

ASSESSMENT OF RISK OF CONSUMER HARM (ARCH)

General Instructions

The ARCH is used to document the scope of all examinations. The ARCH contains a series of questions and *Examiner Summary* sections to document risk assessment, mitigations to inherent or identified risk, and conclusions. The questions provided are not intended to cover every potential risk or mitigation, but set out a basic framework to assist an examiner in assessing and documenting the initial risk assessment and on-site plan of action for the institution. Examiners should provide additional explanation and support for these assessments, as necessary, in the *Examiner Summary* sections in the memorandum. Sections 1-3 should be completed and submitted for approval prior to the on-site portion of the examination. Section 4 should be completed and approved if material changes to the scope of the examination are warranted. Post examination comments are not required.

OVERVIEW - Institution and Examination Information

Bank Name: 39T
City/State: 39T
Region/Territory/FO: 39T
FO Performing Exam: 39T
Cert Number: 39T
Exam Number: 39T
EIC: 39T
Review Examiner: 39T
HMDA Reporter: 39T
Start Date of Examination: 39T
Date of Previous Compliance Examination ("Rating"): 39T
Date of Previous CRA Examination and Type ("Rating-verbiage"): 39T
Date of Previous Risk Examination (CAMELS): 39T

Report of Condition and Income

	XX/XX/20XX	XX/XX/20XX	Annualized Growth Rate
Total Assets:			
Total Loans:			
Total Deposits:			
Non-Interest Income:			
<i>Annualized: *</i>			
Total Income:			
<i>Annualized: *</i>			

* *Income annualization follows UBPR guidelines, in which partial year data is multiplied by 4 and divided by the quarter number. Raw growth rates are also multiplied by 4 and divided by the number of quarters elapsed.*

III. Templates — Assessment of Risk of Consumer Harm

Breakdown of Loan Portfolio

	Dollar Value	% of Portfolio
Consumer Loans:		
Commercial Loans:		
Farm Loans:		
Multi-Family Loans:		
Residential Loans:		
Other Loans:		

SAER Comment

Applicable comments will pre-populate.

SECTION 1 – IDENTIFICATION OF INHERENT RISK

This section includes a description of the Bank Structure, Supervisory History, and applicable Operations.
 “Yes” responses = potential risk.

