be applied to a open-end (not home-secured) plan is an introductory rate, the term “introductory” or “intro” must be in immediate proximity to each listing of the introductory rate in a written or ]electronic advertisement. [079430] |
| 080000 | Uncoded. [080000] |
| 080101 | Section 1026.17(a) of Regulation Z requires a creditor to make the disclosures required by this subpart clearly and conspicuously in writing, in a form the consumer may keep. The disclosures required by this subpart may be provided in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). The disclosures required by §§ 1026.17(g), 1026.19(b), and 1026.24 may be provided to the consumer in electronic form without regard to the consumer consent or other provisions of the E-Sign Act in the circumstances set forth in those sections. The disclosures shall be grouped together, shall be segregated from everything else, and shall not contain any information not directly related to the disclosures required under §§ 1026.18, 1026.20(c) and (d), or 1026.47. The disclosures required by § 1026.20(d) shall be provided as a separate document from all other written materials. The itemization of the amount financed under § 1026.18(c)(1) must be separate from the other disclosures under that section. This section further requires that disclosure of the terms "finance charge" and "annual percentage rate" when required to be disclosed under §§ 1026.18(d) and (e) together with a corresponding amount or percentage rate be more conspicuous than other disclosures, except the creditor’s identity under § 1026.18(a) and private education loan disclosures made in compliance with § 1026.47. For private education loan disclosures made in compliance with § 1026.47, the term “annual percentage rate” and the corresponding percentage rate must be less conspicuous than the term “finance charge” and corresponding amount under § 1026.18(d), the interest rate under §§ 1026.47(b)(1)(i) and (c)(1), and the notice of the right to cancel under § 1026.47(c)(4). [080101] |
| 080501 | Section 1026.17(b) of Regulation Z requires the creditor to make disclosures before consummation of the transaction. Special timing requirements are set forth in § 1026.19(a) for certain residential mortgage transactions, and in §§ 1026.19(b) and 1026.20(c) and (d) for certain variable-rate transactions. For private education loan disclosures made in compliance with § 1026.47, special timing requirements are set forth in § 1026.46(d). [080501] |
| 080701 | Section 1026.17(c) of Regulation Z requires that disclosures shall reflect the terms of the legal obligation between the parties. When any information necessary for an accurate |

| Violation Codes | Description |
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| | disclosure is unknown, the disclosure must be based on the best information reasonably available and the creditor must state that the disclosure is an estimate. (Appendix D provides a method of calculating the APR and other disclosures for construction loans, which may be used at the creditor's option, in disclosing construction financing.) [080701] |
| 081101 | Section 1026.17(c)(5) of Regulation Z requires, for demand obligations, that the creditor make disclosures based on an assumed maturity of one year, except where an alternate maturity date is stated in the loan contract. [081101] |
| 081301 | Section 1026.17(d) of Regulation Z requires, when a transaction involves multiple consumers and the right of rescission under Section 1026.23 is applicable, that the creditor make disclosures to each consumer who has the right to rescind. [081301] |
| 081501 | Section 1026.17(f) of Regulation Z requires, when disclosures are given before consummation and a subsequent event makes them inaccurate, that the creditor make new disclosures if there is any changed term unless the term was based on an estimate and labeled as such or if the disclosed annual percentage rate varies by more than the tolerance allowed by Section 1026.22(a), except for private education loan disclosures made in compliance with § 1026.47. [081501] |
| 081701 | Section 1026.17(g) of Regulation Z states that, except for private education loan disclosures made in accordance with § 1026.47, if a creditor receives a purchase order or request for an extension of credit by mail, telephone, or facsimile machine without face-to-face or direct telephone solicitation, the creditor may delay the disclosures until the due date of the first payment, if the following information is made available in written or electronic form before the actual purchase order or request: (1) The cash price or the principal loan amount; (2) The total sales price; (3) The finance charge; (4) The annual percentage rate, and if the rate may increase after consummation, the following disclosures: (i) the circumstances under which the rate may increase; (ii) any limitations on the increase; (iii) the effect of an increase; and (5) The terms of repayment. [081701] |
| 081801 | Section 1026.17(i) of Regulation Z requires the creditor to make complete disclosures at the time the creditor and consumer agree upon the repayment schedule for the total obligation under a student credit program. At that time, a new set of disclosures must be made of all applicable items under § 1026.18. [081801] |
| 082101 | Section 1026.18(a) of Regulation Z requires the creditor to provide the customer with a copy of the disclosure statement that identifies the creditor. [082101] |
| 082301 | Section 1026.18(b) of Regulation Z requires the creditor to properly calculate and disclose the "amount financed," using that term, and to include a brief description such as "the amount of credit provided to you or on your behalf". [082301] |
| 082501 | Section 1026.18(c) of Regulation Z requires that the creditor provide the consumer with an accurate itemization of the amount financed, if the prescribed requirements for exclusion from disclosure are not met. [082501] |
| 082701 | Section 1026.18(d) of Regulation Z requires disclosure of the "finance charge," using that term, and a brief description such as "the dollar amount the credit will cost you". The finance charge shall be considered accurate for mortgage loans if it is understated by no more than $100, or if it is greater than the amount required to be disclosed. The finance charge shall be considered accurate for non-mortgage loans if it is not more than $5 above or below the exact finance charge in a transaction involving an amount financed of $1,000 or less, or not more than $10 above or below the exact finance charge in a transaction involving an amount financed of more than $1,000. [082701] |
| 082702 | Section 1026.18(d) of Regulation Z requires the inclusion of loan fees, points, finder's fees or similar charges in the finance charge disclosure, as prescribed in Section |

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| | 1026.4(b)(3). [082702] |
| 082703 | Section 1026.18(d) of Regulation Z requires inclusion of charges or premiums for credit life, accident, health or loss of income insurance in the finance charge disclosure, if the conditions as described in Section 1026.4(d)(1) are not met. [082703] |
| 082704 | Section 1026.18(d) of Regulation Z requires inclusion of charges or premiums for insurance against loss of or damage to property or liability arising out of ownership or use of property in the finance charge disclosure, when the conditions described in Section 1026.4(d)(2) are not met. [082704] |
| 082705 | Section 1026.18(d) of Regulation Z requires the inclusion in the finance charge disclosure of certain fees prescribed by law or premiums paid for insurance in lieu of perfecting a security interest, if the conditions as described in Section 1026.4(e) are not met. [082705] |
| 083501 | Section 1026.18(e) of Regulation Z requires disclosure of the "annual percentage rate," using the term, and a brief description such as "the cost of your credit as a yearly rate". [083501] |
| 083502 | Section 1026.18(e) of Regulation Z requires that the annual percentage rate be accurately disclosed, as defined in Section 1026.22(a). [083502] |
| 083901 | Section 1026.18(f)(1) of Regulation Z requires the following disclosures for variable rate transactions not secured by a consumer's principal dwelling or secured by a principal dwelling with a term of one year or less: (1) circumstances under which the rate may increase, (2) any limitations on the increase, (3) the effect of an increase, and (4) an example of payment terms that could result from an increase. [083901] |
| 084001 | Section 1026.18(f)(2) of Regulation Z requires the following disclosures for variable rate transactions secured by the consumer's principal dwelling with a term greater than one year: (1) the fact that transaction contains a variable-rate feature, and (2) a statement that variable-rate disclosures have been provided earlier. [084001] |
| 084501 | Section 1026.18(g) of Regulation Z requires that the number, amounts and timing of payments be accurately disclosed. [084501] |
| 084701 | Section 1026.18(h) of Regulation Z requires disclosure of the "total of payments," using that term, and a brief description such as "the amount you will have paid when you have made all scheduled payments". [084701] |
| 084901 | Section 1026.18(i) of Regulation Z requires the creditor to disclose that an obligation has a demand feature and, as applicable, that disclosures are based on an assumed one-year maturity. [084901] |
| 085101 | Section 1026.18(j) of Regulation Z requires in a credit sale, that the creditor disclose the "total sale price," using that term, and a descriptive explanation such as "the total price of your purchase on credit, including your down payment of $___." [085101] |
| 085301 | Section 1026.18(k)(1) of Regulation Z requires, when an obligation includes a finance charge computed from time to time on the unpaid principal balance, that the creditor indicate whether or not a penalty may be imposed if the obligation is prepaid in full. [085301] |
| 085501 | Section 1026.18(k)(2) of Regulation Z requires, when an obligation includes a finance charge other than that described in Section 1026.18(k)(1), that the creditor disclose whether or not the consumer is entitled to a rebate of any finance charge if the obligation is prepaid in full. [085501] |
| 085701 | Section 1026.18(l) of Regulation Z requires disclosure of any dollar or percentage charge that may be imposed before maturity due to a late payment, other than a deferral or extension charge. [085701] |
| 085901 | Section 1026.18(m) of Regulation Z requires disclosure of the fact that a creditor has or will |

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| | acquire an interest in property purchased as part of the transaction, or in other property identified by item or type. [085901] |
| 086101 | Section 1026.18(q) of Regulation Z requires, in a residential mortgage transaction, that the bank provide a statement as to whether or not a subsequent purchaser of the dwelling may assume the obligation on its original terms. [086101] |
| 086301 | Section 1026.18(r) of Regulation Z requires that, if a creditor requires a consumer to maintain a certain type of deposit (see 1026.18(r)(1)-(3)/footnote 45) as a condition of a specific transaction, a statement be made that the annual percentage rate does not reflect the effect of the required deposit. [086301] |
| 086401 | Section 1026.18(s)(1) of Regulation Z requires the information in paragraph (s)(2) of this section to be in the form of a table, with no more than five columns, and with headings and format substantially similar to Model Clause H-4(E), H-4(F), H-4(G), or H-4(H) in Appendix H to this part. The table shall contain only the information required in paragraphs (s)(2)-(4) of this section, shall be placed in a prominent location, and shall be in a minimum 10-point font. [086401] |
| 086405 | Section 1026.18(s)(2)(i) of Regulation Z requires the following disclosure in the table required by this section for amortizing loans: For a fixed-rate mortgage, the interest rate at consummation.<br>For an adjustable-rate or step-rate mortgage,<br>(1) the interest rate at consummation and the period of time until the first interest rate adjustment may occur, labeled as the "introductory rate and monthly payment";<br>(2) the maximum interest rate that may apply during the first five years after the date on which the first regular periodic payment will be due and the earliest date on which that rate may apply, labeled as "maximum during first five years"; and<br>(3) the maximum interest rate that may apply during the life of the loan and the earliest date on which that rate may apply, labeled as "maximum ever." If the loan provides for payment increases as described in paragraph (s)(3)(i)(B) of this section, the interest rate in effect at the time the first such payment increase is scheduled to occur and the date on which the increase will occur, labeled as "first adjustment" if the loan is an adjustable-rate mortgage or, otherwise, labeled as "first increase." [086405] |
| 086406 | Section 1026.18(s)(2)(ii) of Regulation Z requires the disclosure in the table required by this section for negative amortization loans:<br>(A) the interest rate at consummation and, if it will adjust after consummation, the length of time until it will adjust, and the label "introductory" or "intro;<br>(B) the maximum interest rate that could apply when the consumer must begin making fully amortizing payments under the terms of the legal obligation;<br>(C) the maximum interest rate that could apply at the time of the first payment increase and the date the increase is scheduled to occur if the minimum required payment will increase before the consumer must begin making fully amortizing payments; and<br>(D) the maximum interest rate that could apply at the time of the second payment increase and the date the increase is scheduled to occur if a second increase in the minimum required payment may occur before the consumer must begin making fully amortizing payments. [086406] |
| 086407 | Section 1026.18(s)(2)(iii) of Regulation Z requires certain disclosures in the table required by this section for an amortizing adjustable-rate mortgage, if the interest rate at consummation is less than the fully-indexed rate. These disclosures shall be placed in a box directly beneath the table required by paragraph (s)(1) of this section, in a format substantially similar to Model Clause H-4(I) in Appendix H to this part. The disclosures shall state the following:<br>(A) the interest rate that applies at consummation and the period of time for which it applies;<br>(B) a statement that, even if market rates do not change, the interest rate will increase at the first adjustment and a<br>designation of the place in sequence of the month or year, as applicable, of such rate |

