

COMMUNITY LENDER REGULATORY RELIEF AND CONSUMER PROTECTION ACT OF 2015

SECTION-BY-SECTION SUMMARY

TITLE I – REGULATORY RELIEF FOR COMMUNITY BANKS

Section 101 – Qualified Mortgage Status for Loans Held in Portfolio

Banks and credit unions with less than \$2,000,000,000 in consolidated assets which originate fewer than 2,000 mortgage loans per year may issue loans to portfolio that exceed the 43% DTI under the QM standard and still receive the QM safe harbor so long as the loan is held in portfolio and,

Banks and credit unions with less than \$10,000,000,000 in consolidated assets that engage in lending and deposit taking as a significant portion of total assets (i.e. not specialty banks like credit card or auto loans), and may be subject to a limit on loans originated per year as determined by the CFPB, may issue loans to portfolio that exceed the 43% DTI under the QM standard and still receive the QM safe harbor so long as the loan is held in portfolio.

Section 102 – Exemption from Annual Written Privacy Notice

Financial institutions which have not changed their privacy policies and practices since the last paper notification was issued to consumers and who provide access to such policies in another form are not required to send paper notices annually.

Section 103 – Reduced Examination Cycle Frequency for Small Financial Institutions

Well capitalized banks with up to \$1,000,000,000 in consolidated assets may be subject to an examination cycle of 18 months.

Section 104 – Privately Insured Credit Union Participation in Federal Home Loan Bank System

Subject to certification of state supervisors, credit unions which are privately insured may apply for membership in the Federal Home Loan Bank System.

Section 105 – Registration Threshold for Savings and Loan Holding Companies

Creates parity between banks and thrifts under amendments made by the JOBS Act which allows savings and loan holding companies to avoid registering with the SEC if the thrift has fewer than 2,000 shareholders.

Section 106 – Transitional License Authority for Loan Originators

Allows states to create a temporary license up to 120 days under the SAFE Mortgage Licensing Act for loan originators who are licensed through a depository institution and become loan originators at a non-depository institution.

TITLE II – ENHANCED CONSUMER PROTECTIONS

Section 201 – Enhanced CFPB Authority under the Servicemember Civil Relief Act (SCRA)

Assigns supervisory and enforcement authority over certain consumer financial protection provisions granted by the SCRA to the Consumer Financial Protection Bureau.

Section 202 – Restoration of Protecting Tenants at Foreclosure Act

Reinstates protections for renters when the owners of the property they are renting are foreclosed upon, requiring a 90 day notice before being required to leave, and requiring new property owners to honor the terms of unexpired leases.

Section 203 – SAFE Act Database Fix for State Non-Bank Supervisors

Ensures supervisory data shared by state non-bank supervisors under the SAFE Mortgage Licensing Act are subject to the same confidentiality provisions granted to data shared by state banking supervisors.