



rkl

# RKL REGULATORY COMPLIANCE FOR FINANCIAL INSTITUTIONS >

June 2021

## Burma Sanctions Regulations

---

June 1, 2021

- The Department of the Treasury's Office of Foreign Assets Control (OFAC) is adding regulations to implement a February 10, 2021 Burma-related Executive order.
- OFAC intends to supplement these regulations with a more comprehensive set of regulations, which may include additional interpretive and definitional guidance, general licenses and other regulatory provisions.
- Effective June 1, 2021

[Additional Information](#)

## Loan Guaranty: COVID-19 Veterans Assistance Partial Claim Payment Program

---

May 28, 2021

- The Department of Veterans Affairs (VA) is establishing through this final rule the COVID-19 Veterans Assistance Partial Claim Payment program (COVID-VAPCP), a temporary program to help veterans return to making normal loan payments on a VA-guaranteed loan after exiting a forbearance for financial hardship due, directly or indirectly, to the COVID-19 national emergency.
- Effective July 27, 2021

[Additional Information](#)

## Loans to Executive Officers, Directors and Principal Shareholders of Member Banks

---

May 21, 2021

- On April 17, 2020, the Board issued an interim final rule to except certain loans made through June 30, 2020, that are guaranteed under the Small Business Administration's Paycheck Protection Program from the requirements of the Federal Reserve Act and the associated provisions of the Board's Regulation O.
- The Board issued two additional interim final rules to extend the exception when Congress approved extensions to the Paycheck Protection Program. To reflect a further extension approved by Congress and to automatically capture any further extensions, the Board is issuing this interim final rule to extend this exception to such loans made through March 31, 2022.
- This interim final rule is effective May 21, 2021.
- Comments due by July 6, 2021.

[Additional Information](#)

## Narcotics Trafficking Sanctions Regulations and Foreign Narcotics Kingpin Sanctions Regulations

---

May 17, 2021

- The Department of the Treasury's Office of Foreign Assets Control (OFAC) is amending the Narcotics Trafficking Sanctions Regulations and the Foreign Narcotics Kingpin Sanctions Regulations to add or amend general licenses with respect to payments for legal services, certain transactions for personal maintenance, certain transactions for maintenance of blocked tangible property, and emergency medical services.
- In addition, OFAC is amending certain prohibitions, definitions and interpretive sections contained in these sets of regulations.
- OFAC is also updating certain regulatory provisions and making other technical and conforming edits.
- Effective May 17, 2021

[Additional Information](#)

## False Advertising, Misrepresentation of Insured Status and Misuse of the FDIC's Name or Logo

---

May 10, 2021

- The Federal Deposit Insurance Corporation (FDIC) is seeking comment on a proposed rule to implement section 18(a)(4) of the Federal Deposit Insurance Act.
- Section 18(a)(4) prohibits any person from making false or misleading representations about deposit insurance or from using the FDIC's name or logo in a manner that would imply that an uninsured financial product is insured or guaranteed by the FDIC.
- The proposed rule would describe: The process by which the Federal Deposit Insurance Corporation will identify and investigate conduct that may violate section 18(a)(4) of the Federal Deposit Insurance Act; the standards under which such conduct will be evaluated; and the procedures which the FDIC will follow when formally and informally enforcing the provisions of section 18(a)(4) of the Federal Deposit Insurance Corporation Act.
- Comments due on or before July 9, 2021.

[Additional Information](#)

## OCC Reconsidering CRA Final Rule

---

May 18, 2021

- The OCC said it will reconsider its June 2020 rule.
- While this reconsideration is ongoing, the OCC will not object to the suspension of the development of systems for, or other implementation of, provisions with a compliance date of January 1, 2023, or January 1, 2024, under the 2020 CRA rule.
- At this time, the OCC also does not plan to finalize the December 4, 2020, proposed rule that requested comment on an approach to determine the CRA evaluation measure benchmarks, retail lending distribution test thresholds, and community development minimums under the June 2020 rule.
- In addition, the OCC is discontinuing the CRA information collection pursuant to the Paperwork Reduction Act (PRA) notice published in the *Federal Register* in December 2020.

[Additional Information](#)

## Senate Passes Resolution to Overturn OCC's "True Lender" Rule

---

May 11, 2021

- The resolution will now be voted on by the Democratic-controlled House where it is expected to pass.
- The Congressional Review Act (CRA) will overturn the OCC final "true lender" rule.
- The rule addresses when a national bank or federal savings association should be considered the "true lender" in the context of a partnership with a third party.

[Additional Information](#)



## Fannie Mae Extends Protections for Renters Affected by COVID-19

---

June 3, 2021

- To continue to support renters in multifamily units and Fannie Mae-financed multifamily property owners experiencing financial difficulties as COVID-19 persists, Fannie Mae (FNMA/OTCQB) today announced the extension of its multifamily COVID-19 forbearance program through September 30, 2021.
- The program, which requires landlords to suspend all evictions for renters unable to pay rent during the forbearance period, was formerly set to expire on June 30, 2021.