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| | adjustment; and<br>(C) the fully-indexed rate. [086407] |
| 086410 | Section 1026.18(s)(3)(i) of Regulation Z requires certain disclosures in the table required by this section for amortizing loans, if all periodic payments will be applied to accrued interest and principal. For each interest rate disclosed under paragraph (s)(2)(i) of this section, these disclosures shall state the following:<br>(A) the corresponding periodic principal and interest payment, labeled as "principal and interest";<br>(B) the payment that corresponds to the first such increase and the earliest date on which the increase could occur, if the periodic payment may increase without regard to an interest rate adjustment;<br>(C) an estimate of the amount of taxes and insurance, including any mortgage insurance, payable with each periodic payment if an escrow account will be established; and<br>(D) the sum of the amounts disclosed under paragraphs (s)(3)(i)(A) and (C) of this section or (s)(3)(i)(B) and (C), as applicable, labeled as "total estimated monthly payment." [086410] |
| 86411 | Section 1026.18(s)(3)(ii) of Regulation Z requires certain disclosures in the table required by this section for loans with interest-only payments. For each interest rate disclosed under paragraph (s)(2)(i) of this section, theses disclosures shall include the corresponding periodic payment and:<br>(A) the amount applied to interest, labeled as "interest payment," and a statement that none of the payment is being applied to principal if the payment will be applied to only accrued interest;<br>(B) an itemization of the amount of the first such payment applied to accrued interest and to principal, labeled as "interest payment" and "principal payment," respectively, if the payment will be applied to accrued interest and principal;<br>(C) the escrow information described in paragraph (s)(3)(i)(C) of this section; and<br>(D) the sum of all amounts required to be disclosed under paragraph (s)(3)(ii)(A) and (C) of this section or (s)(3)(ii)(B) and (C), as applicable, labeled as "total estimated monthly payment." [086411] |
| 086415 | Section 1026.18(s)(4)(i) of Regulation Z requires for negative amortization loans in the table required by this section:<br>(A) the minimum periodic payment required until the first payment increase or interest rate increase, corresponding to the interest rate disclosed under paragraph (s)(2)(ii)(A) of this section;<br>(B) the minimum periodic payment that would be due at the first payment increase and the second, if any, corresponding to the interest rates described in paragraphs (s)(2)(ii)(C) and (D) of this section; and<br>(C) a statement that the minimum payments pays only some interest, does not repay any principal, and will cause the loan amount to increase. [086415] |
| 086416 | Section 1026.18(s)(4)(ii) of Regulation Z requires, for negative amortization loans, disclosure of the fully amortizing periodic payment amount at the earliest time when such a payment must be made in the table required by this section. This shall correspond to the interest rate disclosed under paragraph (s)(2)(ii)(B) of this section. [086416] |
| 086417 | Section 1026.18(s)(4)(iii) of Regulation Z requires, if applicable, for each interest rate disclosed under paragraph (s)(4)(i) and (ii), disclosure of the amount of the fully amortizing periodic payment, labeled as "full payment option," and a statement that these payments pay all principal and all accrued interest. This is in addition to the payments in paragraphs (s)(4)(i) and (ii) of this section, for each interest rate disclosed under paragraph (s)(2)(ii) of this section. [086417] |
| 086420 | Section 1026.18(s)(5)(i) of Regulation Z requires, except as provided in paragraph (s)(5)(ii) of this section, the balloon payment to be disclosed separately from other periodic payments disclosed in the table and outside the table in a manner substantially similar to Model Clause H-4(J) in Appendix H to this part. [086420] |
| 086421 | Section 1026.18(s)(5)(ii) of Regulation Z |

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| | requires the balloon payment to be disclosed in the table pursuant to paragraph (s)(3) or (s)(4) of this section, if the balloon payment is scheduled to occur at the same time as another payment required to be disclosed in the table. [086421] |
| 086425 | Section 1026.18(s)(6) of Regulation Z requires special disclosures for loans with negative amortization in close proximity to the table required in paragraph (s)(1) of this section, with headings, content, and format substantially similar to Model Clause H-4(G) in Appendix H to this part. These disclosures shall state:<br>(i) the maximum interest rate, the shortest period of time in which such interest rate could be reached, the amount of estimated taxes and insurance included in each payment disclosed, and a statement that the loan offers payment options, two of which are shown; and<br>(ii) the dollar amount of the increase in the loan's principal balance if the consumer makes only the minimum required payments for the maximum possible time and the earliest date on which the consumer must begin making fully amortizing payments, assuming that the maximum interest rate is reached at the earliest possible time. [086425] |
| 086501 | Section 1026.18(t) of Regulation Z requires the creditor for a closed-end transaction secured by real property or a dwelling, other than a transaction secured by a consumer's interest in a timeshare plan described in 11 U.S.C. 101(53D), to disclose a statement that there is no guarantee the consumer can refinance the transaction to lower the interest rate or periodic payments. [086501] |
| 087101 | Section 1026.19(a)(1) of Regulation Z requires, in a residential mortgage transaction subject to RESPA that is secured by the consumer's dwelling, other than a home equity line of credit subject to § 1026.40 or mortgage transaction subject to paragraph (a)(5) of this section, that the creditor make good faith estimates of the disclosures required by Section 1026.18 before consummation or deliver or mail them not later than three business days after receipt of the consumer's written application. Except as provided in paragraph (a)(1)(iii) of this section, neither a creditor nor any other person may impose a fee on a consumer in connection with the consumer's application for a mortgage transaction subject to paragraph (a)(1)(i) of this section before the consumer has received the disclosures required by paragraph (a)(1)(i) of this section. If the disclosures are mailed to the consumer, the consumer is considered to have received them three business days after they are mailed. [087101] |
| 087501 | Section 1026.19(a)(2) of Regulation Z requires the creditor to make redisclosure when the annual percentage rate varies from the disclosed rate by more than 1/8 of 1 percentage point in a regular transaction or more than 1/4 of 1 percentage point in an irregular transaction, as defined in section 1026.22 no later than consummation or settlement. [087501] |
| 087505 | Section 1026.19(a)(2)(i) of Regulation Z requires the creditor to deliver or place in the mail the good faith estimates required by paragraph (a)(1)(i) of this section not later than the seventh business day before consummation of this transaction. The creditor shall provide corrected disclosures with all changed terms no later than three business days before consummation if the annual percentage rate disclosed under paragraph (a)(1) of this section becomes inaccurate. If the corrected disclosures are mailed to the consumer or delivered to the consumer by means other than delivery in person, the consumer is deemed to have received the corrected disclosures three business days after they are mailed or delivered. [087505] |
| 087510 | Section 1026.19(a)(3) of Regulation Z prohibits the creditor from modifying or waiving the seven-business-day waiting period or the three-business-day waiting period required by paragraph (a)(2) of this section, after receiving the disclosures required by §1026.18, except to meet a bona fide personal financial emergency. The consumer must provide a dated written statement that describes the emergency, specifically modifies or waives the waiting period, and bears the signature of all the consumers who are |

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| | primarily liable on the legal obligation. Preprinted forms for this purpose are prohibited. [087510] |
| 087515 | Section 1026.19(a)(4) of Regulation Z requires the disclosures made pursuant to paragraph (a)(1) of this section to contain the following statement: "You are not required to complete this agreement merely because you have received these disclosures or signed a loan application." The disclosure required by this paragraph shall be grouped together with the disclosures required by paragraphs (a)(1) or (a)(2) of this section. [087515] |
| 087531 | Section 1026.19(a)(5)(ii) of Regulation Z requires the creditor, in a mortgage transaction subject to the Real Estate Settlement Procedures Act that is secured by a consumer's interest in a timeshare plan described in 11 U.S.C. 101(53(D)), to make good faith estimates of the disclosures required by § 1026.18 before consummation, or shall deliver or place them in the mail not later than three business days after the creditor receives the consumer's written application, whichever is earlier. [087531] |
| 087532 | Section 1026.19(a)(5)(iii) of Regulation Z requires the creditor, in a mortgage transaction subject to the Real Estate Settlement Procedures Act that is secured by a consumer's interest in a timeshare plan described in 11 U.S.C. 101(53(D)), to disclose all changed terms when the annual percentage rate varies from the disclosed rate by more than 1/8 of 1 percentage point in a regular transaction or more than 1/4 of 1 percentage point in an irregular transaction, as defined in section 1026.22, no later than consummation or settlement. [087532] |
| 087601 | Section 1026.19(b)(1) of Regulation Z requires for variable-rate transactions secured by the consumer's principal dwelling with a term greater than one year that the booklet titled Consumer Handbook on Adjustable Rate Mortgages or a suitable substitute be provided with the application or before the consumer pays a nonrefundable fee, whichever is earlier. [087601] |

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| 087701 | Section 1026.19(b)(2) of Regulation Z requires for variable-rate transactions secured by the consumer's principal dwelling with a term greater than one year that the creditor provide the following disclosures for each such loan program in which the customer expresses an interest at the time an application form is provided or before the customer pays a nonrefundable fee, whichever is earlier: (1) the fact that interest rate, payment or term can change; (2) the index or formula used and its source; (3) an explanation of how interest rate and payment will be determined and how index adjusted; (4) a statement that consumer should ask about current margin value and interest rate; (5) the fact that interest rate will be discounted, and statement that consumer should ask about the amount of discount; (6) the frequency of interest rate and payment changes; (7) any rules relating to changes in index, interest rate, payment amount and loan balance with explanation; (8) either a historical example based on $10,000 loan amount or the maximum and initial interest rates and payments for a $10,000 loan and a statement that the periodic payment may change substantially; (9) an explanation of how consumer may calculate payments for the loan using the historical example; (10) the maximum interest rate and payment using historical example or initial interest rate; (11) the fact that the loan program contains a demand feature; (12) information that will be provided on notices of adjustments and their timing; and (13) a statement that disclosure forms are available for other variable-rate programs. [087701] |
| 088101 | Section 1026.20(a) of Regulation Z requires the creditor to make disclosures when a refinancing, as defined in this section, occurs. [088101] |
| 088301 | Section 1026.20(b) of Regulation Z requires the creditor to make disclosures when an existing residential mortgage loan is assumed, before assumption occurs. [088301] |
| 088401 | Section 1026.20(c) of Regulation Z requires the creditor, assignee, or servicer of an adjustable rate mortgage (ARM) secured by the consumer's principal dwelling and having |

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| | a term greater than one year where the first interest rate and payment adjustment occurs more than 210 days after consummation to provide disclosures in accordance with the timing requirements of §1026.20(c)(2) when an interest rate adjustment results in a corresponding adjustment to the payment. [088401] |
| 088405 | Section 1026.20(c)(2) of Regulation Z requires certain disclosures, as specified in this paragraph, when an adjustable rate mortgage (ARM) has an interest rate adjustment that results in a corresponding adjustment to the payment. [088405] |
| 088410 | Section 1026.20(c)(3) of Regulation Z requires the disclosures in paragraph (c)(2) to be provided in a tabular format substantially similar to forms H-4(D)(1) and (2) in Appendix H. The disclosures required by paragraph (c)(2)(ii) shall be in the form of a table within the larger table. [084110] |
| 088415 | Section 1026.20(d) of Regulation Z requires the creditor, assignee, or servicer of an adjustable-rate mortgage (ARM) secured by the consumer's principal dwelling and having a term greater than one year to provide consumers with disclosures about the initial interest rate adjustment. The disclosures shall be provided at least 210, but no more than 240, days before the first payment at the adjusted level is due. If the first payment at the adjusted level is due within the first 210 days after consummation, the disclosures shall be provided at consummation. The disclosures shall be provided separately from other documents provided by the creditor, assignee, or servicer. [088415] |
| 088420 | Section 1026.20(d)(2) of Regulation Z requires certain disclosures, as specified in this paragraph, in connection with the initial interest rate adjustment of an adjustable rate mortgage (ARM) secured by the consumer's principal dwelling and having a term greater than one year. If the new interest rate or the new payment is not known as of the date of the disclosure, an estimate shall be disclosed and labeled as such. This estimate shall be based on the index, disclosed per this paragraph, within fifteen business days prior to the date of the disclosure. [088420] |
| 088425 | Section 1026.20(d)(3) of Regulation Z requires the disclosures in paragraph (d)(2) to be provided in a tabular format substantially similar to forms H-4(D)(3) and (4) in Appendix H. The date of the disclosure shall appear outside of and above the table. The table required by paragraph (d)(2)(iii) shall be in the form of a table within the larger table. [088425] |
| 089101 | Section 226.23(a)(3) of Regulation Z prohibits the creditor from refusing to allow a consumer to rescind a transaction before midnight of the third business day following consummation of a rescindable transaction. [089101] |
| 089301 | Section 1026.23(b)(1) of Regulation Z requires the creditor to deliver two copies of the notice of the right to rescind to each consumer entitled to rescind (one copy to each if the notice is delivered in electronic form in accordance with the consumer consent and other applicable provisions of the E-sign Act). The notice shall be on a separate document that identifies the transaction and clearly and conspicuously disclose the following: (i) The retention or acquisition of a security interest in the consumer's principal dwelling; (ii) The consumer's right to rescind the transaction; (iii) How to exercise the right to rescind, with a form for that purpose, designating the address of the creditor's place of business; (iv) The effects of rescission, as described in paragraph (d) of this section; and (v) The date the rescission period expires. [089301] |
| 089501 | Section 1026.23(c) of Regulation Z prohibits the disbursement of funds in a rescindable transaction before expiration of the rescission period. [089501] |
| 089701 | Section 1026.23(e) of Regulation Z prohibits the use of printed forms for waiver of the right to rescind. [089701] |