BANK STRUCTURE	Response	
1. Have there been any changes in the following areas:		
a. Control of the bank?	a.	Select...
b. Board Members?	b.	Select...
c. Management or key personnel (policy makers)?	c.	Select...
d. Personnel performing compliance functions?	d.	Select...
e. Business strategy, markets, or delivery channels?	e.	Select...
f. Main office; branch office(s); deposit-taking remote service facilities, including ATMs; loan production offices; or deposit production offices?	f.	Select...
2. Does the bank have any subsidiaries or affiliates?	Select...	
Are any of the subsidiary or affiliate relationships new or changed since the previous examination?	Select...	
3. Has the bank had any mergers or acquisitions, or conducted due diligence for any pending, since the previous examination?	Select...	
4. Has the bank experienced significant growth (i.e., average annual growth in total assets of 25% or more) since the previous examination?	Select...	
5. Has the bank experienced significant change in the level and/or trend of fee income since the previous examination?	Select...	
6. Has the bank identified any trends or patterns involving fee reversals (e.g., late fees, overdraft fees)?	Select...	
7. Is the bank in a De Novo status?	Select...	
8. Preliminary Determination: What is the compliance risk level inherent to the bank’s structure?	Low/Moderate/High	
9. Examiner Summary:		
<ul style="list-style-type: none"> • Summarize pertinent details about the Bank Structure including changes since the previous examination in control, affiliates, subsidiaries, branches, strategy, and growth that present compliance risk. • Discuss other relevant information (e.g., charter conversion). • Discuss significant growth rates, higher fee income received, and high volume of fee reversals, as applicable. • Discuss the elements of Bank Structure that present higher compliance risk. 		
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SUPERVISORY HISTORY	Response
10. Have there been any DCP enforcement actions (i.e., Consent Order, Memorandum of Understanding, Board Resolution or Civil Money Penalty) since the previous examination?	Select...
11. Have there been any significant issues identified since the previous examination involving consumer harm (i.e., self-identified, third party)? Describe in the applicable Operational Area.	Select...
12. Has a referral to another agency been made as a result of the previous examination?	Select...
13. Were there complaints since the previous examination:	
a. Received by the bank?	a. Select...
b. Reported to the Consumer Response Center (CRC)?	b. Select...
c. Identified from other sources (e.g., State Attorney General, FTC, complaint boards, internet searches, Better Business Bureau)?	c. Select...
14. Were significant violations (i.e., Level 2 or 3) cited at the previous examination that present potential risk of consumer harm?	Select...
15. Have violations been identified or referrals made outside of the examination process (e.g., HMDA Outlier findings, complaints reported to CRC that turn into violations)?	Select...
16. Has the bank been a defendant in any consumer-related litigation since the previous examination?	Select...
17. Has the bank been involved in any investigations by other agencies (e.g., DOJ, HUD, FTC, EEOC, or state or local authorities) since the previous examination?	Select...
18. Did the previous examination and/or visitation activity include recommendations or MRBAs? Describe in the applicable Operational Area.	Select...
19. Were significant risk management, BSA, IT, or Trust findings identified at the previous examination, including any with potential consumer harm implications?	Select...
20. Have there been any RMS enforcement actions (i.e., Consent Order, Memorandum of Understanding, Board Resolution or Civil Money Penalty) since the previous examination?	Select...
21. Was significant information identified from other sources (e.g., RADD, VISION, CFPB) that raised compliance concerns?	Select...
22. Preliminary Determination: What is the compliance risk level inherent to the bank's supervisory history?	Low/Moderate/High
<p>23. Examiner Summary:</p> <ul style="list-style-type: none"> • Discuss the Supervisory History including enforcement actions, restitution, referrals, complaints, violations, investigations, or litigation. • Discuss concerns identified in the bank's response to the previous examination. • Discuss the impact, if any, of other examinations to the current examination. • Discuss the elements of Supervisory History that present higher compliance risk. 	
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OPERATIONAL AREA: LENDING	Response
24. Has the bank introduced any <i>new</i> loan products, programs, services, or features (e.g., escrow, PMI, add-ons), including any offered through a third party, since the previous examination?	Select...
25. Has the bank changed the loan platform, software, or core processors since the previous examination (e.g., conversions, upgrades)?	Select...
26. Has the bank changed any terms or fees on any loan products or services since the previous examination?	Select...
27. Has the bank offered any of the following residential consumer loan products, features, or programs since the previous examination? (If yes, check all that apply.) <ul style="list-style-type: none"> <input type="checkbox"/> Fixed rate <input type="checkbox"/> Adjustable rate <input type="checkbox"/> HELOC <input type="checkbox"/> Construction <input type="checkbox"/> Mobile home loan <input type="checkbox"/> Balloon payment <input type="checkbox"/> Subprime program <input type="checkbox"/> Reverse mortgages <input type="checkbox"/> Secondary market <input type="checkbox"/> Higher-Priced Mortgage Loans (HPMLs) <input type="checkbox"/> Home Ownership Equity Protection Act (HOEPA) <input type="checkbox"/> Discount/premium initial rate <input type="checkbox"/> Non-traditional (e.g., interest-only, negative amortization, payment option) <input type="checkbox"/> Mortgage broker relationships <input type="checkbox"/> Mortgage loan referral arrangements <input type="checkbox"/> Other (describe below) 	Select...
Other: (description) 39T	
28. Has the bank offered any of the following non-residential consumer loan products or programs since the previous examination? (If yes, check all that apply.) <ul style="list-style-type: none"> <input type="checkbox"/> Installment <input type="checkbox"/> Personal line of credit <input type="checkbox"/> Overdraft line of credit <input type="checkbox"/> Credit cards (Bank is the card issuer) <input type="checkbox"/> Private education <input type="checkbox"/> Indirect <input type="checkbox"/> Dealer loans <input type="checkbox"/> Subprime program <input type="checkbox"/> Deposit advance/Payday 	Select...

