



It’s challenging for every Compliance professional to stay on top of the small and big changes to existing and new regulatory requirements. As you partner in compliance, we are introducing a new feature to our Regulatory Compliance Manager (RCM) Service – Quarterly Regulatory Updates.

This is A Better Way for you to keep track of regulatory changes. Here is a list of 2021 regulatory changes for your reference and review. Watch for TCA’s Regulatory Updates the beginning of each new quarter for 2022.

### Quarterly Regulatory Updates – 2021

AGENCY	DATE ISSUED	SUMMARY	BUSINESS UNITS AFFECTED	EFFECTIVE DATE
Joint Agencies	1/19/2021	<b>Frequently Asked Questions Regarding Suspicious Activity Reporting and Other Anti-Money Laundering (AML) Considerations</b> <a href="#">FDIC: FIL-05-2020: Frequently Asked Questions Regarding Suspicious Activity Reporting and Other Anti-Money Laundering (AML) Considerations</a>		1/19/2021
CFPB	1/21/2021	<b>Statement Regarding the Provision of Financial Products and Services to Consumers with Limited English Proficiency.</b> To encourage financial institutions to better serve consumers with limited English proficiency (LEP) and to provide principles and guidelines to assist financial institutions in complying with the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), the Equal Credit Opportunity Act (ECOA), and other applicable laws. <a href="#">Federal Register: Statement Regarding the Provision of Financial Products and Services to Consumers with Limited English Proficiency</a>		1/21/2021
FRB	2/16/2021	<b>Loan Modification Accounting and Reporting Issues: Troubled Debt Restructurings (TDRs)</b> <a href="#">The Fed - COVID-19 Supervisory and Regulatory FAQs (federalreserve.gov)</a>		2/16/2021
CFPB	2/17/2021	<b>Higher-Priced Mortgage Loan Escrow Exemption (Regulation Z)</b> These amendments exempt certain insured depository institutions and insured credit unions from the requirement to establish escrow accounts for certain higher-priced mortgage loans. <a href="#">Federal Register: Higher-Priced Mortgage Loan Escrow Exemption (Regulation Z)</a>		2/17/2021

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CFPB	3/5/2021	<p><b>Qualified Mortgage Definition Under the Truth in Lending Act (Regulation Z): General QM Loan Definition; Delay of Mandatory Compliance Date</b></p> <p>The Bureau is proposing to delay the mandatory compliance date of the final rule titled Qualified Mortgage Definition under the Truth in Lending Act (Regulation Z): General QM Loan Definition (General QM Final Rule) until October 1, 2022.</p> <p><a href="#">Federal Register: Qualified Mortgage Definition Under the Truth in Lending Act (Regulation Z): General QM Loan Definition; Delay of Mandatory Compliance Date</a></p>		10/1/2022
CFPB	3/09/2021	<p><b>Equal Credit Opportunity (Regulation B); Discrimination on the Bases of Sexual Orientation and Gender Identity</b></p> <p>The Bureau of Consumer Financial Protection (Bureau) is issuing this <a href="#">interpretive rule</a> to clarify that, with respect to any aspect of a credit transaction, the prohibition against sex discrimination in the Equal Credit Opportunity Act (ECOA) and Regulation B, which implements ECOA, encompasses sexual orientation discrimination and gender identity discrimination, including discrimination based on actual or perceived nonconformity with sex-based or gender-based stereotypes and discrimination based on an applicant's associations.</p>		3/09/2021
Joint Agencies	3/09/2021	<p><b>Regulators' CRA COVID-19 FAQs updated</b></p> <p>The OCC, Federal Reserve Board, and the FDIC have published a <a href="#">newly updated version of frequently asked questions</a> to assist financial institutions and examiners with determining Community Reinvestment Act (CRA) consideration for activities undertaken in response to the COVID-19 pandemic. The update adds five new FAQs to the thirteen interagency FAQs dated May 27, 2020.</p>		3/09/2021
FRB	5/17/2021	<p><b>Fed extends Reg O PPP rule again</b></p> <p>The Federal Reserve Board has <a href="#">announced</a> the third <a href="#">extension of a rule amending Regulation O</a> to bolster the effectiveness of the Small Business Administration's (SBA) Paycheck Protection Program (PPP). Like the earlier extensions, this one will temporarily modify the Board's rules so that certain bank directors and shareholders can apply to their banks for PPP loans for their small businesses.</p> <p>The rule extension, which is effective immediately, applies to PPP loans made from March 31 through June 30, 2021. The rule change will continue to apply if the PPP is extended, with the change ultimately sunseting on March 31, 2022. Comments will be accepted for 45 days after publication in the <i>Federal Register</i>.</p>		3/31/2021 through 6/30/2021