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| 090000 | Uncoded. [090000] |
| 090101 | Section 1026.24(a) of Regulation Z requires that, if an advertisement states specific credit terms, it shall state only those terms that actually are or will be arranged or offered by the creditor. [090101] |
| 090301 | Section 1026.24(c) of Regulation Z requires that, if an advertisement states a finance charge rate, it shall state the rate as an "annual percentage rate," using that term. If the annual percentage rate may be increased after consummation, the advertisement shall state that fact. If an advertisement is for credit not secured by a dwelling, the advertisement shall not state any other rate, except that a simple annual rate or periodic rate that is applied to an unpaid balance may be stated in conjunction with, but not more conspicuously than, the annual percentage rate. If an advertisement is for credit secured by a dwelling, the advertisement shall not state any other rate, except that a simple annual rate that is applied to an unpaid balance may be stated in conjunction with, but not more conspicuously than, the annual percentage rate. [090301] |
| 090501 | Section 1026.24(d)(1) of Regulation Z prohibits the advertisement of the credit terms listed in this section, without full disclosure of the additional information required by paragraph (d)(2). [090501] |
| 090701 | Section 1026.24(e)(1) of Regulation Z states if a catalog or other multiple-page advertisement, or an electronic advertisement (such as an advertisement appearing on an Internet Web site), gives information in a table or schedule in sufficient detail to permit determination of the disclosures required by paragraph (d)(2) of this section, it shall be considered a single advertisement if: (i) The table or schedule is clearly and conspicuously set forth; and (ii) Any statement of terms of the credit terms in paragraph (d)(1) of this section appearing anywhere else in the catalog or advertisement clearly refers to the page or location where the table or schedule begins. [090701] |
| 090702 | Section 1026.24(e)(2) of Regulation Z states a catalog or other multiple-page advertisement or an electronic advertisement (such as an advertisement appearing on an Internet Web site) complies with paragraph (d)(2) of this section if the table or schedule of terms includes all appropriate disclosures for a representative scale of amounts up to the level of the more commonly sold higher-priced property or services offered. [090702] |
| 090805 | Section 1026.24(f)(2) of Regulation Z requires that if an advertisement for credit secured by a dwelling, other than television or radio advertisements, states a simple annual rate of interest and more than one simple annual rate of interest will apply over the term of the advertised loan, the advertisement shall disclosure in a clear and conspicuous manner in accordance with paragraph (ii) of this section:<br>(A)Each simple annual rate of interest that will apply. In variable rate transactions, a rate determined by adding an index and margin shall be disclosed based on a reasonably current index and margin;<br>(B)The period of time during which each simple annual rate of interest will apply; and<br>(C)The annual percentage rate for the loan. If such rate is variable, the annual percentage rate shall comply with the accuracy standards in §§ 1026.17(c) and 1026.22.<br>The requirements of this section do not apply to an envelope in which an application or solicitation is mailed, or to a banner advertisement or pop-up advertisement linked to an application or solicitation provided electronically. [090805] |
| 090810 | Section 1026.24(f)(3) of Regulation Z requires in addition to the requirements of paragraph (c) of this section, if an advertisement for credit secured by a dwelling states the amount of any payment, the advertisement shall disclose in a clear and conspicuous manner:<br>(A)The amount of each payment that will apply over the term of the loan, including any balloon payment. In variable-rate transactions, payments that will be determined based on the application of the sum of an index and margin shall be disclosed based on a reasonably current index and margin;<br>(B)The period of time during which each |

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| | payment will apply; and<br>(C)In an advertisement for credit secured by a first lien on a dwelling, the fact that the payments do not include amounts for taxes and insurance premiums, if applicable, and that the actual payment obligation will be greater.<br>The requirements of this section do not apply to an envelope in which an application or solicitation is mailed, or to a banner advertisement or pop-up advertisement linked to an application or solicitation provided electronically. [090810] |
| 090820 | Section 1026.24(g) of Regulation Z requires that in an advertisement made through television or radio stating any of the terms requiring additional disclosures under paragraph (d)(2) of this section may comply with paragraph (d)(2) of this section either by: (1) stating clearly and conspicuously each of the additional disclosures required under paragraph (d)(2) of this section; or (2) stating clearly and conspicuously the information required by paragraph (d)(2)(iii) of this section and listing a toll-free telephone number, or any telephone number that allows a consumer to reverse the phone charges when calling for information, along with a reference that such number may be used by consumers to obtain additional cost information. [090820] |
| 090830 | Section 1026.24(h) of Regulation Z requires that if an advertisement for a loan secured by the consumer's principal dwelling and distributed in paper form or through the Internet (rather than by radio or television) states that the advertised extension of credit may exceed the fair market value of the dwelling, the advertisement shall clearly and conspicuously state that: (1) The interest on the portion of the credit extension that is greater than the fair market value of the dwelling is not tax deductible for Federal income tax purposes; and (2) The consumer should consult a tax adviser for further information regarding the deductibility of interest and charges. Such advertisements may not contain misleading or misrepresented information as disclosed in paragraphs (1) through (7) of this section. [090830] |

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| 090901 | Section 1026.25(a) of Regulation Z requires, except for advertising requirements under 1026.16 and Section 1026.24 and certain requirements for mortgage loans, the creditor to maintain evidence of compliance for two years after the date disclosures are required. [090901] |
| 090920 | Section 1026.25(c)(2) of Regulation Z requires, for transactions subject to Section 1026.36, the creditor to maintain records to evidence compensation it pays to a loan originator and compensation agreements that governs those payments for three years after the date of the payment. The section also requires a loan originator organization to maintain records to evidence compensation received from a creditor, consumer, or another person; all compensation it pays to any individual loan originator; and compensation agreements that govern each receipt or payment for three years after the date of each such receipt or payment. [090920] |
| 090925 | Section 1026.25(c)(3) of Regulation Z requires a creditor to retain evidence of compliance with Section 1026.43 for three years after consummation of a transaction secured by a covered dwelling. [090925] |
| 091501 | Section 1026.26(a) of Regulation Z requires, in an oral response to a consumer's inquiry about the cost of open-end credit, that the creditor state rates as required by this section. [091501] |
| 091701 | Section 1026.26(b) of Regulation Z requires, in an oral response to a consumer's inquiry about the cost of closed-end credit, that the creditor state rates as required by this section. [091701] |
| 093001 | Section 1026.30 of Regulation Z requires the creditor to disclose the maximum interest rate that may be imposed during the term of an obligation. (This includes variable-rate obligations which are either closed or open-end credit.) [093001] |

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| 093301 | Section 1026.31(b) of Regulation Z requires the creditor make the disclosures required by this subpart clearly and conspicuously in writing, in a form the consumer may keep. The disclosures required by this subpart may be provided to the consumer in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). [093301] |
| 093501 | Section 1026.31 (c)(1) of Regulation Z requires the creditor to furnish the disclosures required by Section 1026.32 at least three business days prior to consummation or account opening of a high-cost mortgage as defined in Section 1026.32(a). If the creditor changes any term that makes the disclosures inaccurate, new disclosures shall be provided in accordance with the requirements of this subpart. [093501] |
| 093505 | Section 1026.31(c)(1)(iii) of Regulation Z prohibits the creditor from modifying or waiving the three-day waiting period between delivery of disclosures required by paragraph (c)(1) of this section and consummation for a mortgage transaction covered by § 1026.32 unless the consumer determines that the extension of credit is needed to meet a bona fide personal financial emergency. The consumer must provide the creditor a dated written statement that describes the emergency that specifically modifies or waives the waiting period and bears the signature of all consumers entitled to the waiting period. Pre-printed forms are prohibited, except when permitted by § 1026.23(e)(2). [093505] |
| 093601 | Section 1026.31(c)(2) of Regulation Z requires the creditor to furnish reverse mortgage disclosures required by §1026.33 at least three business days prior to: (i) consummation of a closed-end credit transaction, or (ii) the first transaction under an open-end credit plan. [093601] |
| 093701 | Section 1026.31(d) of Regulation Z requires the disclosures to reflect the terms of the legal obligation between the parties. [093701] |

| Violation Codes | Description |
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| 093901 | Section 1026.32(a)(3) of Regulation Z states a creditor shall determine the annual percentage rate for a closed- or open-end credit transaction based on the following: (i) for a transaction in which the annual percentage rate will not vary during the term of the loan or credit plan, the interest rate in effect as of the date the date the interest rate for the transaction is set; (ii) for a transaction in which the interest rate may vary during the term of the loan or credit plan in accordance with an index, the interest rate that results from adding the maximum margin permitted at any time during the term of the loan or credit plan to the value of the index rate in effect as of the date the interest rate for the transaction is set, or the introductory interest rate, whichever is greater; and (iii) for a transaction in which the interest rate may or will vary during the term of the loan or credit plan, other than a transaction described in paragraph (a)(3)(ii) of this section, the maximum interest rate that may be imposed during the term of the loan or credit plan. [093901] |
| 094001 | Section 1026.32(c) of Regulation Z requires the creditor to make certain disclosures for certain consumer credit transactions that are secured by the consumer's principal dwelling as defined by section 1026.32(a). The disclosures shall include the following in conspicuous type size, as applicable: the required notice; annual percentage rate; payment amount, including the amount of any balloon payment; open-end information required by Section 1026.32(c)(3)(ii); variable-rate information required by Section 1026.32(c)(4); and the relevant amount borrowed or credit limit information required by Section 1026.32(c)(5). [094001] |
| 094101 | Section 1032.32(d) of Regulation Z prohibits, with certain exceptions, mortgage transactions subject to Section 1026.32(a) from containing the following terms: (1) balloon payments; (2) negative amortization; (3) advance payments; (4) increased interest rate after default; (5) certain rebate calculation methods; (6) prepayment penalties; and (7) acceleration of debt. [094101] |

| Violation Codes | Description |
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| 094201 | Section 1026.34(a)(4) of Regulation Z prohibits a creditor from extending credit to a consumer subject to § 1026.32 based on the value of the consumer's collateral without regard to the consumer's repayment ability as of consummation, including the consumer's current and reasonably expected income, employment, assets other than the collateral, current obligations, and mortgage-related obligations. Furthermore, the repayment ability requirements set forth in § 1026.34(a)(4)(i)-(iv) apply to open-end high-cost mortgages while a creditor must comply with the repayment ability requirements set forth in § 1026.43 for closed-end, high-cost mortgages. [094201] |
| 094401 | Section 1026.34(a)(1) of Regulation Z prohibits a creditor from paying a contractor under a home improvement contract from the proceeds of a mortgage subject to §1026.32, other than by an instrument payable to the consumer or jointly to the consumer and the contractor; or at the election of the consumer, through a third-party escrow agent, in accordance with the terms established in a written agreement signed by the consumer, the creditor, and the contractor prior to the disbursement. [094401] |
| 094601 | Section 1026.34(a)(2) of Regulation Z prohibits a creditor from selling or assigning a mortgage subject to §1026.32 without furnishing the following statement to the purchaser or assignee: "Notice: This is a mortgage subject to special rules under the federal Truth in Lending Act. Purchasers or assignees of this mortgage could be liable for all claims and defenses with respect to the mortgage that the borrower could assert against the creditor." [094601] |
| 094610 | Section 1026.34(a)(3) of Regulation Z prohibits a creditor or an assignee holding or servicing an extension of mortgage credit subject to §1026.32 from refinancing the loan to the same borrower into another loan subject to §1026.32 within one year, unless the refinancing is in the borrower's interest. A creditor (or assignee) is further prohibited from engaging in acts or practices to evade this provision. [094610] |

