

The RKL logo is positioned in the top right corner of the page. It consists of the lowercase letters 'rkl' in a bold, white, sans-serif font. The background of the entire page is a low-angle photograph of a classical building with white columns and a pediment, set against a clear blue sky with a few wispy clouds. The image has a light blue color cast.

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RKL REGULATORY COMPLIANCE FOR FINANCIAL INSTITUTIONS >

July 2024

Required Rulemaking on Personal Financial Data Rights; Industry Standard-Setting

June 11, 2024

- The Consumer Financial Protection Bureau (CFPB) is finalizing, in part, its proposed rule on consumer data rights under section 1033 of the Consumer Financial Protection Act. This final rule establishes minimum attributes a standard-setting body must possess to receive CFPB recognition and to issue consensus standards when the full rule is finalized. The CFPB is also releasing its process for how standard setters apply for CFPB recognition.

[Additional Information](#)

Small Business Lending Under the Equal Credit Opportunity Act (Regulation B); Extension of Compliance Dates

July 3, 2024

- In light of court orders in ongoing litigation, the Consumer Financial Protection Bureau (CFPB or Bureau) is amending Regulation B to extend the compliance dates set forth in its 2023 small business lending rule and to make other date-related conforming adjustments.
- This interim final rule is effective August 2, 2024. Comments must be received on or before August 2, 2024.

[Additional Information](#)

Federal Agencies Issue Final Automated Valuation Model Quality Control Rule

July 3, 2024

- Federal banking regulators recently began adopting a final rule that requires, among other things, supervised mortgage originators and secondary market issuers to ensure that automated valuation models they use follow quality control standards, including a requirement that they comply with nondiscrimination laws.
- The final rule requires supervised mortgage originators and secondary market issuers that engage in credit decisions or covered securitization determinations themselves, or through or in cooperation with a third-party or affiliate, to adopt and maintain policies, practices, procedures and control systems to ensure that AVMs used in these transactions adhere to quality control standards.

[Additional Information](#)

CFPB Request for Information Regarding Fees Imposed in Residential Mortgage Transactions

May 20, 2024

- The Consumer Financial Protection Bureau (Bureau or CFPB) is seeking comments from the public related to fees charged by providers of mortgages and related settlement services.
- People rely on mortgage loans to buy their homes, tap home equity at key life moments and refinance those loans when interest rates decline. Mortgages come with many associated fees and costs, referred to as “closing costs,” that are due by the time the loan closes or when the borrower signs the loan agreement. These closing costs, and particularly the costs the lender imposes on the borrower as part of the cost of getting the loan, have recently risen sharply. From 2021 to 2023, median total loan costs increased by over 36% percent on home purchase loans. The median dollar amount paid by borrowers in 2022 was nearly \$6,000 in these costs and fees. This, along with increased home prices and interest rates, has placed increased pressure on borrowers’ budgets, contributing to a lack of access to credit and decreased home affordability. Many of these costs are fixed and do not change based on the size of the loan, resulting in an outsized impact on borrowers with smaller mortgages, such as lower-income or first-time homebuyers.
- Comments must be received on or before August 2, 2024

[Additional Information](#)

FinCEN Issues Reminder to Financial Institutions to Identify and Report Elder Financial Exploitation

June 14, 2024

- As the nation recognizes World Elder Abuse Awareness Day, the Financial Crimes Enforcement Network (FinCEN) reminds financial institutions to remain vigilant in identifying and reporting suspicious activity related to elder financial exploitation (EFE).
- Earlier this year, FinCEN issued an analysis focusing on patterns and trends identified in Bank Secrecy Act (BSA) data linked to EFE, which indicated roughly \$27 billion in EFE-related suspicious activity. See the report [here](#).

[Additional Information](#)

CFPB announces March 30, 2025 compliance date for payday lending rule

June 14, 2024

- The CFPB announced that its payday lending rule (Rule) would go into effect on March 30, 2025. Because the Rule’s ability to pay requirements were rescinded, the only remaining provisions of the Rule are its “payment provisions.” Those provisions:
 - Prohibit lenders from attempting to withdraw payment for a covered loan from a borrower’s account after two consecutive attempts have failed due to lack of sufficient funds, unless the borrower specifically provides new authorization to do so; and
 - Require lenders to give consumers certain notices, such as advance notice before attempting to withdraw a payment for the first time and notice of the consumer’s rights when two consecutive payment attempts fail.