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<input type="checkbox"/> Tax refund <input type="checkbox"/> Vehicle title (non-purchase/refinance) <input type="checkbox"/> Other (describe below)	
Other: (description) 39T	
29. Is the bank ineligible for the small servicer exemption (i.e., the bank is a “large servicer”)?	Select...
30. Is loan processing decentralized?	Select...
31. Has the bank purchased any loans or loan portfolios since the previous examination?	Select...
32. Does the bank have marketing service arrangements or other agreements with real estate agents?	Select...
33. Has the bank originated or serviced any loans with PMI?	Select...
34. Does the bank establish or maintain any escrow accounts?	Select...
35. Does the bank offer optional or mandatory add-on services with any loan product other than insurance?	Select...
36. Does the bank offer any products with a credit feature that consider the customer’s age (e.g., overdraft lines of credit or accounts with qualifying age requirements)?	Select...
37. Is there a significant military presence in or near the bank’s market or trade area?	Select...
38. Has the bank received any relief requests under SCRA?	Select...
39. Has the bank originated loans to servicemembers or other covered borrowers that are subject to the Military Lending Act?	Select...
40. Has the bank suspended, terminated, or lowered the credit limit of any open-end loan product since the previous examination?	Select...
41. Does the bank offer foreclosure/repossession prevention programs or credit repair programs?	Select...
42. Does the bank compensate mortgage loan originators using bonuses, commissions, retirement plans, or other financial incentives beyond salaries?	Select...
43. Has the bank originated or serviced any loans secured by improved real estate or mobile homes located in a special flood hazard area (SFHA)? (If yes, check all that apply) <input type="checkbox"/> Bank escrows flood insurance premiums <input type="checkbox"/> Bank has force placed flood insurance	Select...
44. Has the bank charged a borrower for force-placed <i>hazard</i> insurance on any federally-related mortgage loan?	Select...
45. Preliminary Determination: What is the compliance risk level inherent to the bank’s lending operations?	Low/Moderate/High
46. Examiner Summary:	

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<ul style="list-style-type: none"> • Discuss the impact of any lending-related complaints or recommendations noted in the Supervisory History section. • Discuss the elements of Lending that present higher risk, emphasizing those areas presenting the greatest potential of consumer harm risk.
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OPERATIONAL AREA: DEPOSITS	Response
47. Has the bank introduced any <i>new</i> deposit products, programs, services, or features, including any that were offered through a third party, since the previous examination?	Select...
48. Has the bank changed the deposit platform, software, or core processor since the previous examination (e.g., conversions, upgrades)?	Select...
49. Has the bank changed any terms or fees on any deposit products or services since the previous examination?	Select...
50. Has the bank offered any of the following deposit-related products or services since the previous examination? (If yes, check all that apply.) <input type="checkbox"/> Rewards checking product <input type="checkbox"/> Deposit product with a bonus <input type="checkbox"/> Optional or mandatory services (e.g., identity theft protection, credit monitoring) <input type="checkbox"/> Prepaid cards (e.g., gift, payroll)	Select...
51. Has the bank offered an opt-in or opt-out on any deposit product or service since the previous examination?	Select...
52. Does the bank place holds on any deposits?	Select...
53. Has the bank received any error resolution claims subject to Regulation E?	Select...
54. Does the bank require the consumer to take any additional action prior to conducting an investigation of the error resolution claim?	Select...
55. Has the bank denied any error resolution claim or revoked provisional credit previously provided?	Select...
56. Has the bank engaged in any remittance transfers covered by Regulation E outside the safe harbor standards?	Select...
57. Preliminary Determination: What is the compliance risk level inherent to the bank's deposit operations?	Low/Moderate/High
58. Examiner Summary: <ul style="list-style-type: none"> • Discuss the impact of deposit-related complaints or recommendations noted in the Supervisory History section. • Discuss the elements of Deposits that present higher risk, emphasizing those areas presenting the greatest potential of consumer harm. 	

