

# Community Bankers for Compliance



## *RESPA – Regulation X The Role of a Compliance Council*

Springfield, IL  
April 30, 2019

Lisle, IL  
May 1, 2019

*Sponsored By:*



*Presented By:*



# Community Bankers for Compliance

## RESPA – Regulation X / The Role of a Compliance Council



In fall 2018, we solicited suggestions regarding areas in which compliance officers were struggling, and got many responses. In the first quarter of 2018, we looked at the general concepts of risk assessment and its use throughout the compliance process, using portions of mortgage lending as an example. We are continuing using the list of suggestions presented, and this quarter we will be focusing on the role of the compliance council in the life of your bank. See the agenda for a listing of the issues being addressed.

The balance of the day will be a discussion of the requirements of Regulation X: RESPA. While there have been no major changes in the regulation, the application of the servicing portion of the regulation has been altered with the concept of Successor in Interest. We will cover the regulation in full, with the presentation focused on those areas which will be most useful for the attendees. Some portions of the servicing rules will not apply to everyone, and those sections will be truncated. We will not be covering the Good Faith Estimate and HUD-1 sections of the regulation, as they have limited to no use for attendees.

RESPA covers many topics, including mortgage origination, kickbacks and unearned fees, and servicing. In recent months, we have received hotline questions in all areas of the regulation, but most concerning is in the area of Section 8 of the underlying law (kickbacks and unearned fees). As banks struggle with market share, more and more management is trying to find ways to improve their position in the marketplace. Many, but not all, approaches are legal. We will include a section discussing real-life hot line calls and marketing approaches where we have been asked for help, taking care not to include any information regarding the CBC member who submitted the question.

### DATES & LOCATIONS

*CBAI dates and locations for the CBC Program are as follows:*

**Crowne Plaza  
Springfield, IL  
April 30, 2019**

**DoubleTree Lisle/Naperville  
Lisle, IL  
May 1, 2019**

*Registration begins at 8:30 a.m.*

*Each seminar runs from 9:00 a.m. to approx. 4:00 p.m.*

The day will end with the concepts and requirements of escrow, as we know that all banks do not offer that service to their customers. This will allow non-escrow banks to head home early without missing important sections of the presentation.

The subjects for the regulatory update will be determined by circumstances and releases from the various agencies.

### ***Who Should Attend***

Compliance Officers and Auditors should attend this session. In addition, all personnel with responsibilities for managing the compliance process, including senior management and others should also consider joining us for this session.

# Community Bankers for Compliance

## ***Future Presentations***

Subjects for future seminars will be shaped by regulatory events as they unfold. The CBC quarterly compliance program remains committed to providing as much up to the minute information as possible. The program will closely monitor releases from the CFPB and other agencies to assure that you have the most up to date and accurate information possible.

And for those who submitted topic suggestions that were not included in this session or in the first quarter, we are maintaining the list, and will attempt to incorporate as many of these suggestions as possible over the course of the year.

## **AGENDA**

### **Regulatory Update**

- Subjects as released by the CFPB and other federal agencies.

### **The Role of the Compliance Council**

- How to set up and utilize a compliance council
- The compliance officer's role in this process
- Who should be members of the council
- How to determine the agenda and omit from the agenda
- How often to meet
- Using the council minutes to provide periodic updates for the Board of Directors

### **Regulation X: RESPA**

#### *RESPA Introductory Items*

- General Definitions, E-Sign Applicability, Coverage
- Kickbacks and Unearned Fees (including real life examples)

#### *RESPA General Issues*

- Mailing, Relation to State Law

#### *Disclosures at Application*

- Special Information Booklet, Servicing Disclosure, Affiliated Business Arrangements, List of Homeownership Counseling Organizations

#### *RESPA Mortgage Servicing Rules*

- Mortgage Servicing Transfers, Error Resolution Procedures, Requests for Information, Force-Placed Insurance, General Servicing Policies, Procedures, and Requirements, Early Intervention Requirements for Certain Borrowers, Continuity of Contact, Loss Mitigation Procedures

#### *Escrow*

- Escrow Accounts, Timely Escrow Payments and Treatment of Escrow Account Balances

## ***CBC Program Presenter***



### ***Bill Elliott, CRCM, Senior Consultant and Manager of Compliance***

With over 40 years of banking experience, Bill Elliott leads the compliance department at Young & Associates, Inc. where he conducts compliance reviews, leads compliance seminars, conducts in-house training, and writes compliance articles and training materials. During his career as a banker, Bill spent 15 years as a compliance officer in a large community bank. He has also been a lender for consumer, commercial, and mortgage loans, and has managed a variety of bank departments including loan review, consumer/commercial loan processing, mortgage loan processing, loan and credit administration, collections, and commercial loan workout.

# Community Bankers for Compliance

## CBC Program Member Fees

- No charge for the first person from a CBC Program member.
- \$190 for each additional person from a CBC Program member who is a member of Community Bankers Association of Illinois (CBAI).
- \$390 for each additional person from a CBC Program member who is not a member of CBAI.

## Individual CBC Seminar Session Fees

- \$400 for the first person for CBAI members.
- \$210 for each additional person for CBAI members.
- \$800 for the first person from non-CBAI members.
- \$420 for each additional person from non-CBAI members.



## DATES AND LOCATIONS

*Please check the location you wish to attend:*

- Crowne Plaza  
Springfield, IL  
April 30, 2019**
- DoubleTree Lisle/Naperville  
Lisle, IL  
May 1, 2019**

*For additional information, call:*

Tracy McQuinn - Senior Vice President of Education and Special Events

Melinda McClelland - Vice President

Jennifer Nika - Vice President

Tina Horner - Administrative Assistant

Kim Harden - Administrative Assistant

Department of Education and Special Events at 1-800-736-2224 for banks in Illinois or (217) 529-2265 or Terry Griffin - Chicago area Vice President, at (773) 209-2260 or Fax number: (217) 585-8738

## Registration Form

### Designated Banker:

Name \_\_\_\_\_

Bank \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

**E-mail address is required for registration.**

### Additional Delegates:

\_\_\_\_\_

\_\_\_\_\_

I have special needs, please contact me before the seminar.

### Please select your payment method:

Check Enclosed  Pay at Door  Check in Mail  Credit Card\*

\* If paying by credit card (Visa and MasterCard accepted), please fill out the following information:

Name as it reads on card:

\_\_\_\_\_

Company name on card:

\_\_\_\_\_

Billing address of card:

\_\_\_\_\_

Card # \_\_\_\_\_

Exp. date \_\_\_\_\_ 3-digit security code \_\_\_\_\_

**TOTAL AMOUNT ENCLOSED: \$ \_\_\_\_\_**