| Violation Codes | Description |
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| 094625 | Section 1026.34(a)(5)(i) of Regulation Z prohibits a creditor from extending a high-cost mortgage to a consumer unless the creditor receives written certification that the consumer has obtained counseling on the advisability of the mortgage from a counselor that is approved to provide such counseling by the Secretary of the U.S. Department of Housing and Urban Development or, if permitted by the Secretary, by a State housing finance authority. [094625] |
| 094630 | Section 1026.34(a)(5)(i) of Regulation Z prohibits a creditor from extending a high-cost mortgage to a consumer unless the creditor receives written certification that the consumer has obtained counseling on the advisability of the mortgage from a counselor that is approved to provide such counseling by the Secretary of the U.S. Department of Housing and Urban Development or, if permitted by the Secretary, by a State housing finance authority. [094625] |
| 094635 | Section 1026.34(a)(5)(iii) of Regulation Z prohibits the counseling required by § 1026.34(a)(5) to be provided by a counselor who is employed by or affiliated with the creditor. [094635] |
| 094640 | Section 1026.34(a)(5)(iv) of Regulation Z requires the certification of counseling required under § 1026.34(a)(5)(i) to include the following information:<br>(A) The name(s) of the consumer(s) who obtained counseling;<br>(B) The date(s) of counseling;<br>(C) The name and address of the counselor;<br>(D) A statement that the consumer(s) received counseling on the advisability of the high-cost mortgage based on the terms provided in either the disclosure required by section 5(c) of the Real Estate Settlement Procedures Act or the disclosures required by § 1026.40;<br>(E) For transactions for which neither of the disclosures listed in paragraph (ii)(A) are provided, a statement that the consumer(s) received counseling on the advisability of the high-cost mortgage based on the terms provided in the disclosures required by § 1026.32(c); and |

| Violation Codes | Description |
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| | (F) A statement that the counselor has verified that the consumer(s) received the disclosures required by either § 1026.32(c) or the Real Estate Settlement Procedures Act with respect to the transaction. [094640] |
| 094645 | Section 1026.34(a)(5)(v) of Regulation Z prohibits conditioning payment of counseling fees made by the creditor that are required by § 1026.34(a)(5) on the consummation or account-opening of a mortgage transaction. If the consumer withdraws the application that would result in the extension of a high-cost mortgage, a creditor may not condition the payment of such fees on the receipt of a certification from the counselor required by paragraph (a)(5)(i) of this section. [094645] |
| 094650 | Section 1026.34(a)(5)(vi) of Regulation Z prohibits a creditor from steering or directing a consumer to choose a particular counselor or counseling organization for the counseling required by § 1026.34(a)(5). [094650] |
| 094660 | Section 1026.34(a)(6) of Regulation Z prohibits a creditor or mortgage broker from recommending or encouraging default on an existing loan or other debt prior to and in connection with the consummation or account opening of a high-cost mortgage that refinances all or any portion of such existing loan or debt. [094660] |
| 094665 | Section 1026.34(a)(7) of Regulation Z prohibits a creditor, successor-in-interest, assignee, or any agent of such parties from charging a consumer any fee to modify, renew, extend, or amend a high-cost mortgage, or to defer any payment due under the terms of such mortgage. [094665] |
| 094670 | Section 1026.34(a)(8) of Regulation Z requires that late payment fees charged in conjunction with high-cost mortgages be assessed according to the terms outlined in paragraphs (a)(8)(i) through (a)(8)(iv). [094670] |

| Violation Codes | Description |
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| 094675 | Section 1026.34(a)(9)(i) of Regulation Z prohibits a creditor or servicer from charging a fee for providing a consumer a statement of the amount due to pay off the outstanding balance of a high-cost mortgage. [094675] |
| 094680 | Section 1026.34(a)(9)(ii) of Regulation Z requires that a creditor may charge a processing fee to cover the cost of providing a payoff statement described in § 1026.24(a)(9)(i), by fax or courier, only if the fee does not exceed an amount that is comparable to fees imposed for similar services provided in consumer credit transactions that are secured by the consumer's principle dwelling and are not high-cost mortgages. The section also requires creditors or servicers to make a payoff statement available to consumers by a method(s) other than by fax or courier and without charge pursuant to § 1026.35(a)(9)(i). [094680] |
| 094685 | Section 1026.34(a)(9)(iii) of Regulation Z requires a creditor or servicer, prior to charging a processing fee for providing a payoff statement by fax or courier, to disclose to consumers that payoff statements described in § 1026.34(a)(9)(i) are available by a method other than by fax or courier without charge. [094685] |
| 094690 | Section 1026.34(a)(9)(v) of Regulation Z requires a creditor or servicer to provide the payoff statement described in § 1026.34(a)(9)(i) to consumers within five business after receiving a request for a statement. [094690] |
| 094701 | Section 1026.34(b) of Regulation Z prohibits a creditor from structuring any transaction that is otherwise a high-cost mortgage in a form, purpose, and intent to evade the requirements of a high-cost mortgage subject to this subpart, including by dividing any loan transaction into separate parts.[094701] |
| 095001 | Section 1026.33(b) of Regulation Z requires a creditor to provide certain disclosures in a reverse mortgage transaction. The disclosures |

| Violation Codes | Description |
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| | should be in a form substantially similar to the model form in paragraph (d) of Appendix K of this part and shall include the required notice, total annual loan cost rates, itemization of pertinent information, and explanation of the table of total annual loan cost rates. [095001] |
| 095010 | Section 1026.33(c) of Regulation Z requires the creditor to disclose the projected total cost of credit reflecting the following factors, as applicable: costs to consumer, payments to consumer, additional creditor compensation, limitations on consumer liability, assumed annual appreciation rates, and assumed loan period. [095010] |
| 095110 | Section 1026.35(b)(1) of Regulation Z prohibits a creditor, unless exempted by paragraph (b)(2) of this section, from extending a higher-priced mortgage loan secured by a first lien on consumer's principal dwelling unless an escrow account is established before consummation for the payment of property taxes and premiums for mortgage-related insurance required by the creditor. [095110] |
| 095115 | Section 1026.35(b)(2) of Regulation Z prohibits a creditor, in connection with a higher-priced mortgage loan as defined in this section, from including a prepayment penalty as described by § 1026.32(d)(6) unless: (1) the penalty is otherwise permitted by law, including § 1026.32(d)(7) if the loan is a mortgage transaction described in § 1026.32(a); and (2) under the terms of the loan, the penalty will not apply after the two-year period following consummation, the penalty will not apply if the source of the prepayment funds is a refinancing by the creditor or an affiliate of the creditor, and the amount of the periodic payment of principal or interest or both may not change during the four-year period following consummation. [095115] |
| 095120 | Section 1026.35(b)(3)(i) of Regulation Z prohibits a creditor or servicer from canceling an escrow account required by paragraph (b)(1) of this section unless the underlying debt obligation is terminated or a consumer's request to cancel an escrow account is received no earlier than five years after consummation of the transaction. [095120] |
| 095121 | Section 1026.35(b)(3)(ii) of Regulation Z prohibits a creditor or servicer from canceling an escrow account pursuant to a consumer's request described in paragraph (b)(3)(i)(B) of this section unless the following conditions are satisfied: 1) the unpaid principal balance is less than 80 percent of the original value of the property securing the underlying debt obligation; and 2) the consumer is not currently delinquent or in default on the underlying debt obligation.[095121] |
| 095125 | Section 1026.35(d) of Regulation Z prohibits a creditor, in connection with credit secured by a consumer's principal dwelling that does not meet the definition of open-end credit in section 1026.2(a) (20), from structuring a home-secured loan as an open-end plan to evade the requirements of this section. [095125] |
| 095220 | Section 1026.36(c) of Regulation Z prohibits a servicer, in connection with a consumer credit transaction secured by a consumer's principal dwelling from: (1) failing to credit a payment to the consumer's loan account as of the date of receipt, except when a delay in crediting does not result in any charge to the consumer or in the reporting of negative information to a consumer reporting agency, or except as provided in paragraph (c)(1)(iii) of this section; or (2) imposing on the consumer any late fee or delinquency charge in connection with a payment if such a fee or charge is attributable solely to failure of the consumer to pay a late fee or delinquency charge on an earlier payment and the payment is otherwise a periodic payment received on the due date, or within any applicable courtesy period. [095220] |
| 095222 | Section 1026.36(c)(1)(ii) of Regulation Z requires any servicer that retains a partial payment in a suspense or unapplied funds account to: (A) Disclose to the consumer the total amount of funds held in such suspense or unapplied funds account on the periodic statement as required by Section 1026.41(d)(3), if a periodic statement is required; and (B) On accumulation of |

| Violation Codes | Description |
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| | sufficient funds to cover a periodic payment in any suspense or unapplied funds account, treat such funds as a periodic payment received in accordance with paragraph (c)(1)(i) of this section. [095222] |
| 095225 | Section 1026.36(c)(2) of Regulation Z requires a servicer, in connection with a consumer credit transaction secured by a consumer's principal dwelling, that specifies in writing the requirements for the consumer to follow in making payments, but accepts a payment that does not conform to the requirements, to credit the payment as of 5 days after receipt. [095225] |
| 095226 | Section 1026.36(c)(3) of Regulation Z prohibits a servicer, in connection with a consumer credit transaction secured by a consumer's dwelling from failing to provide, within a reasonable time, but in no case more than seven business days, after receiving a written request from the consumer or any person acting on behalf of the consumer, an accurate statement of the total outstanding balance that would be required to satisfy the consumer's obligation in full as of a specified date. [095226] |
| 095230 | Section 1026.36(d)(1) of Regulation Z requires, except as provided in paragraph (d)(1)(iii) or (iv) of this section, that in connection with a consumer credit transaction secured by a dwelling, no loan originator shall receive and no person shall pay to a loan originator, directly or indirectly, compensation in an amount that is based on a term of a transaction, the terms of multiple transactions by an individual loan originator, or the terms of multiple transactions of multiple individual loan originators. If a loan originator's compensation is based in whole or in part on a factor that is a proxy for a term of a transaction, the loan originator's compensation is based on a term of a transaction. [095230] |
| 095235 | Section 1026.36(d)(2) of Regulation Z requires, except as provided in paragraph (d)(2)(i)(C) of this section, that if any loan originator receives compensation directly from a consumer in a consumer credit transaction secured by a dwelling: 1) No loan originator shall receive compensation, directly or indirectly, from any person other than the consumer in connection with the transaction; and 2) No person who knows or has reason to know of the consumer-paid compensation to the loan originator (other than the consumer) shall pay any compensation to a loan originator, directly or indirectly, in connection with the transaction. [095235] |
| 095240 | Section 1026.36(e)(1) of Regulation Z requires that in connection with a consumer credit transaction secured by a dwelling, a loan originator shall not direct or "steer" a consumer to consummate a transaction based on the fact that the originator will receive greater compensation from the creditor in that transaction than in other transactions the originator offered or could have offered to the consumer, unless the consummated transaction is in the consumer's interest. [095240] |
| 095245 | Section 1026.36(e)(2) of Regulation Z requires that the conditions set forth under paragraph (e)(3) of this section be satisfied in order to ensure compliance with paragraph (e)(1). [095245] |
| 095250 | Section 1026.36(e)(4) of Regulation Z prohibits a creditor from presenting fewer than three loans to satisfy paragraphs (e)(2) and (e)(3)(i) of this section unless the loans presented to the consumer satisfy the criteria of the options in paragraph (e)(3)(i) of this section and the provisions of paragraph (e)(3) of this section are otherwise met. [095250] |
| 095255 | Section 1026.36(f)(2) of Regulation Z requires a loan originator organization that is not a government agency or State housing finance agency to ensure that each individual loan originator who works for the loan originator organization is licensed or registered to the extent required under the SAFE Act, its implementing regulations, and State SAFE Act implementing law before the individual acts as a loan originator in a consumer credit transaction secured by a dwelling. [095255] |
| 095257 | Section 1026.36(f)(3)(i) of Regulation Z |