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CFPB	6/10/2021	<p><b>CFPB Reg E FAQs on unauthorized EFTs</b></p> <p>The CFPB has posted a series of eight <a href="#">FAQs on unauthorized electronic fund transfers and error resolution</a> under Regulation E on a new Electronic Fund Transfers compliance resource webpage. The FAQs address these topics:</p> <ul style="list-style-type: none"> <li>• Fraudulent inducement to share account access information</li> <li>• Consumer negligence and liability for unauthorized EFTs</li> <li>• Modification or waiver of Regulation E protections</li> <li>• Regulation E and private network rules</li> <li>• Conditioning error investigations on police reports, etc.</li> <li>• Requiring a consumer to contact the merchant before starting an investigation</li> <li>• Determining consumer liability for unauthorized EFTs</li> </ul>		N/A
POTUS	6/18/2021	<p><b>Juneteenth National Independence Day</b></p> <p>President Biden yesterday signed the Juneteenth National Independence Day Act commemorating Juneteenth (June 19) as a federal holiday. As June 19 falls on a Saturday this year, federal employees will observe this holiday today, June 18, 2021. Financial markets and Federal Reserve Financial Services will operate normally. FDIC, OCC and the Federal Reserve Board (Washington) offices will be closed today.</p> <p><a href="#">According to the FDIC</a>, when determining their operating status today (June 18), FDIC-supervised institutions should comply with applicable requirements of their state chartering authority and consider the impact on customers.</p>		6/18/2021
FFIEC	6/22/2021	<p><b>Updates to FFIEC BSA/AML Exam Manual</b></p> <p>The Federal Financial Institutions Examination Council (FFIEC) has released updates to four sections of the BSA/AML Examination Manual:</p> <ul style="list-style-type: none"> <li>• International Transportation of Currency or Monetary Instruments Reporting</li> <li>• Purchase and Sale of Monetary Instruments Recordkeeping</li> <li>• Reports of Foreign Financial Accounts</li> <li>• Special Measures</li> </ul> <p>The FFIEC's <a href="#">press release</a> indicates the updates should not be interpreted as new instructions or increased focus on certain areas; instead, they offer further transparency into the examination process and support risk-focused examination work.</p>		6/22/2021

