



Compliance Conversations **ProBank Education Services**

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Fair Lending and Disparate Impact Changes



Agencies aligning with Executive Orders (EO 14281, EO 14331)



NCUA, FDIC, OCC, HUD have removed disparate impact analysis from fair lending supervision



Examiners will now focus on disparate treatment and overt discrimination only

- ✓ What is the impact on risk assessments, compliance programs, and exam preparation?
- ✓ Should policies and training be updated to reflect new enforcement approaches?



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Executive Orders and Fair Banking



Executive Order 14331:

Guaranteeing Fair Banking

for All Americans



Actions to depoliticize banking and eliminate unlawful banking



CRA and licensing applications now evaluated for fair access policies



Banks must avoid decisions based on political, religious, or lawful business affiliations

✓ Review and update policies to ensure compliance with EO 14331.



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Consumer Protection and Data Privacy



CFPB reconsidering Personal Financial Data Rights Rule (Section 1033)



House Financial Services Committee seeking feedback on privacy law and legislative proposals



FTC alerts on task scams and elder financial exploitation



Focus on defining "consumer representative," data access fees, security, and privacy risks



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Flood Insurance and Disaster Recovery

FEMA updates to flood hazard determinations

New FIRMs and FIS reports affecting lending and insurance obligations

Guidance for lenders and servicers on meeting federal flood insurance requirements

- ✓ Important to monitor continuous coverage verification and risk profile updates.
- ✓ Life of loan tracking accuracy and effectiveness



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Digital Assets and Crypto Compliance

Treasury request for comment on innovative methods to detect illicit activity involving digital assets

FRB, OCC, FDIC joint statement on crypto-asset safekeeping risk management

Emphasis on operational, legal, and cybersecurity risks for banks offering crypto services

✓ Assess readiness for digital asset compliance



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BSA/AML and Financial Crime Trends

FinCEN's modified
Geographic
Targeting Orders for
Southwest border
counties

New SAR filing instructions for sextortion and cartel-related activity

Advisory on
Chinese Money
Laundering
Networks (CMLNs)
and cartel risks

Extension of orders targeting Mexico-based financial institutions linked to fentanyl trafficking

Notice on convertible virtual currency kiosks and scam payments

Exemptions for investment advisors from AML/CFT requirements until 2028

Emphasis on enhanced vigilance and timely reporting



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Payments / Fraud Trends

2026 NACHA Network Administration Fees Knock, Knock, Knock Penny! FRB FAQ

NACHA
Automating
Request – Proof of
Annual Self-Audit

FedNow® Enhancements

FTC "Alerts"



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Action Items and Next Steps







Review your compliance programs for alignment with new guidance.

Submit comments on proposed rules where relevant.

Prepare for upcoming deadlines.



Regulation	Agency	Compliance Deadline	Summary	Status
AVM Quality Control Standards (12 CFR Parts 34, etc.)	OCC, FRB, FDIC, NCUA, CFPB, FHFA	October 1, 2025	Requires policies for credible, fair, and tested automated home valuations.	Final rule published; no delays or litigation reported.
FDIC Signage Rule – Digital Channels (Part 328)	FDIC	March 1, 2026	Requires FDIC signage on digital platforms and ATMs	Compliance date for Parts 328.4 & .5 proposed extended compliance date of January 1, 2027.
Succession Planning (12 CFR 701 & 741)	NCUA	January 1, 2026	Requires credit unions to adopt board-approved succession plans.	Final rule adopted; no delays or litigation reported.
PACE Financing Rule (Reg Z Amendment)	CFPB	March 1, 2026	Applies TILA disclosures and ATR rules to PACE home improvement loans.	Final rule issued; implementation proceeding as scheduled.
Small Business Lending Data Collection (Section 1071, Reg B)	CFPB	July 1, 2026 (Tier 1)	Requires large lenders to collect/report small business loan data.	Enforcement paused. CFPB stated it will not enforce until rule is rewritten.
		January 1, 2027 (Tier 2)	Moderate-volume lenders begin data collection.	Same as above.
		October 1, 2027 (Tier 3)	Smallest lenders begin data collection.	Same as above.



Thank you for participating in our discussion today!

Questions?



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