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| | requires a loan originator organization, that is not a government agency or State housing finance agency, for each of its individual loan originator employees who is not required to be licensed and is not licensed as a loan originator pursuant to Section 1008.13 of this chapter or State SAFE implementing law obtain, as applicable, a criminal background check through the NMLSR or law enforcement agency or commercial service; a credit report from a consumer reporting agency, information from the NMLSR or loan originator, as applicable, about any administrative, civil, or criminal findings by any government jurisdiction. [095257] |
| 095259 | Section 1026.36(f)(3)(ii) of Regulation Z requires a loan originator organization, that is not a government agency or State housing finance agency, for each of its individual loan originator employees who is not required to be licensed and is not licensed as a loan originator pursuant to Section 1008.13 of this chapter or State SAFE implementing law to determine on the basis of information obtained pursuant to paragraph (f)(3)(i) and any other information reasonably available, that the individual loan originator (A) has not been convicted of, or pleaded guilty or nolo contendere to, a felony in a domestic, or military court during the preceding seven-year period, or ever in the case of certain felonies; (B) has demonstrated financial responsibility, character, and general fitness. [095259] |
| 095260 | Section 1026.36(f)(3)(iii) of Regulation Z requires a loan originator organization, that is not a government agency or State housing finance agency, to provide periodic training covering Federal and State law requirements that apply to the individual loan originator's loan origination activities for each of its individual loan originator employees who is not required to be licensed and is not licensed as a loan originator pursuant to Section 1008.13 of this chapter or State SAFE implementing law. [095260] |
| 095265 | Section 1026.36(g) of Regulation Z requires a loan originator organization to include on loan documents described in Section 1026.36(g)(2), its name and NMLSR ID as well as the name and NMLSR ID of the individual loan originator with primary responsibility. The NMLSR ID is required if provided by the NMLSR. [095265] |
| 095270 | Section 1026.36(h) of Regulation Z prohibits a creditor, from including mandatory arbitration clauses or other non-judicial procedures and waivers of Federal statutory causes of action in a contract or any other agreement for a consumer credit transaction secured by a dwelling or a home equity line of credit secured by a consumer's principal dwelling. [095270] |
| 095280 | Section 1026.36(i) of Regulation Z prohibits a creditor, from financing, directly or indirectly, any premiums or fees for credit insurance, except for which premiums or fees are calculated and paid in full on a monthly basis, in connection with a consumer credit transaction secured by a dwelling or a home equity line of credit secured by a consumer's principal dwelling. [095280] |
| 095290 | Section 1026.36(k)(i) of Regulation Z prohibits a creditor from extending credit to a first-time borrower in connection with a closed-end transaction secured by a dwelling, other than a reverse mortgage transaction subject to § 1026.33 or a transaction secured by a consumer's interest in a timeshare plan described in 11 U.S.C. 101(53D), that may result in negative amortization, unless the creditor receives documentation that the consumer has obtained homeownership counseling from a counseling organization or counselor certified or approved by the U.S. Department of Housing and Urban Development to provide such counseling. [095501] |
| 095501 | Section 1026.36(k)(i) of Regulation Z prohibits a creditor from extending credit to a first-time borrower in connection with a closed-end transaction secured by a dwelling, other than a reverse mortgage transaction subject to § 1026.33 or a transaction secured |

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| | by a consumer's interest in a timeshare plan described in 11 U.S.C. 101(53D), that may result in negative amortization, unless the creditor receives documentation that the consumer has obtained homeownership counseling from a counseling organization or counselor certified or approved by the U.S. Department of Housing and Urban Development to provide such counseling. [095501] |
| 095510 | Section 1026.36(k)(iii) of Regulation Z prohibits a creditor from steering or directing a consumer to choose a particular counselor or counseling organization for the negative amortization counseling required by § 1026.36(k). [095510] |
| 096610 | Section 1026.39(b) of Regulation Z requires a covered person as defined in this section to provide a mortgage transfer disclosure to the consumer on or before the 30th calendar day following the acquisition date of the legal title to an existing mortgage obligation whether through a purchase, assignment, or other transfer unless specifically exempted by §1026.39(c). [096610] |
| 096620 | Section 1026.39(d) of Regulation Z requires that a covered person as defined in this section provide the consumer a disclosure that identifies the loan that was acquired or transferred and that states the following: (1) the identity, address, and telephone number of the covered person who owns the mortgage loan (if more than one covered person, the information shall be provided for each of them); (2) the acquisition date recognized by the covered person; (3) how to reach each agent or party having authority to act on behalf of the covered person and resolve issues concerning the consumer's payments on the loan if different from information provided under (d)(1) and if multiple persons are identified, provide contact information for each and indicate the extent to which the authority of each agent differs; and (4) the location where transfer of ownership of the debt to the covered person is recorded. If the transfer of ownership has not been recorded in public records at the time the disclosure is provided, the covered person complies with this section by stating this fact. [096620] |
| 096830 | Section 1026.42(c)(1) of Regulation Z requires that in connection with a covered transaction, no covered person shall or shall attempt to directly or indirectly cause the value assigned to the consumer's principal dwelling to be based on any factor other than the independent judgment of a person that prepares valuations, through coercion, extortion, inducement, bribery, or intimidation of, compensation or instruction to, or collusion with a person that prepares valuations or performs management functions. [096830] |
| 096835 | Section 1026.42(c)(2)(i) of Regulation Z requires that in connection with a covered transaction, no person that prepares valuations shall materially misrepresent the value of the consumer's principal dwelling in a valuation. [096835] |
| 096840 | Section 1026.42(c)(2)(ii) of Regulation Z requires that in connection with a covered transaction, no covered person shall falsify and no covered person other than a person that prepares valuations shall materially alter a valuation. [096840] |
| 096845 | Section 1026.42(c)(2)(iii) of Regulation Z requires that in connection with a covered transaction, no covered person shall induce a person to violate paragraph (c)(2)(i) or (ii) of this section. [096845] |
| 096850 | Section 1026.42(d)(1)(i) of Regulation Z prohibits a person who is responsible for preparing a valuation or performing valuation management functions for a covered transaction from having a direct or indirect interest, financial or otherwise, in the property or transaction for which the valuation is or will be performed. [096850] |
| 096855 | Section 1026.42(e) of Regulation Z requires that in connection with a covered transaction, a creditor that knows, at or before consummation, of a violation of paragraph (c) or (d) of this section in connection with a valuation shall not extend credit based on the valuation, unless the creditor documents that it has acted |

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| | with reasonable diligence to determine that the valuation does not materially misstate or misrepresent the value of the consumer's principal dwelling. [096855] |
| 096860 | Section 1026.42(f) of Regulation Z requires that in connection with a covered transaction, the creditor and its agents shall compensate a fee appraiser for performing appraisal services at a rate that is customary and reasonable for comparable appraisal services performed in the geographic market of the property being appraised. [096860] |
| 096865 | Section 1026.42(g)(1) of Regulation Z requires that any covered person that reasonably believes an appraiser has not compiled with the Uniform Standards of Professional Appraisal Practice or ethical or professional requirements for appraisers under applicable state or federal statutes or regulations shall refer the matter to the appropriate state agency if the failure to comply is material. [096865] |
| 096870 | Section 1026.42(g)(2) of Regulation Z requires that a covered person shall notify the appropriate state agency within a reasonable period of time after the person determines that there is a reasonable basis to believe that a failure to comply required to be reported under paragraph (g)(1) of this section has occurred. [096870] |
| 096920 | Section 1026.43(c)(1) of Regulation Z requires that a creditor make a reasonable and good faith determination at or before consummation that the consumer will have a reasonable ability to repay a "covered transaction" [*i.e.*, a closed-end mortgage secured by a dwelling] according to its terms. [096920] |
| 096925 | Section 1026.43(c)(2) of Regulation Z requires that a creditor making the determination required by Section 1026.43(c)(1) must consider:<br>(i) The current or reasonably expected income or assets, other than the value of the dwelling securing the loan;<br>(ii) Consumer's current employment status, if income from employment is relied upon;<br>(iii) Consumer's monthly payment on covered transactions calculated in accordance with Section 1026.43(c)(5);<br>(iv) Consumer's monthly payment on any simultaneous loan that the creditor knows or has reason to know will be made, calculated in accordance with Section 1026.43(c)(6);<br>(v) Consumer's monthly payment for "mortgage-related obligations, "as defined in Section 1026.43(b)(8);<br>(vi) Consumer's current debt obligations, alimony and child support;<br>(vii) Consumer's monthly debt-to-income ratio or residual income in accordance with Section 1026.43(c)(7); and<br>(viii) Consumer's credit history. [096925] |
| 096930 | Section 1026.43(c)(3) of Regulation Z requires that a creditor must verify the information relied upon in making the determination required by Section 1026.43(c)(2) using reliable third-party records except that:<br>(i) The current or reasonably expected income or assets must be verified in accordance with Section 1026.43(c)(4);<br>(ii) Consumer's current employment status, if income from employment is relied upon, may be verified orally if creditor prepares a record of information obtained;<br>(iii) If the creditor relies on a consumer's credit report to verify the current debt obligations required by Section 1026.43(c)(2)(vi), and the application states additional debt not shown in the credit report, the creditor need not verify such debt. [096930] |
| 096980 | Section 1026.43(g)(1) of Regulation Z states that prepayment penalties are prohibited on covered transactions, unless the penalty is otherwise permitted by law and the transaction meets all of the following requirements:<br>(A) The annual percentage rate cannot increase after consummation (i.e. it is a fixed or step-rate loan);<br>(B) the loan is a qualified mortgage under Section 1026.43(e)(2), (e)(4), (e)(5), (e)(6) or (f) of this section; and<br>(C) It is not a higher-priced mortgage as defined by Section 1026.35(a). [096980] |

| Violation Codes | Description |
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| 096985 | Section 1026.43(g)(2) of Regulation Z limits prepayment penalties, on covered transactions, where they are permitted:<br>(i) The penalty must not apply three years after consummation; and<br>(ii) The amount of the penalty must not exceed that specified in Sections 1026.43(g)(2)(A) & (B), i.e. 2% of the outstanding loan balance prepaid in the first two years following consummation and 1% during the third year. [096985] |
| 096990 | Section 1026.43(g)(3) of Regulation Z requires the creditor to offer an alternative covered transaction without a prepayment penalty in accordance with Sections 1026.43(g)(3)(i) – (v) in those instances where the creditor offers a covered loan with a permissible prepayment penalty. [096990] |
| 096995 | Section 1026.43(g)(4) of Regulation Z requires that, where the creditor offers a covered transaction with a permissible prepayment penalty through a mortgage broker, as defined in Section 1026.36(a)(2), the creditor must provide to the mortgage broker an alternative covered transaction without a prepayment penalty in accordance with Section 1026.43(g)(3) and require the broker to present alternative transactions without a prepayment penalty to the consumer in accordance with Section 1026.43(g)(4)(ii). [096995] |
| 097001 | Section 1026.43(g)(5) of Regulation Z requires a creditor that is a loan originator as defined in Section 1026.36(a)(1) that would assign the covered transaction to offer an alternative covered transaction without a prepayment penalty in accordance with Sections 1026.43(g)(3) and 1026.43(g)(5)(i) & (ii). [097001] |
| 097005 | Section 1026.43(h) of Regulation Z states that a creditor shall not structure a loan as an open-end plan to evade the requirements of this section. [097005] |
| 097030 | Section 1026.46(c)(1) of Regulation Z requires the creditor to provide clear and conspicuous disclosures. [097030] |
| 097035 | Section 1026.46(c)(2)(i) & (ii) of Regulation Z requires the disclosures provided under §§ 1026.47(b) and (c) shall be made in writing, in a form the consumer may keep. The disclosures must be grouped together, segregated from everything else, and not contain any information that is not directly related to the disclosures required under §§ 1026.47(b) and (c), which include the disclosures required under § 1026.18. The disclosures may include an acknowledgement of receipt, the date of the transaction, and the consumer's name, address, and account number. The following disclosures may be made together with or separately from the required disclosures: the creditor's identity under § 1026.18(a), insurance or debt cancellation under § 1026.18(n), and certain security interest charges under § 1026.18(o). [097035] |
| 097040 | Section 1026.46(c)(2)(iii) of Regulation Z requires the term "finance charge" and corresponding amount, when required to be disclosed under § 1026.18(d), and the interest rate required to be disclosed under §§ 1026.47(b)(1)(i) and (c)(1), to be more conspicuous than any other disclosure, except the creditor's identity under § 1026.18(a). [097040] |
| 097045 | Section 1026.46(c)(3) of Regulation Z requires that the disclosures under §§ 1026.47(b) and (c) may be provided to the consumer in an electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). The disclosures required by 1026.47(a) may be provided to the consumer in an electronic form on or with an application or solicitation that is accessed by the consumer in electronic form without regard to the consumer consent or other provisions of the E-Sign Act. The form required to be received under § 1026.48(e) may be accepted by the creditor in electronic form as provided for in that section. [097045] |
| 097050 | Section 1026.46(d)(1) of Regulation Z |