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FFIEC	6/28/2021	<p><b>2021 list of distressed or underserved geographies</b>  The FFIEC <a href="#">reports</a> the Federal Reserve Board and the FDIC have announced the availability of the <a href="#">2021 list</a> of distressed or underserved nonmetropolitan middle-income geographies. These are geographic areas where revitalization or stabilization activities are eligible to receive CRA consideration under the community development definition. Distressed nonmetropolitan middle-income geographies and underserved nonmetropolitan middle-income geographies are designated by the agencies in accordance with their CRA regulations.</p>		6/28/2021
Joint Agencies	7/20/2021	<p><b>Proposed guidance published</b>  The OCC, FDIC, and Federal Reserve have published [<a href="#">86 FR 38182</a>] their <a href="#">proposed Interagency Guidance on Third-Part Relationships Risk Management</a>, which was announced last week. Comments on the proposal are due by September 17, 2021.</p>		N/A
OCC	8/05/2021	<p><b>Community Reinvestment Act, Fair Housing Act, and Equal Credit Opportunity Act: OCC Contact Information for Certain Notices and Posters</b>  <a href="#">Bulletin 2021-35</a> informed national banks, federal savings associations, and federal branches and agencies of foreign banking organizations (collectively, banks) of the appropriate names and addresses for notices required by the Community Reinvestment Act (CRA) and Equal Credit Opportunity Act, and for posters under the Fair Housing Act. Banks should make the appropriate changes to their notices and posters, if necessary, within 90 days of this bulletin’s date of issuance.</p>		11/05/2021
CFPB	8/20/2021	<p><b>Technical Specifications for Credit Card Agreement and Data Submissions Required under TILA and the CARD Act (Regulation Z)</b>  Certain credit card issuers must submit credit card agreements and data to the Bureau of Consumer Financial Protection (Bureau) under the Truth in Lending Act (TILA) and the Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act). <a href="#">The Bureau is issuing new technical specifications</a> for complying with those submission requirements. Credit card issuers will make the required submissions under TILA and the CARD Act through the Bureau’s “Collect” website. These technical specifications include registration information and the URL for the website at which issuers (or their designees) can submit the required information.</p>		8/23/2021

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FEMA	10/01/2021	<p><b>Flood Insurance Declaration Pages</b>  FEMA is updating the National Flood Insurance Program's (NFIP) risk rating methodology through the implementation of a new pricing methodology called <a href="#">Risk Rating 2.0</a>. The methodology leverages industry best practices and cutting-edge technology to enable FEMA to deliver rates that are actuarially sound, equitable, easier to understand and better reflect a property's flood risk.</p> <p>Two changes we noticed were:</p> <ul style="list-style-type: none"> <li>Starting October 1, 2021, there is no longer a pricing difference for policies by zone. Flood risk for zone A is now the same as zone X. Equity in risk.</li> <li>Because there is no longer a pricing difference by zone, for new insurance declaration pages after October 1, 2021, there is no flood zone shown. For existing insurance declaration page renewals, zones may show until April 1, 2022.</li> </ul>		10/01/2021
CFPB	10/25/2021	<p><b>Annual HOEPA/QM Threshold Changes</b>  The Bureau is required to calculate annually the dollar amounts for several provisions in Regulation Z; this final rule revises, as applicable, the dollar amounts for provisions implementing TILA and amendments to TILA, including under the Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act), the Home Ownership and Equity Protection Act of 1994 (HOEPA), and the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). The <a href="#">Bureau is adjusting these amounts</a>, where appropriate, based on the annual percentage change reflected in the Consumer Price Index (CPI) in effect on June 1, 2021.</p>		1/01/2022
FRB	10/28/2021	<p><b>Updated Reg Z exam procedures</b>  The Federal Reserve Board has issued a <a href="#">Community Affairs Letter</a> announcing the Task Force on Consumer Compliance of the Federal Financial Institutions Examination Council recently developed <a href="#">updated interagency examination procedures</a> for Regulation Z – Truth in Lending (TILA).</p> <p>The revised procedures reflect amendments to Regulation Z published by the Consumer Financial Protection Bureau in 2020 and 2021: (1) implementing permanent changes to Regulation Z's qualified mortgage provisions, and (2) implementing an extension and phase-out for the GSE Patch, which had originally carried a January 10, 2021, sunset date under the Ability to Repay/Qualified Mortgage rule and which will now sunset on October 1, 2022.</p>		10/28/21