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OPERATIONAL AREA: NON-DEPOSIT PRODUCTS	Response
59. Does the bank offer investment sales? (If yes, check all that apply.) <input type="checkbox"/> Retail investments <input type="checkbox"/> Cash management sweep accounts <input type="checkbox"/> Foreign retail exchange transactions <input type="checkbox"/> Retail repurchase agreements <input type="checkbox"/> Other (describe below)	Select...
Other: (description) 39T	
60. Does the bank offer insurance sales? (If yes, check all that apply.) <input type="checkbox"/> Credit insurance products (e.g., credit life/disability, unemployment) <input type="checkbox"/> GAP insurance <input type="checkbox"/> VSI insurance <input type="checkbox"/> Other (describe below)	Select...
Other: (description) 39T	
61. Has there been a change in the vendor for investment sales?	Select...
62. Has there been a change in the vendor for insurance sales?	Select...
63. Is the bank a government securities broker or dealer?	Select...
64. Does the bank hold government securities (itself or through a third-party custodian bank) as a fiduciary, custodian, or other capacity for retail customers?	Select...
65. Preliminary Determination: What is the compliance risk level inherent to the bank's non-deposit products?	Low/Moderate/High
66. Examiner Summary: <ul style="list-style-type: none"> • Discuss the impact of NDP-related complaints or recommendations noted in the Supervisory History section. • Discuss the elements of NDPs that present higher risk, emphasizing those areas presenting the greatest potential of consumer harm. 	
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OPERATIONAL AREA: THIRD-PARTY RISK	Response
<p>67. Does the bank have any significant third-party relationships (as defined by FIL-44-2008) where the entity: (If yes, examiners must check all that apply.)</p> <p><input type="checkbox"/> Is a new relationship</p> <p><input type="checkbox"/> Involves implementing new bank activities</p> <p><input type="checkbox"/> Has a material effect on revenue or expenses</p> <p><input type="checkbox"/> Performs critical functions</p> <p><input type="checkbox"/> Stores, accesses, transmits or performs transactions on sensitive customer information</p> <p><input type="checkbox"/> Markets bank products or services</p> <p><input type="checkbox"/> Provides a product or performs a service involving lending or card payment transactions</p> <p><input type="checkbox"/> Poses risks that could significantly affect bank earnings or capital</p>	Select...
68. Does the bank have any third-party deposit collection agreements?	Select...
69. Does the bank have any relationships with third-party payment processors (as defined in FIL-3-2012 ; FIL-43-2013 ; and FIL-41-2014)?	Select...
70. Preliminary Determination: What is the compliance risk level inherent to the bank's third-party relationships?	Low/Moderate/High
<p>71. Examiner Summary:</p> <ul style="list-style-type: none"> • Discuss the impact of any third party-related complaints or recommendations noted in the Supervisory History section. • Discuss the elements of Third-Party Risk that present higher risk, emphasizing those areas presenting the greatest potential of consumer harm. 	
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OPERATIONAL AREA: OTHER PRODUCTS OR ISSUES	Response
<p>72. Does the bank offer fee-based overdraft services? (If yes, check all that apply.)</p> <p><input type="checkbox"/> Automated System</p> <p><input type="checkbox"/> Ad Hoc System</p> <p><input type="checkbox"/> Hybrid System</p>	Select...
73. Is the overdraft program administered by a third party?	Select...
74. Does the bank have a transactional website?	Select...
75. Does the bank operate a website or online service directed to children?	Select...
76. Is the bank, or any representative thereof, involved in social media?	Select...

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77. Does the bank offer, or participate in, any form of mobile banking payment product, service, or system?	Select...
78. Does the bank allow customers to receive any account information in electronic format in lieu of a paper format?	Select...
79. Does the bank disclose nonpublic personal information to a nonaffiliated third party?	Select...
80. Does the bank, either directly or through a third party, actively market/advertise through print, radio, and/or television?	Select...
81. Does the bank engage in telephone or fax marketing?	Select...
82. Does the bank initiate any email messages for marketing purposes?	Select...
83. Has the bank garnished funds in consumer deposit accounts?	Select...
84. Does the bank conduct risk-based pricing for any consumer loan products?	Select...
85. Does the bank provide information to consumer reporting agencies?	Select...
86. Does the bank disclose consumer report information to any of its affiliates?	Select...
87. Has the bank obtained and used prescreened consumer reports to offer pre-approved credit or insurance products?	Select...
88. Has the bank provided any Federal government authority access to the financial records of any consumer since the previous examination?	Select...
89. Preliminary Determination: What is the compliance risk level inherent to the bank's other products or issues?	Low/Moderate/High
<p>90. Examiner Summary:</p> <ul style="list-style-type: none"> • Discuss the impact of any related complaints or recommendations noted in the Supervisory History section. • Discuss the elements of Other Products or Issues that present higher risk, emphasizing those areas presenting the greatest potential of consumer harm. 	
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OPERATIONAL AREA: UDAP	Response
<p>91. Does the bank have any consumer complaints that indicate potential UDAP concerns? (If yes, examiner must check all that apply.)</p> <p> <input type="checkbox"/> Misleading or false statements <input type="checkbox"/> Missing disclosures or information <input type="checkbox"/> Excessive fees <input type="checkbox"/> Undisclosed charges <input type="checkbox"/> High volume of complaints <input type="checkbox"/> Other (describe below) </p>	Select...