[Additional Information](#)

## FDIC Financial Institution Letter: Summary of Deposits Survey and Filing for June 30, 2021

---

June 1, 2021

- The Summary of Deposits (SOD) is the annual survey of branch office deposits as of June 30 for all FDIC-Insured institutions, including insured U.S. branches of foreign banks.
- All institutions are required to submit the survey; institutions with only a main office are exempt.
- All survey responses are required by July 31, 2021. No filing extensions will be granted

[Additional Information](#)

## FDIC Financial Institution Letter: Request for Information on Digital Assets

---

May 17, 2021

- The Federal Deposit Insurance Corporation issued a Request for Information seeking information and comments regarding insured depository institutions' current and potential digital assets activities.

[Additional Information](#)

## CFPB Updates TRID FAQs

---

May 14, 2021

- Updates to the FAQ address a partial exemption added by the Building Up Independent Lives and Dreams Act (BUILD Act), which became law in January 2021.
- Loans qualifying for the BUILD Act partial exemption, must meet all of the following:
  - The loan must be a residential mortgage loan.
  - The loan must be offered at a 0 percent interest rate.
  - The loan must only have bona fide and reasonable fees.
  - The loan must be primarily for charitable purposes and made by an organization described in Internal Revenue Code section 501(c)(3) and exempt from taxation under section 501(a) of that Code.

[Additional Information](#)

## FDIC Press Release: Office of the Ombudsman Publishes Report on 2019 and 2020 Activities

---

May 5, 2021

- The Federal Deposit Insurance Corporation (FDIC) Office of the Ombudsman today published a report detailing its activities, as well as assistance provided on behalf of the banking industry, for calendar years 2019 and 2020.
- The FDIC Office of the Ombudsman is an independent, neutral and confidential liaison between the agency and its stakeholders, providing information and assistance to anyone affected by the FDIC in its regulatory, resolution, receivership or asset disposition activities.
- A link to the report is provided below.

[Additional Information](#)

Effective Date	Implementing Rule/Regulation	Additional Details
July 1, 2020	Final Amendments to Reg. CC Funds Availability	• <a href="#">Rule</a>
November 1, 2020	New URLA Required Use	• <a href="#">Issuance</a>
November 19, 2020	Payday, Vehicle Title, and Certain High-Cost Installment Loans; Delay of Compliance Date	• <a href="#">Issuance</a>
January 1, 2021	Truth in Lending (Regulation Z) Annual Threshold Adjustments (Credit Cards, HOEPA and Qualified Mortgages)	• <a href="#">Rule</a>
January 1, 2021	CRA Asset Size Adjustment for Small and Intermediate Small Institutions	• <a href="#">Rule</a>
January 1, 2021	HMDA Adjustment to Asset Size Exemption Threshold	• <a href="#">Rule</a>
March 1, 2021	New URLA Required Use	• <a href="#">Issuance</a>
November 30, 2021	Final rule creating implementing regulations for the Fair Debt Collection Practices Act	• <a href="#">Rule</a>
January 1, 2022	Reg C Final rule establishing 200 loans as the permanent HMDA data reporting threshold for open-end lines of credit	• <a href="#">Rule</a>
October 1, 2022	Mandatory Compliance for QM definitions under Reg Z	• <a href="#">Rule</a>

## DID YOU KNOW?

---

A **RED** front door symbolizes different things for different cultures and countries.

- In American tradition, a red front door means “Welcome!”
- In China, red is the color of luck; and a red door is said to create welcoming energy.
- In biblical times, a red door was symbolic protection against the Angel of Death.
- But in Scotland, a red front door is a sign of pride that signifies a **PAID OFF MORTGAGE!**

What **color** is your front door?



# FOCUSED. ON YOU. >

## **BARRY PELAGATTI**

**Partner & Leader, Financial Services Industry Group**

[BPelagatti@rklcpa.com](mailto:BPelagatti@rklcpa.com)

## **JULIYA KOFMAN GREENFIELD**

**Principal, Financial Services Industry Group**

[JKofmanGreenfield@RKLcpa.com](mailto:JKofmanGreenfield@RKLcpa.com)

---

*Disclaimer: By issuing this report, RKL LLP is not providing legal or compliance advice on any specific regulation, or any corresponding legislation that affects financial institutions. We offer this information solely to provide industry insight and encourage financial institutions to internally review related compliance topics. If compliance advice is required, please contact us to discuss your specific needs. If legal advice is required, please contact your internal legal resource to determine how these proposed and/or finalized regulatory changes may affect your institution.*