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Joint Agencies	11/10/2021	<p><b>Mortgage Servicing: Joint Statement on Supervisory and Enforcement Practices Regarding the Mortgage Servicing Rules in Response to the Continuing COVID-19 Pandemic and CARES Act</b></p> <p>The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System, the Consumer Financial Protection Bureau, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the state financial regulators (collectively, the agencies) today issued a <a href="#">joint statement</a> regarding mortgage servicing rules. The joint statement communicates to mortgage servicers that the temporary supervisory and enforcement flexibility provided in the April 2020 joint statement no longer applies and the agencies will apply their respective supervisory and enforcement authorities, when appropriate, to address any noncompliance or violations of the Regulation X mortgage servicing rules that occur after the date of this statement.</p>		11/10/2021
CFPB	12/01/2021	<p><b>Appraisals for Higher-Priced Mortgage Loans Exemption Threshold Adjustment</b></p> <p>The OCC, the Board, and the Bureau are finalizing amendments to the official interpretations for their regulations that implement section 129H of the Truth in Lending Act (TILA). Section 129H of TILA establishes special appraisal requirements for “higher-risk mortgages,” termed “higher-priced mortgage loans” or “HPMLs” in the agencies’ regulations. <a href="#">The figure for 2022 was increased to \$28,500</a>, which is an increase from the 2021 figure of \$27,200.</p>		1/01/2022
CFPB FRB	12/01/2021	<p><b>Truth in Lending (Regulation Z) and Consumer Leasing (Regulation M) Threshold Adjustments</b></p> <p>The Board and the Bureau are publishing final rules amending the official interpretations and commentary for the agencies’ regulations that implement the Truth in Lending and Consumer Leasing Acts. The regulators have released the new index limit for 2022 effective January 1, 2022. <a href="#">The new limit is \$61,000</a> which is a change from the \$58,000 figure in 2021.</p>		1/01/2022
FFIEC	12/01/2021	<p><b>Updates to FFIEC BSA/AML Exam Manual</b></p> <p>The Federal Financial Institutions Examination Council (FFIEC) <a href="#">updated the following sections of the FFIEC Bank Secrecy Act/Anti-Money Laundering (BSA/AML) Examination Manual</a>:</p> <ul style="list-style-type: none"> <li>• “Introduction – Customers,”</li> <li>• “Charities and Nonprofit Organizations,”</li> <li>• “Independent Automated Teller Machine Owners or Operators,” and</li> <li>• “Politically Exposed Persons.”</li> </ul> <p>These revisions reflect the Office of the Comptroller of the Currency’s continued commitment to, and leadership on, interagency reform efforts that improve the effectiveness and efficiency of the BSA/AML regime and reduce unnecessary burden on banks.</p>		12/01/2021

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CFPB	12/07/2021	<p><b>LIBOR Transition</b>  The Bureau of Consumer Financial Protection (Bureau) is amending Regulation Z, which implements the Truth in Lending Act (TILA), generally to address the anticipated sunset of LIBOR, which is expected to be discontinued for most U.S. Dollar (USD) tenors in June 2023. Some creditors currently use USD LIBOR as an index for calculating rates for open-end and closed-end products. The Bureau is amending the open-end and closed-end provisions to provide examples of replacement indices for LIBOR indices that meet certain Regulation Z standards. The Bureau also is amending Regulation Z to permit creditors for home equity lines of credit (HELOCs) and card issuers for credit card accounts to transition existing accounts that use a LIBOR index to a replacement index on or after April 1, 2022, if certain conditions are met. This <a href="#">final rule</a> also addresses change-in-terms notice provisions for HELOCs and credit card accounts and how they apply to accounts transitioning away from using a LIBOR index. Lastly, the Bureau is amending Regulation Z to address how the rate reevaluation provisions applicable to credit card accounts apply to the transition from using a LIBOR index to a replacement index. The Bureau is reserving judgment about whether to include references to a 1-year USD LIBOR index and its replacement index in various comments; the Bureau will consider whether to finalize comments proposed on that issue in a supplemental final rule once it obtains additional information.</p>		Effective 4/01/2022, Mandatory 10/01/2022
OCC	12/14/2021	<p><b>OCC Issues Final Rule to Rescind its 2020 Community Reinvestment Act Rule</b>  The Office of the Comptroller of the Currency (OCC) issued a <a href="#">final rule</a> to rescind the June 2020 Community Reinvestment Act (CRA) rule and replace it with a rule based on the rules adopted jointly by the Federal banking agencies in 1995, as amended. This action is intended to facilitate the ongoing interagency work to modernize the CRA regulatory framework and promote consistency for all insured depository institutions. The final rule applies to national banks and both federal and state savings associations and takes effect on January 1, 2022.</p>		01/01/2022; public file and lobby notice 4/1/2022