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Other: (description) 39T	
92. Does the bank, directly or through a third party, offer products or services that exhibit UDAP risk?	Select...
93. Does the bank offer any products or services that are targeted to any specific groups (e.g., elderly, non-English speakers)?	Select...
94. Regarding non-performing consumer debt, does the bank: a. Collect its own debts or collect debts purchased from a third party? b. Use a third party to collect its own debt? c. Collect debts owed to a third party? d. Sell debts to a third party? e. Facilitate debt settlements through a credit product?	a Select...
	b Select...
	c Select...
	d Select...
	e Select...
95. Preliminary Determination: What is the UDAP risk level inherent to the bank's products, services, and markets?	Low/Moderate/High
96. Examiner Summary: <ul style="list-style-type: none"> • Discuss any UDAP-related complaints or recommendations noted in the Supervisory History section. • Discuss the elements of UDAP risk that present a higher risk of consumer harm. 	
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SECTION 2 - INITIAL ASSESSMENT OF CMS/INTERNAL CONTROLS

This section includes mitigating factors to inherent risk. "Yes" responses = positive factor.

BOARD AND MANAGEMENT OVERSIGHT	Response
97. Do the Board and management demonstrate the ability to respond timely and adequately to changes in regulations and market conditions, including how such changes impact the products and services offered?	Select...
98. Do Board minutes reflect regular and frequent discussions regarding applicable laws and regulations?	Select...
99. Were Board minutes or discussions with management free of any high risk concerns of consumer harm?	Select...
100. Do the Board and management receive training on consumer protection issues, particularly those that may result in consumer harm?	Select...
101. Do the Board and management demonstrate sufficient oversight of pre- and post-implementation of new products or services, including those offered by a third party?	Select...
102. Do the Board and management review employee and third party compensation arrangements to ensure they do not create unintended incentives to engage in unfair or deceptive	Select...

III. Templates — Assessment of Risk of Consumer Harm

	practices?	
103.	Has the Board and management implemented and maintained effective risk and supervisory controls to select and manage third-party contractors or service providers, as described in FIL-44-2008 ?	Select...
104.	Based on available information, do the Board and management allocate sufficient resources to the CMS commensurate with the level and complexity of the bank's operations and level of consumer harm risk? (If yes, check all that apply.) <input type="checkbox"/> Sufficient time and resources for personnel with compliance responsibilities <input type="checkbox"/> Board-level or other committees that address consumer protection issues <input type="checkbox"/> Sufficient resources to detect and mitigate consumer harm, including unfair or deceptive acts or practices <input type="checkbox"/> Independent audits (internal or external) <input type="checkbox"/> Compliance consultants	Select...
105.	Does the Board review and approve bank-wide policies and procedures that address the bank's CMS and applicable consumer protection topics and regulations on at least an annual basis?	Select...
106.	Are monitoring and audit results reported to the Board, or a designated committee?	Select...
107.	Has management demonstrated that appropriate actions are taken to address deficiencies, findings, and recommendations elevated to their attention via previous examinations, audits, or monitoring, particularly in a way to prevent recurrence and to provide remediation?	Select...
108.	Has the Board designated a compliance officer and/or compliance committee?	Select...
109.	Does the compliance officer have sufficient knowledge and understanding of consumer protection laws and regulations, particularly those addressing the risk of consumer harm?	Select...
110.	Does the compliance officer receive periodic consumer compliance-related training?	Select...
111.	Is compliance or legal representation involved in the development, marketing, and advertising of any new product, program, service, or feature?	Select...
112.	Does the organizational structure include independence for compliance personnel to cross departmental lines, have access to all areas of the bank's operations, and administer the compliance program including performing reviews and implementing corrective actions?	Select...
113.	Preliminary Determination: What is the condition of the bank's Board and management oversight?	Strong/Adequate/Weak