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| | requires a creditor to provide the disclosures required under §§ 1026.47(a) on or with any application or solicitation. The creditor may, at its option, disclose orally the information in § 1026.47(a) in a telephone application or solicitation. Alternatively, if the creditor does not disclose orally the information in § 1026.47(a), the creditor must provide the disclosures or place them in the mail no later than three business days after the consumer has applied for the credit, except that, if the creditor either denies the consumer's application or provides or places in the mail the disclosures in § 1026.47(b) no later than three business days after the consumer requests the credit, the creditor need not also provide the § 1026.47(a) disclosures. Notwithstanding paragraph (d)(1)(i), a loan that the consumer may use for multiple purposes, including but not limited to, postsecondary educational expenses, the creditor need not provide the disclosures required by § 1026.47(a). If the disclosures are mailed to the consumer, they are considered to have been received within three business days after they are mailed. [097050] |
| 097055 | Section 1026.46(d)(2) of Regulation Z requires the creditor to provide the disclosures required by § 1026.47(b) before consummation on or with any notice of approval provided to the consumer. If the creditor mails a notice of approval, the disclosures must be mailed with the notice. If the creditor communicates notice of approval by telephone, the creditor must mail the disclosures within three business days of providing the notice of approval. If the creditor communicates notices of approval electronically, the creditor may provide the disclosures in electronic form in accordance with § 1026.46(d)(3); otherwise the creditor must mail the disclosures within three business days of communicating the notice of approval. If the creditor communicates approval in person, the creditor must provide the disclosures to the consumer at that time. If the disclosures are mailed to the consumer, they are considered to have been received within three business days after they are mailed. [097055] |
| 097060 | Section 1026.46(d)(3) of Regulation Z requires the disclosures required by § 1026.47(c) to be provided after the consumer accepts the loan in accordance with § 1026.48(c)(1). If the disclosures are mailed to the consumer, they are considered to have been received within three business days after they are mailed. [097060] |
| 097065 | Section 1026.46(e) of Regulation Z requires the disclosures to reflect the terms of the legal obligation between the parties. If any information necessary for an accurate disclosure is unknown to the creditor, the creditor shall make the disclosure based on the best information reasonably available at the time the disclosure is provided, and shall clearly state that the disclosure is an estimate. [097065] |
| 097110 | Section 1026.47(a) of Regulation Z requires a creditor to provide a disclosure on or with a solicitation or an application for a private education loan that contains the following information in the manner prescribed in this section: 1) interest rates; 2) fees and default or late payment costs; 3) repayment terms; 4) cost estimates; 5) eligibility requirements; 6) alternatives to private education loans; 7) rights of the consumer; and 8) self-certification information. [097110] |
| 097115 | Section 1026.47(b) of Regulation Z requires a creditor to provide a disclosure on or with any notice of approval provided to the consumer that contains information required under Section 1026.18 and the following information in the manner prescribed in this section: 1) interest rate; 2) repayment terms; 3) alternatives to private education loans; and 4) rights of the consumer. [097115] |
| 097120 | Section 1026.47(c) of Regulation Z requires a creditor to provide a disclosure after the consumer has accepted the loan that contains the information required under Section 1026.18 and the following information in the manner prescribed in this section: 1) interest rate; 2) fees and default or late payment costs; 3) repayment terms; and 4) cancellation right. [097120] |
| 097201 | Section 1026.48(a) of Regulation Z prohibits |

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| | co-branding. Except as provided in paragraph (b) of this section, a creditor, other than the covered educational institution itself, may not use the name, emblem, mascot, or logo of a covered educational institution, or other words, pictures, or symbols identified with a covered educational institution, in the marketing of private education loan in a way that implies that the covered education institution endorses the creditor's loans. A creditor's marketing of private education loans does not imply that the covered education institution endorses the creditor's loans if the marketing includes a clear and conspicuous disclosure that is equally prominent and closely proximate to the reference to the covered educational institution that the covered educational institution does not endorse the creditor's loans and that the creditor is not affiliated with the covered educational institution. [097201] |
| 097202 | Section 1026.48(b) of Regulation Z prohibits a creditor and a covered educational institution from entering into an agreement where the covered education institution aggress to endorse the creditor's private education loans unless: 1) such arrangement is not prohibited by other applicable law or regulation; 2) the private education loan marketing includes a clear and conspicuous disclosure that is equally prominent and closely proximate to the reference to the covered education institution that the creditor's loans are not offered or made by the covered educational institution, but are made by the creditor. [097202] |
| 097203 | Section 1026.48(c)(1) of Regulation Z requires the creditor to provide the consumer the right to accept the terms of a private education loan at any time within 30 calendar days following the date on which the consumer receives the disclosures required under § 1026.47(b). [097203] |
| 097204 | Section 1026.48(c)(2) of Regulation Z prohibits the creditor from changing the rate and terms of the private education loan that are required to be disclosed under §§ 1026.47(b) and (c) and (c)) prior to the earlier of (i) the date of disbursement of the loan; or (ii) the expiration of the 30 calendar day period described in paragraph (c)(1) of this section if the consumer has not accepted the loan within that time, unless specifically permitted under paragraphs (c)(3) and (c)(4). [097204] |
| 097205 | Section 1026.48(d) of Regulation Z requires a creditor to honor a consumer's right to cancel a private education loan, without penalty, until midnight of the third business day following the date on which the consumer receives the disclosures required by § 1026.47(c). The creditor is prohibited from disbursing the funds of a private education loan until the three-business day period has expired. [097205] |
| 097206 | Section 1026.48(e) of Regulation Z requires a creditor to obtain from the consumer or the institution of higher education the form developed by the Secretary of Education under section 155 of the Higher Education Act of 1965, signed by the consumer, in written or electronic form, before consummating the private education loan. [097206] |
| 097207 | Section 1026.48(f) of Regulation Z requires a creditor with a preferred lender arrangement with a covered educational institution to provide to the covered educational institution the information required under §§ 1026.47(a)(1) and (5), for each type of private education loan that the lender plans to offer to consumers for students attending the covered educational institution for the period beginning July 1 of the current year and ending June 30 of the following year. The creditor shall provide the information annually by the later of the 1st day of April, or within 30 days after entering into, or learning the creditor is a party to, a preferred lender arrangement. [097207] |
| 097501 | Section 1026.51(a)(1)(i) of Regulation Z prohibits a card issuer from opening a credit card account for a consumer under an open-end (not home-secured) consumer credit plan, or increasing any credit limit applicable to such account, unless the card issuer considers the independent ability of the consumer to make |

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| | the required minimum periodic payments under the terms of the account based on the consumer's income or assets and current obligations. [097501] |
| 097502 | Section 1026.51(a)(1)(ii) of Regulation Z requires card issuers to establish and maintain reasonable written policies and procedures to consider a consumer's independent income or assets and current obligations. Reasonable policies and procedures to consider a consumer's independent ability to make the required payments include the consideration of at least one of the following: the ratio of debt obligations to income; the ratio of debt obligations to assets; or the income the consumer will have after paying debt obligations. It would be unreasonable for a card issuer to not review any information about a consumer's income, assets, or current obligations, or to issue a card to a consumer who does not have any independent income or assets. [097502] |
| 097505 | Section 1026.51(a)(2) of Regulation Z requires a creditor to use a reasonable method for estimating the minimum periodic payments the consumer would be required to pay under the terms of the account. A creditor complies with this paragraph if it estimates required minimum periodic payments using the methods under the safe harbor paragraph (a)(2)(ii). [097505] |
| 097510 | Section 1026.51(b)(1) of Regulation Z prohibits a creditor from opening a credit card account under an open-end (not home-secured) consumer credit plan for a consumer less than 21 years old, unless the consumer has submitted a written application and the card issuer has:<br>(i) financial information indicating the consumer has an independent ability to make the required minimum periodic payments on the proposed extension of credit in connection with the account, consistent with paragraph (a) of this section; or<br>(ii) (A) a signed agreement of a cosigner, guarantor, or joint applicant who is at least 21 years old to be either secondarily liable for any debt on the account incurred by the consumer before the consumer has attained age 21 or jointly liable with the consumer for any debt on the account, and (B) financial information indicating such cosigner, guarantor, or joint applicant has the ability to make the required minimum periodic payments on such debts, consistent with paragraph (a) of this section. [097510] |
| 097511 | Section 1026.51(b)(2) of Regulation Z prohibits a creditor from increasing the credit limit on a credit card account opened pursuant to paragraph (b)(1)(ii) of this section before the consumer attains the age of 21 unless the cosigner, guarantor, or joint accountholder who assumed liability at account opening agrees in writing to assume liability on the increase. [097511] |
| 097601 | Section 1026.52(a) of Regulation Z requires that the total amount of fees a consumer is required to pay with respect to a credit card account under an open-end (not home secured) consumer credit plan prior to account opening and during the first year after account opening must not exceed 25 percent of the credit limit in effect when the account is opened. Fees for late payment, over-the-limit, and returned-payment, or fees that the consumer is not required to pay with respect to the account are not subject to these limitations. For purposes of this paragraph, an account is considered open no earlier than the date on which the account may first be used by the consumer to engage in transactions. [097601] |
| 097605 | Section 1026.52(b) of Regulation Z prohibits card issuer from imposing a fee for violating the terms or other requirements of a credit card account under an open-end (not home-secured) consumer credit plan unless the dollar amount of the fee is consistent with paragraphs (b)(1) and (b)(2) of this section. [097605] |
| 097610 | Section 1026.52(b)(2)(i)(A) of Regulation Z prohibits a card issuer from imposing a fee for violating the terms or other requirements of a credit card account under an open-end (not home-secured) consumer credit plan that exceeds the dollar amount associated with the violation. [097610] |

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| 097611 | Section 1026.52(b)(2)(i)(B) of Regulation Z prohibits a card issuer from imposing a fee for violating the terms or other requirements of a credit card account under an open-end (not home-secured) consumer credit plan when there is no dollar amount associated with the violation. There is no dollar amount associated with the following violations:<br>(1) transactions that the card issuer declines to authorize;<br>(2) account inactivity; and<br>(3) the closure or termination of an account. [097611] |
| 097615 | Section 1026.52(b)(2)(ii) of Regulation Z prohibits a card issuer from imposing more than one fee for violating the terms of other requirements of a credit card account under an open-end (not home-secured) consumer credit plan based on a single event or transaction. A card issuer may, at its option, comply with this prohibition by imposing no more than one fee for violating the terms or other requirements of an account during a billing cycle. [097615] |
| 097701 | Section 1026.53(a) of Regulation Z, except as provided under paragraph (b) of this section, requires a card issuer to allocate a consumer's payment amount in excess of the required minimum payment for a credit card account under an open-end (not home-secured) consumer credit plan first to the balance with the highest annual percentage rate and any remaining portion to the other balances in descending order based on the applicable annual percentage rate. [097701] |
| 097705 | Section 1026.53(b) of Regulation Z requires the card issuer to follow special payment allocation rules for accounts with balances that are subject to deferred interest or other similar programs. [097705] |
| 097801 | Section 1026.54(a) of Regulation Z prohibits the card issuer from imposing finance charges, except as provided in paragraph (b) of this section, as a result of the loss of a grace period on a credit card account under an open-end (not home-secured) consumer credit plan if those finance charges are based on:<br>(i)balances for days in billing cycles that precede the most recent billing cycle; or<br>(ii)any portion of a balance subject to a grace period that was repaid prior to the expiration of the grace period. [097801] |
| 097901 | Section 1026.55(a) of Regulation Z, except as provided in paragraph (b) of this section, prohibits a card issuer from increasing an annual percentage rate or a fee or charge required to be disclosed under §1026.6(b)(2)(ii), (b)(2)(iii), or (b)(2)(xii) on a credit card account under an open-end (not home-secured) consumer credit plan. [097901] |
| 097905 | Section 1026.55(b) of Regulation Z requires a card issuer to follow certain rules prior to increasing an annual percentage rate or a fee or charge required to be disclosed under §1026.6(b)(2)(ii), (b)(2)(ii) or (b)(2)(xii) when applying the exceptions for temporary rate, fee or charge; variable rate; advance notice; delinquency; workout and temporary hardship arrangement; or the Servicemembers' Civil Relief Act. [097905] |
| 097910 | Section 1026.55(c)(2) of Regulation Z prohibits the card issuer from requiring repayment of the protected balance using a method that is less beneficial to the consumer than one of the following methods:<br>(i) the method of repayment for the account before the effective date of the increase;<br>(ii) an amortization period of not less than five years, beginning no earlier than the effective date of the increase; or<br>(iii) a required minimum periodic payment that includes a percentage of the balance that is equal to no more than twice the percentage required before the effective date of the increase. [097910] |
| 098005 | Section 1026.56(b)(1) of Regulation Z prohibits a card issuer from assessing a fee or charge on a consumer's credit card account under an open-end (not home-secured) consumer credit plan for an over-the-limit transaction unless the card issuer:<br>(1) provides the consumer an oral, written or electronic notice, segregated from all other information, describing the consumer's right to affirmatively consent, or opt in, to the card issuer's payment of an over-the-limit transaction; |