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Joint Agencies	12/16/2021	<p><b>Agencies Release Annual Asset-Size Thresholds Under Community Reinvestment Act Regulations</b></p> <p>The Federal Reserve Board and the Federal Deposit Insurance Corporation today <a href="#">announced</a> the 2022 updated asset-size thresholds used to define “small bank” and “intermediate small bank” under their Community Reinvestment Act (CRA) regulations. Annual adjustments to these asset-size thresholds are based on the average change in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), which is a measure of inflation. As a result of the 4.73 percent increase in the CPI-W for the period ending in November 2021, the definitions of small and intermediate small banks for CRA examinations will change as follows:</p> <ul style="list-style-type: none"> <li>• Small bank means an institution that, as of December 31 of either of the prior two calendar years, had assets of less than \$1.384 billion.</li> <li>• Intermediate small bank means a small institution with assets of at least \$346 million as of December 31 of both of the prior two calendar years and less than \$1.384 billion as of December 31 of either of the prior two calendar years.</li> </ul>		1/01/2022
Joint Agencies	12/21/2021	<p><b>Federal Bank Regulatory Agencies Release 2020 Small Business, Small Farm, and Community Development Lending Data</b></p> <p>The Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency, members of the Federal Financial Institutions Examination Council (FFIEC), today <a href="#">released data</a> on small business, small farm, and community development lending during 2020. The Community Reinvestment Act regulations require the agencies to annually disclose these data. The FFIEC also prepared aggregate disclosure statements of small business and small farm lending for all metropolitan statistical areas and non-metropolitan counties in the United States and its territories.</p>		12/21/2021
CFPB	12/23/2021	<p><b>Home Mortgage Disclosure (Regulation C) Adjustment to Asset-Size Exemption Threshold</b></p> <p>The <a href="#">exemption threshold is adjusted</a> to increase to <b>\$50 million</b> from \$48 million. The adjustment is based on the 4.7 percent increase in the average of the CPI-W for the 12-month period ending in November 2021. Therefore, banks, savings associations, and credit unions with assets of \$50 million or less as of Dec. 31, 2021, are exempt from collecting data in 2022.</p>		1/01/2022



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CFPB	12/23/2021	<p><b>Truth in Lending Act (Regulation Z) Adjustment to Asset-Size Exemption Threshold</b></p> <p>For certain first-lien higher-priced mortgage loans, the <a href="#">exemption threshold is adjusted</a> to increase to <b>\$2.336 billion</b> from \$2.230 billion. Therefore, creditors with assets of less than \$2.336 billion (including assets of certain affiliates) as of Dec. 31, 2021, are exempt, if other requirements of Regulation Z also are met, from establishing escrow accounts for higher-priced mortgage loans in 2022. This asset limit will also apply during a grace period, in certain circumstances, with respect to transactions with applications received before April 1 of 2023.</p> <p>For certain insured depository institutions and insured credit unions meeting certain conditions, including an asset size exemption threshold, the exemption threshold is adjusted to increase from <b>\$10.473 billion</b> from \$10 billion. Therefore, insured depository institutions and insured credit unions that during calendar year 2021 had assets of \$10.473 billion or less on December 31, 2021, will meet the asset-size exemption threshold for purposes of any loan consummated in 2022 and for purposes of any loan secured by a first lien on a principal dwelling of a consumer consummated in 2023 for which the application was received before April 1, 2023. These adjustments are based on the 4.7 percent increase in the average of the CPI-W for the 12-month period ending in November 2021.</p>		1/01/2022