III. Templates — Assessment of Risk of Consumer Harm

<p>114. Examiner Summary:</p> <ul style="list-style-type: none"> • Summarize the initial assessment of Board and management oversight. • Discuss undetermined responses and additional actions to be conducted on-site.
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COMPLIANCE PROGRAM	Response
Policies and Procedures	
115. Does the bank maintain policies and procedures to mitigate inherent risk?	Select...
116. Does the bank maintain a program, policy or procedures to manage third-party risks?	Select...
117. Does the bank have adequate policies and procedures for ensuring compliance with Section 5 of the FTC Act (UDAP)?	Select...
118. Does the bank have adequate procedures to identify active duty servicemembers and their dependents?	Select...
119. Were policies and procedures determined to be sufficient during the previous examination, within audits, or other past assessments?	Select...
120. Are the policies and procedures readily available to all employees?	Select...
121. Has management provided written policies or procedures that include sufficient information and detail necessary to assist employees with completing an applicable transaction?	Select...
122. Does the bank have an effective mechanism in place to review and update policies and procedures when there are changes to the bank's business strategy or regulatory environment?	Select...
123. Does the bank have an effective mechanism in place to communicate amendments to existing policies and procedures or implementation of new ones?	Select...
124. Have written policies and procedures been developed addressing any new or modified laws or regulations that became effective since the previous examination?	Select...
125. Preliminary Determination: What is the condition of the bank's policies and procedures?	Strong/Adequate/Weak
<p>126. Examiner Summary:</p> <ul style="list-style-type: none"> • Summarize the initial assessment of Policies and Procedures. • Discuss undetermined responses and additional actions to be conducted on-site. 	
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Training	
127. Has management established a formalized compliance training program for all employees?	Select...
128. Has management provided sufficient information to determine	Select...

III. Templates — Assessment of Risk of Consumer Harm

compliance staff received adequate and timely ongoing training?	
129. Has management provided sufficient information to determine other staff members have received compliance-related training commensurate with their responsibilities?	Select...
130. Has management provided sufficient information to determine if the content of training is appropriate?	Select...
131. Are employees assessed periodically to determine the effectiveness of training?	Select...
132. Is training provided for newly implemented and/or revised regulations?	Select...
133. Does the bank provide comprehensive training to appropriate personnel to identify and prevent unfair or deceptive acts or practices?	Select...
134. Does management maintain adequate training records?	Select...
135. Preliminary Determination: What is the condition of the bank's training?	Strong/Adequate/Weak
<p>136. Examiner Summary:</p> <ul style="list-style-type: none"> • Summarize the initial assessment of training. • Discuss additional actions to be conducted on-site if applicable. 	
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Monitoring and/or Audit	
137. Are compliance monitoring activities currently in place at the bank?	Select...
138. Is monitoring conducted pursuant to an established schedule?	Select...
139. Is monitoring conducted for all product types and decision centers?	Select...
140. Does the bank monitor activities of third parties?	Select...
141. Is monitoring conducted at the transaction level?	Select...
142. Does the bank have a process to ensure errors identified during monitoring are corrected and do not reoccur?	Select...
143. Does the Board provide for independent audits?	Select...
144. If internal, are audits conducted by an independent resource?	Select...
145. Is the same auditor in place since the previous examination?	Select...
146. Has management provided sufficient information to determine audits are completed according to a comprehensive and effective risk assessment?	Select...
147. Is the audit scope approved by the Board or a compliance committee?	Select...
148. Does the audit scope consider the following:	

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a. All applicable consumer protection laws and regulations?	a.	Select...
b. Adherence to internal policies and procedures?	b.	Select...
c. Volume of transactions?	c.	Select...
d. Number and type of consumer complaints received?	d.	Select...
e. Complexity of products offered?	e.	Select...
f. All applicable departments and branches?	f.	Select...
g. Significant third-party relationships?	g.	Select...
h. Areas with high risk of consumer harm?	h.	Select...
i. UDAP risk?	i.	Select...
149. Does the written audit report include the following:		
a. Scope of audit?	a.	Select...
b. Deficiencies identified?	b.	Select...
c. Number of transactions sampled by category or product type?	c.	Select...
d. Follow-up to previous audit and/or examination findings?	d.	Select...
e. Suggestions for corrective actions?	e.	Select...
f. Timeframes for correction?	f.	Select...
150. Does the bank have a mechanism in place to track the deficiency, root cause, and resolution of audit, monitoring, and examination findings?		Select...
151. Did management implement follow-up procedures to verify, at a later date, that the corrective actions were lasting and effective?		Select...
152. Preliminary Determination: What is the condition of the bank's monitoring and/or audit?		Strong/Adequate/Weak
153. Examiner Summary: <ul style="list-style-type: none"> • Summarize the initial assessment of monitoring and/or audit, including the adequacy, depth, and frequency of the reviews, if applicable. • Discuss additional actions to be conducted on-site, if applicable. 		
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Consumer Complaint Response		
154. Does the bank have procedures in place to respond to		Select...