[Additional Information](#)

Prohibition on Creditors and Consumer Reporting Agencies Concerning Medical Information (Regulation V)

June 18, 2024

- The Consumer Financial Protection Bureau (CFPB) is seeking public comment on a proposed rule amending Regulation V, which implements the Fair Credit Reporting Act (FCRA), concerning medical information. The CFPB is proposing to remove a regulatory exception in Regulation V from the limitation in the FCRA on creditors obtaining or using information on medical debts for credit eligibility determinations. The proposed rule would also provide that a consumer reporting agency generally may not furnish to a creditor a consumer report containing information on medical debt that the creditor is prohibited from using.
- Comments must be received on or before August 12, 2024

[Additional Information](#)

CFPB issues report on negative equity in auto financing

June 21, 2024

- A new CFPB report, “Negative Equity in Auto Lending,” contains an analysis of data relating to the financing of negative equity in vehicle trade-ins. The “buy now, pay later” industry has expanded rapidly in recent years. A Federal Reserve survey released Tuesday found that 14% of U.S. adults last year said they had used a BNPL product in the past 12 months.
- The report uses data collected by the CFPB in response to nine market monitoring orders issued by the CFPB in February 2023. The orders were issued to three banks, three finance companies, and three captive lenders requesting information about their auto lending portfolios.
- The report is the first of a series of reports that the CFPB plans to issue using data from this collection.

[Additional Information](#)

The CFPB is working to reinforce the foundation of a fair, nondiscriminatory and competitive mortgage market

June 28, 2024

- The Home Mortgage Disclosure Act (HMDA) requires mortgage lenders to report data about the loans and applications they receive and the loans they originate. These data allow regulators and the public to assess whether mortgage lenders are meeting the housing needs of their communities.
- HMDA can be an effective, quantitative tool for uncovering discrimination, but it cannot work without complete and accurate data. Unfortunately, some lenders fail to report HMDA data, or even intentionally report inaccurate data, despite their obligations under federal law. This harms the entire market, including law-abiding mortgage lenders and families who may be put at risk of illegal discrimination.
- The CFPB took action to resolve its lawsuit against one of the nation's largest mortgage lenders, Freedom Mortgage Corporation, for submitting false mortgage lending information to the federal government and for violating a 2019 CFPB order. Under the court order, Freedom Mortgage must pay a \$3.95 million civil penalty and regularly audit, test, and correct its HMDA data.
- The CFPB also conducted research and analysis which identified a small group of mortgage lenders and loan originators that fail to report demographic information under HMDA at high rates, a potential indicator of intentional misreporting.¹ Mortgage lenders should carefully examine their own reporting practices and HMDA compliance systems to ensure they are monitoring for inaccurate or incomplete data.

[Additional Information](#)

Anti-Money Laundering and Countering the Financing of Terrorism Programs

July 3, 2024

- FinCEN is proposing a rule to strengthen and modernize financial institutions' anti-money laundering and countering the financing of terrorism (AML/CFT) programs pursuant to a part of the Anti-Money Laundering Act of 2020 (AML Act). The proposed rule would require financial institutions to establish, implement and maintain effective, risk-based and reasonably designed AML/CFT programs with certain minimum components, including a mandatory risk assessment process. The proposed rule also would require financial institutions to review government-wide AML/CFT priorities and incorporate them, as appropriate, into risk-based programs, and would provide for certain technical changes to program requirements. This proposal also further articulates certain broader considerations for an effective and risk-based AML/CFT framework as envisioned by the AML Act. In addition to these changes, FinCEN is proposing regulatory amendments to promote clarity and consistency across FinCEN's program rules for different types of financial institutions.
- Written comments may be submitted on or before September 3, 2024

[Additional Information](#)



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