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| | (2) provides a reasonable opportunity for the consumer to affirmatively consent, or opt in, to the card issuer's payment of over-the-limit transactions; obtains the consumer's affirmative consent, or opt-in, to the card issuer's payment of such transactions;<br>(3) provides the consumer with confirmation of the consumer's consent in writing, or if the consumer agrees, electronically; and<br>(4) provides the consumer notice in writing of the right to revoke that consent following the assessment of an over-the-limit fee or charge. [098005] |
| 098010 | Section 1026.56(c) of Regulation Z requires a card issuer who permits a consumer to consent the card issuer's payment of any over-the-limit transaction in writing, orally, or electronically, to also permit the consumer to revoke his or her consent using the same methods available to the consumer for providing consent. [098010] |
| 098015 | Section 1026.56(d)(1)(i) of Regulation Z requires the card issuer to provide the notice required by paragraph (b)(1)(i) of this section prior to the assessment of any over-the-limit fee or charge on a consumer's account. [098015] |
| 098016 | Section 1026.56(d)(1)(ii) of Regulation Z requires the card issuer to provide the notice required by paragraph (b)(1)(i) of this section immediately prior to obtaining a consumer's consent to the credit card issuer's payment of any over-the-limit transaction by oral or electronic means. [098016] |
| 098017 | Section 1026.56(d)(2) of Regulation Z requires the card issuer to provide the notice required by paragraph (b)(1)(iv) of this section no later than the first periodic statement sent after the consumer has consented to the card issuer's payment of over-the-limit transactions. [098017] |
| 098018 | Section 1026.56(d)(3) of Regulation Z requires the card issuer to provide the notice required by paragraph (b)(1)(v) of this section on the front of any page of each periodic statement that reflects the assessment of an over-the-limit fee or charge on a consumer's account. [098018] |
| 098020 | Section 1026.56(e)(1) of Regulation Z requires the notice required by paragraph (b)(1)(i) of this section to include all applicable items in this paragraph and may not contain any information not specified in or otherwise permitted by this paragraph. The notice must include:<br>(1)the dollar amount of any fees or charges assessed by the card issuer on a consumer's account for an over-the-limit transaction;<br>(2)any increased periodic rate(s) (expressed as an annual percentage rate(s)) that may be imposed on the account as a result of an over-the-limit transaction; and<br>(3)an explanation of the consumer's right to affirmatively consent to the card issuer's payment of over-the-limit transactions, including the method(s) by which the consumer may consent. [098020] |
| 098021 | Section 1026.56(e)(2) of Regulation Z requires the notice required by paragraph (b)(1)(v) of this section to describe the consumer's right to revoke any consent provided under paragraph (b)(1)(iii) of this section, including the method(s) by which the consumer may revoke consent. [098021] |
| 098025 | Section 1026.56(f) of Regulation Z requires that if two or more consumers are jointly liable on a credit card account under an open-end (not home-secured) consumer credit plan, the card issuer shall treat the affirmative consent of any of the joint consumers as affirmative consent for that account. Similarly, the card issuer shall treat a revocation of consent by any of the joint consumers as revocation of consent for that account. [098025] |
| 098030 | Section 1026.56(g) of Regulation Z requires the card issuer to allow a consumer to affirmatively consent to payment of over-the-limit transactions at any time in the manner described in the notice required by paragraph (b)(1)(i) of this section. Similarly, the consumer may revoke the consent at any time in the manner described in the notice required by paragraph (b)(1)(v) of this section. [098030] |

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| 098035 | Section 1026.56(h) of Regulation Z requires the card issuer to keep the consumer's affirmative consent to allow the card issuer's payment of over-the-limit transactions active until revoked by the consumer, or until the card issuer decides for any reason to cease paying over-the-limit transactions for the consumer. [098035] |
| 098040 | Section 1026.56(i) of Regulation Z requires a card issuer to comply with a consumer's revocation request as soon as reasonably practicable after the card issuer receives it. [098040] |
| 098050 | Section 1026.56(j)(1)(i) of Regulation Z prohibits a card issuer from imposing more than one over-the-limit fee or charge on a consumer's credit card account per billing cycle, and, in any event, only if the credit limit was exceeded during the billing cycle. In addition, except as provided in paragraph (j)(1)(ii) of this section, a card issuer may not impose an over-the-limit fee or charge on a consumer's credit card account for more than three billing cycles for the same over-the-limit transaction where the consumer has not reduced the account balance below the credit limit by the payment due date for either of the last two billing cycles. [098050] |
| 098051 | Section 1026.56(j)(2) of Regulation Z prohibits a card issuer from imposing an over-the-limit fee or charge solely because of the card issuer's failure to promptly replenish the consumer's available credit following the crediting of the consumer's payment under §1026.10. [098051] |
| 098052 | Section 1026.56(j)(3) of Regulation Z prohibits a card issuer from conditioning the amount of a consumer's credit limit on the consumer affirmatively consenting to the card issuer's payment of over-the-limit transactions if the card issuer assesses a fee or charge for such service. [098052] |
| 098053 | Section 1026.56(j)(4) of Regulation Z prohibits the card issuer from imposing an over-the-limit fee or charge for a billing cycle if a consumer exceeds a credit limit solely because of fees or interest charged by the card issuer to the consumer's account during that billing cycle. For purposes of this paragraph (j)(4), the relevant fees or interest charges are charges imposed as part of the plan under §1026.6(b)(3). [098053] |
| 098105 | Section 1026.57(b) of Regulation Z requires an institution of higher education to publicly disclose any contract or other agreement made with a card issuer or creditor for the purpose of marketing a credit card. [098105] |
| 098110 | Section 1026.57(c) of Regulation Z prohibits a card issuer from offering a college student any tangible item to induce such student to apply for or open an open-end consumer credit plan offered by such card issuer or creditor, if such offer is made:<br>(1) on a campus of the institution of higher education;<br>(2) near the campus of an institution of higher education; or<br>(3) at an event sponsored by or related to an institution of higher education. [098110] |
| 098115 | Section 1026.57(d) of Regulation Z requires a card issuer that was party to one or more college credit card agreements in effect at any time during a calendar year to submit to the Board an annual report regarding those agreements in the form and manner prescribed by the Board. The annual report must include the following:<br>(i) identifying information about the card issuer and the agreements submitted, including the issuer's name, address, and identifying number (such as an RSSD ID number or tax identification number);<br>(ii) a copy of any college credit card agreement to which the card issuer was a party that was in effect at any time during the period covered by the report;<br>(iii) a copy of any memorandum of understanding in effect at any time during the period covered by the report between the card issuer and an institution of higher education or affiliated organization that directly or indirectly relates to the college credit card agreement or that controls or directs any obligations or distribution of benefits between any such entities; |

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| | (iv) the total dollar amount of any payments pursuant to a college credit card agreement from the card issuer to an institution of higher education or affiliated organization during the period covered by the report, and the method or formula used to determine such amounts;<br>(v) the total number of credit card accounts opened pursuant to any college credit card agreement that were open at the end of the period covered by the report; and<br>(vi) the total number of credit card accounts opened pursuant to any such agreement that were open at the end of the period covered by the report. [098115] |
| 098120 | Section 1026.57(d)(3) of Regulation Z requires the card issuer to submit its annual report, except for the initial report described in this §1026.57(d)(3), to the Board by the first business day on or after March 31 of the following calendar year. [098120] |
| 098220 | Section 1026.58(c)(1) of Regulation Z requires a card issuer to make quarterly submissions to the Board, in the form and manner specified by the Board. Quarterly submissions must be sent to the Board no later than the first business day on or after January 31, April 30, July 31, and October 31 of each year. Each submission must contain:<br>(i) identifying information about the card issuer and the agreements submitted, including the issuer's name, address, and identifying number (such as an RSSD ID number or tax identification number);<br>(ii) the credit card agreements that the card issuer offered to the public as of the last business day of the preceding calendar quarter that the card issuer has not previously submitted to the Board;<br>(iii) any credit card agreement previously submitted to the Board that was amended during the preceding calendar quarter and that the card issuer offered to the public as of the last business day of the preceding calendar quarter, as described in §1026.58(c)(3); and<br>(iv) notification regarding any credit card agreement previously submitted to the Board that the issuer is withdrawing, as described in §1026.54(c)(4), (c)(5), (c)(6), and (c)(7). [098220] |

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| 098225 | Section 1026.58(c)(3) of Regulation Z requires if a credit card agreement that previously has been submitted to the Board is amended and the card issuer offered the amended agreement to the public as of the last business day of the calendar quarter in which the change became effective, the card issuer must submit the entire amended agreement to the Board, in the form and manner specified by the Board, by the first quarterly submission deadline after the last day of the calendar quarter in which the change became effective. [098225] |
| 098226 | Section 1026.58(c)(4) of Regulation Z requires a card issuer that no longer offers to the public a credit card agreement that previously has been submitted to the Board, to notify the Board in the form and manner specified by the Board. This notification must occur by the first quarterly submission deadline after the last day of the calendar quarter in which the issuer ceased to offer the agreement. [098226] |
| 098227 | Section 1026.58(c)(5) of Regulation Z requires a card issuer to submit credit card agreements to the Board unless it meets the de minimis exception specified by this paragraph. [098227] |
| 098228 | Section 1026.58(c)(6) of Regulation Z requires a card issuer to submit credit card agreements to the Board unless it meets the private label credit card exception under this paragraph. [098228] |
| 098229 | Section 1026.58(c)(7) of Regulation Z requires a card issuer to submit card agreements to the Board unless it meets the product testing exception under this paragraph. [098229] |
| 098230 | Section 1026.58(c)(8) of Regulation Z requires a card issuer to follow the form and content requirements of this paragraph for all agreements that are submitted to the Board, including pricing information. [098230] |
| 098235 | Section 1026.58(d) of Regulation Z requires a card issuer to post and maintain on its publicly |