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consumer complaints promptly?	
155. Do complaint procedures clearly identify the staff member or members who are responsible for processing the complaint?	Select...
156. Does the bank monitor complaints to identify trends or patterns that may indicate potential risk of consumer harm?	Select...
157. Are complaints reported to the Board?	Select...
158. Did the bank indicate during the pre-examination interview that no consumer complaints have been received?	Select...
159. Did a review of internal and external resources (e.g., STARS, RADD, Ripoffreport.com, BBB, Google) regarding the bank result in no complaints identified?	Select...
160. Have any changes to the bank's policies or procedures been implemented as a result of a complaint or complaints?	Select...
161. Preliminary Determination: What is the condition of the bank's consumer complaint response?	Strong/Adequate/Weak
162. Examiner Summary: <ul style="list-style-type: none"> Summarize the initial assessment of consumer complaint response. Discuss additional actions to be conducted on-site, if applicable. 	
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Compliance Program	
163. Preliminary Determination: What is the condition of the bank's compliance program?	Strong/Adequate/Weak
164. Examiner Summary: <ul style="list-style-type: none"> Summarize the initial assessment of the compliance program. 	
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DECISION POINT

DECISION POINT
Discuss each inherent risk deemed to have been sufficiently mitigated by the strength of the CMS. These areas now exhibit minimal residual risk of consumer harm. Summarize how the CMS elements reduce the inherent risk of each applicable product, service, or market in the comments.
Products, services, or markets not sufficiently mitigated and exhibiting residual risk of consumer harm will be documented in Section 3 for further analysis and on-site transactional testing.
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SECTION 3 - SCOPE OF EXAMINATION

This section addresses the residual risk of consumer harm. Complete the table below identifying the specific product, service, or market (PSM) to be examined based on residual consumer harm risk. The

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table should list the areas in order from highest to lowest relative risk. Risk levels below represent preliminary opinions based on initial assessment performed.

PSM	Oversight Risk	Program Risk	Residual Consumer Harm Risk
Choose an item.	Choose an item.	Choose an item.	Choose an item.
<p>Comments: Click here to enter the explanation of inherent risk associated with this area; discuss mitigating factors, or lack thereof; and present the residual risk of consumer harm. Discuss the proposed examination action.</p>			

ADDITIONAL SCOPE INFORMATION
<p>Other Areas for Review:</p> <p>This section may include, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Training to be conducted for purpose of meeting trainee benchmarks • Areas to be confirmed on-site due to lack of information available during PEP • Any review necessary to validate accuracy of information obtained in PEP • Home Mortgage Disclosure Act (HMDA)- discuss review conducted or to be conducted on-site <p>39T</p>
<p>Community Reinvestment Act (CRA):</p> <p>If a CRA evaluation is to be performed, this section should include brief comments related to the scope of this evaluation. This section is generally written in paragraph form and begins with a sentence like "The CRA evaluation will follow (small bank, ISB, or large bank) procedures." Other information may include:</p> <ul style="list-style-type: none"> • Description of previous CRA evaluation (i.e., procedures used, rating) • Which products will be reviewed, what is the review timeframe • Reasons any of the 3 primary loan products (RRE, small business, or small farm) are excluded, as applicable • Description of the sample(s)/universe(s) to be reviewed and comparison data and/or source(s) • Whether the bank offers a small dollar loan program • General description of assessment area(s), focusing on relevant data and/or significant changes since previous examination • If multiple assessment area(s), which will receive full review/limited review and why • Whether IBBEA is applicable, and if so, what states will be rated • • Discussion of any distressed, underserved, or designated disaster areas within the assessment area(s) • Discussion of changes to bank locations/branches • Bank requests review/consideration of investments/services (small bank) • Discussion of community contacts