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| | available Web site the credit card agreements that the issuer is required to submit to the Board under §1026.58(c). [098235] |
| 098245 | Section 1026.58(e) of Regulation Z requires a card issuer to make individual cardholder agreements available by posting and maintaining cardholder agreements on its Web site, or by promptly providing copies upon request. If provided upon request, the card issuer must provide a readily available telephone number displayed on its Web site (or alternatively on each periodic statement) and clearly identified as to purpose. [098245] |
| 098301 | Section 1026.59(a)(1) of Regulation Z requires a card issuer that increases an annual percentage rate that applies to a credit card account under an open-end (not home-secured) consumer credit plan, based on the credit risk of the consumer, market conditions, or other factors, or increased such a rate on or after January 1, 2009, and 45 days' advance notice of the rate increase is required pursuant to § 226.9(c)(2) or (g), to:<br>(i) evaluate the factors described in paragraph (d) of this section; and<br>(ii) based on its review of such factors, reduce the annual percentage rate applicable to the consumer's accounts, as appropriate. [098301] |
| 098302 | Section 1026.59(a)(2)(i) of Regulation Z requires a card issuer that is required to reduce the rate applicable to an account pursuant to paragraph (a)(1) of this section, to reduce the rate not later than 45 days after completion of the evaluation described in paragraph (a)(1). [098302] |
| 098303 | Section 1026.59(a)(2)(ii) of Regulation Z requires that any reduction in an annual percentage rate pursuant to paragraph (a)(1) of this section shall apply to:<br>(A) any outstanding balances to which the increased rate described in paragraph (a)(1) of this section has been applied; and<br>(B) new transactions that occur after the effective date of the rate reduction that would otherwise have been subject to the increased rate. [098303] |
| 098305 | Section 1026.59(b) of Regulation Z requires a card issuer to have reasonable written policies and procedures in place to conduct the review described in paragraph (a) of this section. [098305] |
| 098310 | Section 1026.59(c) of Regulation Z requires a card issuer that is subject to paragraph (a) of this section to conduct the review described in paragraph (a)(1) not less frequently than once every six months after the rate increase. [098310] |
| 098315 | Section 1026.59(d) of Regulation Z requires the card issuer, except for rate increases imposed between January 1, 2009 and February 21, 2010, as provided in paragraph (d)(2) of this section, to review either:<br>(i) the factors on which the increase in an annual percentage rate was originally based; or<br>(ii) the factors that the card issuer currently considers when determining the annual percentage rates applicable to similar new credit card accounts under an open-end (not home-secured) consumer credit plan. [098315] |
| 098320 | Section 1026.59(e) of Regulation Z requires a card issuer to follow certain rules when performing the review required by paragraph (a) of this section for increases in a rate applicable to a consumer's account pursuant to the delinquency exceptions in §1026.55(b)(4). [098320] |
| 098330 | Section 1026.59(g) of Regulation Z requires a card issuer to follow certain rules when evaluating rate increases of credit card accounts that have been acquired from another card issuer. [098330] |
| | **Truth in Lending Restitution Narrative** |
| | <u>For APR violations</u><br>Section 108(e)(1) of the Truth in Lending Act requires the FDIC to order creditors to make monetary adjustments to the accounts of consumers in cases where the annual percentage rate has been understated by more than the allowed tolerance.<br><u>For Finance Charge violations</u><br>Section 108(e)(1) of the Truth in Lending Act |

| Violation Codes | Description |
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| | requires the FDIC to order creditors to make monetary adjustments to the accounts of consumers in cases where the finance charge has been understated by more than the allowed tolerance.<br>For Total Failure to Disclosed the Annual Percentage Rate<br>Section 108(e)(2)(c) of the Truth in Lending Act provides that if a disclosure error involved a total failure to disclose the annual percentage rate the FDIC may order the creditor to make an equitable adjustment to the account of the affected consumer. |
| | **Truth in Savings** |
| 160000 | Uncoded. [160000] |
| 160101 | Section 1030.3(a) of Regulation DD requires financial institutions make the disclosures required under §§ 1030.4 through 1030.6, as applicable, clearly and conspicuously in writing and in a form the consumer may keep. The disclosures required by this part may be provided to the consumer in electronic form, subject to compliance with the consumer consent and other applicable provisions of the Electronic Signatures in Global and National Commerce Act (E-Sign Act). The disclosures required by §§ 1030.4(a)(2) and 1030.8 may be provided to the consumer in electronic form without regard to the consumer consent or other provisions of the E-Sign Act in the circumstances set forth in those sections. Disclosures for each account offered by an institution may be presented separately or combined with disclosures for the institution's other accounts, as long as it is clear which disclosures are applicable to the consumer's account. [160101] |
| 160501 | Section 1030.3(b) of Regulation DD requires that the disclosures reflect the legal obligation of the account<br>agreement between the consumer and the depository institution. (Disclosures may be made in other languages<br>provided they are available in English.) [160501] |
| 161501 | Section 1030.3(d) of Regulation DD requires that disclosures be made to at least one of the consumers of an<br>account held by more than one consumer. [161501] |
| 162001 | Section 1030.3(e) of Regulation DD requires that the annual percentage yield must be disclosed in an oral response to a consumer's inquiry about interest rates payable. The interest rate may also be disclosed but no other rate. [162001] |
| 162501 | Section 1030.3(f) of Regulation DD requires that the annual percentage yield, the annual percentage yield earned, and the interest rate shall be rounded to the nearest one-hundredth of one percentage point (.01%) and expressed to two decimal places, and the annual percentage yield and the annual percentage yield earned must be disclosed with an accuracy of not more than one-twentieth of one percentage point (.05%) above or below the yields determined in accordance with Appendix A. [162501] |
| 163001 | Section 1030.4(a)(1) of Regulation DD requires a financial institution provide account disclosures to a consumer before an account is opened or service provided, whichever is earlier. If a consumer is not present at the institution when the account is opened or service provided, and has not already received the disclosures, the institution shall mail or deliver the disclosures no later than 10 business days after the account is opened or service is provided, whichever is earlier. If a consumer, not present at the institution, uses electronic means (e.g. an Internet Web site) to open an account or request a service, the disclosures of this section must be provided before the account is opened or service provided. [163001] |
| 163501 | Section 1030.4(a)(2) of Regulation DD requires a financial institution provide account disclosures to consumers upon request. If a consumer, not present at the institution, makes a request the institution shall mail or deliver the disclosures within a reasonable time after it receives the request and may provide the disclosures in paper form or electronically if the consumer agrees. [163501] |

| Violation Codes | Description |
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| 164001 | Section 1030.4(b) of Regulation DD requires that account disclosures include the following, as applicable:<br>(1) Rate information - annual percentage yield and interest rate, using these terms; information on variable rates as applicable.<br>(2) Compounding and crediting - frequency; effect of closing an account on losing any interest.<br>(3) Balance information - minimum balance requirements; balance computation method; when interest begins to accrue on noncash deposits.<br>(4) Fees - amount (or explanation of how determined) and conditions under which fees may be imposed.<br>(5) Transaction limitations.<br>(6) Features of time accounts - time requirements; early withdrawal penalties; withdrawal of interest prior to maturity; renewal policies.<br>(7) Bonuses - amount or type; when paid; any minimum balance and time requirements to obtain. [164001] |
| 165001 | Section 1030.5(a) of Regulation DD requires an advance notice if any changes in the terms required by Section 1030.4(b) adversely affect the consumer. The notice shall state the effective date of change and be mailed or delivered at least 30 days before the date of change. Notices are not required for variable-rate changes, changes in check printing fees, and changes in any term for time accounts with maturities of one month or less. [165001] |
| 165501 | Section 1030.5(b)(1) of Regulation DD requires that, if maturity of a time account is longer than a month and automatically renewable, a notice must be mailed or delivered at least 30 calendar days before maturity or 20 calendar days before the end of a grace period (if it allows at least five calendar days of grace). If maturity is longer than one year, the disclosures under 1030.4(b) and the date the account matures must be provided. If the interest rate and annual percentage yield for the new account are unknown, the notice must state the date these will be determined and a telephone number to obtain this information. [165501] |

| Violation Codes | Description |
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| 166001 | Section 1030.5(b)(2) of Regulation DD requires that for time accounts with a maturity of a year or less but longer than a month and the account is automatically renewable, the institution shall provide the disclosures in paragraph (b)(1); or (1) the date the current account matures and the maturity date of the new account; (2) the interest rate and annual percentage yield, if known, (if not known, the date they will be determined and a telephone number to obtain this data must be disclosed); and (3) any difference in the terms of the new account compared to the existing account. The disclosures must be provided at least 30 calendar days before maturity or 20 calendar days before the end of a grace period (if there is at least five calendar days of grace). [166001] |
| 167001 | Section 1030.5(c) of Regulation DD requires for time accounts that mature longer than a year and do not automatically renew that the institution disclose the maturity date and whether interest will be paid after maturity. These disclosures shall be mailed or delivered at least 10 calendar days before maturity of the existing account. [167001] |
| 167501 | Section 1030.6(a) of Regulation DD requires that, if a periodic statement is provided, it must disclose: annual percentage yield earned (using this term), amount of interest, fees imposed, and length of statement period. [167501] |
| 168001 | Section 1030.6(b) of Regulation DD requires that, if the institution uses the average daily balance method and calculates interest for a period other than the statement period, the institution shall calculate and disclose the annual percentage yield earned and amount of interest earned based on that other period rather than the statement period. The length of period disclosure (required by Section 1030.6(a)(4) should state this period as well as the statement period. [168001] |
| 168501 | Section 1030.7(a)(1) of Regulation DD requires that the institution shall calculate interest on the full amount of principal in an account for each day by use of either the daily |

| Violation Codes | Description |
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| | balance method or the average daily balance method. [168501] |
| 169001 | Section 1030.7(a)(2) of Regulation DD requires that the institution shall use the same method, or one more beneficial to the consumer, to determine any minimum balance required to earn interest as it uses to determine the balance on which interest is calculated. [169001] |
| 169501 | Section 1030.7(c) of Regulation DD requires that interest shall begin to accrue not later than the business day on which the institution receives credit for the funds in compliance with Regulation CC. Interest shall accrue until the funds are withdrawn. [169501] |
| 170000 | Uncoded. [170000] |
| 170101 | Section 1030.8(a) of Regulation DD prohibits any advertisement that is misleading, inaccurate, or misrepresents a deposit contract. The terms, "free" or "no cost" (or similar term) shall not be used if any maintenance or activity fee is imposed on the account. The word "profit" shall not be used in referring to interest paid on an account. [170101] |
| 170501 | Section 1030.8(b) of Regulation DD requires that, if an advertisement states a rate of return, the rate must be stated as an "annual percentage yield" using this term. "APY" may be used in addition to the words. The only other rate that may be stated is "interest rate" if not more conspicuous than the annual percentage yield to which it is related. [170501] |
| 171001 | Section 1030.8(c) of Regulation DD requires that, with certain exceptions, if the annual percentage yield is stated, the following information to the extent applicable must be stated:<br>(1) Variable rates;<br>(2) Time annual percentage yield is offered;<br>(3) Minimum balance required;<br>(4) Minimum opening deposit required;<br>(5) Statement on effect of fees; and<br>(6) Features of time accounts (time requirements and any early withdrawal penalties). [171001] |
| 171501 | Section 1030.8(d) of Regulation DD requires, with certain exceptions, that, if a bonus is advertised, the following disclosures must be made clearly and conspicuously and to the extent applicable:<br>(1) Annual percentage yield;<br>(2) Time requirement to obtain bonus;<br>(3) Minimum balance required to obtain bonus;<br>(4) Minimum balance required to open the account if greater than balance needed to obtain bonus; and<br>(5) When bonus will be provided. [171501] |
| 172001 | Section 1030.9(c) of Regulation DD requires an institution to retain evidence of compliance with this regulation for a minimum of two years after the date disclosures are required to be made or action is required to be taken. [172001] |
| 174001 | Section 1030.11(a)(1) of Regulation DD requires a financial institution to separately disclose the following on each periodic statement for the statement period and calendar year-to-date: (1) the total dollar amount for all fees or charges imposed on the account for paying checks or other items when there are insufficient funds or unavailable funds, and the account becomes overdrawn; and (2) the total dollar amount for all fees imposed on the account for returning items unpaid. [174001] |
| 174201 | Section 1030.11(a)(3) of Regulation DD requires a financial institution to disclose the aggregate fee disclosures required by paragraph (a)(1) of this section in close proximity to fees identified under Section 1030.6(a)(3), using a format that is substantially similar to Sample Form B-10 in Appendix B of this part. [174201] |
| 174601 | Section 1030.11(b) of Regulation DD requires that any advertisement promoting the payment of overdrafts shall disclose in a clear and conspicuous manner: (i) The fee or fees for the payment of each overdraft; (ii) The categories of transactions for which a fee for paying an overdraft may be imposed; (iii) The time period by which the consumer must repay or cover any overdraft; and (iv) The circum- |

| Violation Codes | Description |
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| | stances under which the institution will not pay an overdraft. [174601] |
| 174701 | Section 1030.11(c) of Regulation DD requires a financial institution that discloses balance information to consumers through automated systems to disclose the consumer's account balance without any additional amounts that the institution may provide to cover items when there are insufficient or unavailable funds in the consumer's account, whether under a service provided at the institution's discretion, a service subject to Regulation Z (12 C.F.R. Part 1026), or a service to transfer funds from another account of the consumer. The institution may disclose additional account balances that include additional amounts only if the institution prominently states that such balances include additional funds and if applicable, that these additional amounts are not available for all transactions. [174701] |

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