III. Templates — Assessment of Risk of Consumer Harm

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	<p>e-Exam Policy:</p> <p>This section should include brief comments about the bank's willingness or ability to provide information electronically, the delivery method(s) to be utilized, and any examination work planned to be completed off-site.</p>
39T	<p>Miscellaneous Information:</p> <p>This section may include, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Benchmark Hours: Address whether the EIC's initial determination indicates benchmark hours assigned are appropriate, too low, or too high based upon the residual consumer harm risks identified; Discuss known fair lending risks that may measurably impact examination hours (e.g., history of discriminatory violations, complaints/litigation, open investigations, HMDA outlier identification); If the determination is estimated hours are materially higher or lower than benchmark, provide an estimate of actual hours needed. • Location of on-site examination and any branch visits to be conducted, as well as other logistics (e.g., attire, parking, available work hours on-site) • Staff assignments • Primary point of contact name/phone number • Indicate if the bank has any mortgage company, payday lending, or private education lending subsidiaries that will require CFPB coordination.
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What is the initial determination of benchmark hours based on the residual consumer harm risks identified?	<input type="checkbox"/> Low <input type="checkbox"/> Appropriate <input type="checkbox"/> High
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<p>FIELD SUPERVISOR/DESIGNEE APPROVAL:</p> <ul style="list-style-type: none"> • Field Supervisor/designee should approve the ARCH via electronic signature (e-Sign). NOTE: The final, e-Signed ARCH Word document is required to be retained in SOURCE with the examination documents. • Field Supervisor/designee approval may provide additional comments or notes, either below and/or in a separate e-mail. <p>Field Supervisor/Designee Name: <u>39T</u></p> <p>Date of Approval: <u>39T</u></p>
39T

SECTION 4 - SCOPE ADDENDUM

If material changes to the proposed and previously approved scope are necessary, describe those changes below, indicating the date the changes are approved and by whom.

III. Templates — Assessment of Risk of Consumer Harm

EXAMINER SUMMARY:

- The information captured in Sections 1-3 should not be changed after approval by the Field Supervisor or designee.
- If significant information is noted during the on-site review that alters the scope of the examination, summarize that information and the resulting change in this section.
- Include sufficient information to explain the basis for the change and the applicable residual risk of consumer harm.

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FIELD SUPERVISOR/DESIGNEE APPROVAL (NECESSARY ONLY IF SCOPE ADDENDUM COMPLETED):

- Field Supervisor/designee should approve the ARCH via electronic signature (e-Sign). NOTE: The final, e-Signed ARCH Word document is required to be retained in SOURCE with the examination documents.
- Field Supervisor/designee approval may provide additional comments or notes, either below and/or in a separate e-mail.

Field Supervisor/Designee Name: 39T

Date of Approval: 39T

39T

III. Templates — Assessment of Risk of Consumer Harm

LENDING

Truth in Lending Act
Equal Credit Opportunity Act
Fair Housing Act
Home Mortgage Disclosure Act
Flood Insurance
Real Estate Settlement Procedures Act
Homeownership Counseling Act
Homeowners Protection Act
Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act)
FTC Rule - Preservation of Consumer Claims and Defenses
Fair Debt Collection Practices
Servicemembers Civil Relief Act
Talent Amendment
Military Lending Act
Consumer Leasing
Overdraft Payment Programs

DEPOSITS

Truth in Savings Act
Electronic Funds Transfer Act
Expedited Funds Availability Act, including Check 21
Part 330 of FDIC Rules and Regulations – Deposit Insurance Coverage
Part 360 of FDIC Rules and Regulations – Resolution and Receivership Rules

NON-DEPOSIT PRODUCTS

Retail Insurance Sales
Retail Investment Sales, including Recordkeeping and Broker/Dealer Rules and Exemptions (Regulation R)

OTHER PRODUCTS OR ISSUES

Right to Financial Privacy Act
Privacy of Consumer Financial Information
Fair Credit Reporting Act
Children's Online Privacy Protection Act
Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN-SPAM)
Telephone Consumer Protection Act
Electronic Banking, including Electronic Signatures in Global and National Commerce Act (E-Sign Act)
Part 328 of FDIC Rules and Regulations - Advertisement of Membership
Garnishment of Accounts Containing Federal Benefit Payments – Part 212 of Treasury Regulations
Community Reinvestment Act
Branch Closings – Section 42 of the Federal Deposit Insurance Act
Interstate Banking and Branching Efficiency Act (IBBEA)
FTC Section 5 - Unfair or Deceptive Acts or Practices
Third-Party Risk