




# Info Sight Newsletter

September 3, 2021 | Volume 15 | Issue 34

## Highlights



Superheroes are great in a crisis.  
RecoveryPro  is the next best thing.

Can you ever be too prepared? Has there ever been a time that you wished you **didn't** have a back-up plan?

Unfortunately, credit unions need to be prepared for the worst and having a strong business continuity plan is a necessity. See how RecoveryPro can be your superhero and save the day for only \$249 annually.\* <https://www.leagueinfosight.com/recoverypro>

*\*Pricing for League/Association credit union members.*

## InfoSight Updates:

The following *RISK Alerts* were added to the **Resources** area during the month of August:

- Labor Shortage Leads to Currency Shipment Delay (8/17/2021)
- **Requiring Employee Vaccinations? (8/17/2021)\*\*** (highlighted below)
- Catalytic Converter Thefts: A Growing Trend for Credit Unions (8/10/2021)
- Wage and Hour Regulations Motivate Class Action Lawsuits (8/10/2021)

\*\*With the spread of variants of COVID-19, a unique situation has been created for businesses that have begun the transition back to in-person work. Employers are considering whether they should require the vaccinations for their staff.

The Equal Employment Opportunity Commission (EEOC) has issued guidance stating that employers are allowed to mandate COVID-19 vaccinations for in-person employees (barring medical or religious reasons), but it can be a sensitive issue. Credit union leaders should follow key communication fundamentals when sharing their decision about getting vaccinated.

Many RISK Alerts are also added to applicable channels (e.g., COVID-19 – Coronavirus, Employment, Security), so you may find them there as well.

## Compliance and Advocacy News & Highlights

### CFPB Withdraws Proposal to Delay Debt Collection Rules

The CFPB has scheduled for publication on September 1, 2021, a [withdrawal of its April 2021 proposal](#) to delay the November 30, 2021, effective date of two rules revising Regulation F, 12 CFR Part 1006, which implements the Fair Debt Collection Practices Act. The rules will become effective November 30.

*Source: CFPB*

### Interagency Statements Regarding Hurricane Ida and CA Wildfires

The OCC, FRB, FDIC, NCUA and state regulators issued a [joint statement](#) recently that they recognize the serious impact of Hurricane Ida on the customers and operations of many financial institutions and will provide appropriate regulatory assistance to affected institutions subject to their supervision. The agencies encourage institutions operating in the affected areas to meet the financial services needs of their communities.

Additionally, these agencies also issued a [joint statement](#) regarding assistance available for areas impacted by the California Wildfires.

The agencies' statements included guidance on lending, temporary facilities requests, relaxation of publishing and reporting requirements, CRA, and investments in the affected disaster areas.

*Source: NCUA*

## Revised Fannie/Freddie Uniform Legal Instruments

Both Fannie Mae and Freddie Mac have updated their uniform legal instruments—security instruments, notes, riders and addenda, and special-purpose documents—used for loans delivered to them. The new instruments have July 2021 footer dates. Use of the new instruments is currently optional, but will be required for loans with note dates on or after January 1, 2023. The updated uniform instruments cannot be used in combination with any earlier versions. For example, a security instrument with a July 2021 footer must be used with a note that also has a July 2021 footer.

- Fannie Mae [Selling Guide Announcement SEL-2021-06](#)
- Freddie Mac [2021 Updated Instruments](#)

*Source: Fannie Mae/Freddie Mac*

## Payday Lending Rule Status Update

The CFPB's "Payday, Vehicle Title, and Certain High-Cost Installment Loans" rule has been held up by a federal court case in Texas. Although the rule's August 19, 2019, effective date has passed, the U.S. District Court for the Western District of Texas (Austin Division) stayed implementation of the rule pending the court's decision in *Community Financial Services Association of America, Ltd. and Consumer Service Alliance of Texas v. Consumer Financial Protection Bureau [and its director]*.

On July 29, the court ordered that the parties submit briefs and responses by August 16 concerning what would be the appropriate compliance date if the court were to deny Plaintiffs' motion for summary judgment and grant Defendants' motion for summary judgment. Those briefs and responses have been filed. Lenders now face the risk that the court could rule soon in favor of the CFPB, allowing the rule to take effect.

The Bureau's brief argued that the rule should become effective within 30 days of the court's lifting of the stay. The trade groups argued that any order lifting the stay should set the compliance date either 445 days or 286 days from the lifting of the stay, reflecting the time left for compliance when the stay was sought (445 days before August 19, 2019) or entered (286 days before August 19, 2019).

The trade groups suggested they would appeal if the court rules in favor of the Bureau.

*Source: CFPB*

## Articles of Interest:

- [Eight Firms Charged for Deficient Cybersecurity Procedures](#)
- [Drilling Down to What's Important to Your Credit Union](#)

- [NCUA Awards Grants to Assist Low-Income Credit Unions](#)

### *CUNA's Advocacy Resources:*

- [Happenings in Washington](#)

### *WOCCU Advocacy Resources:*

- [Telegraph](#) – *the most recent newsletter on current advocacy issues*
- [Advocate Blog](#) – *International advocacy trends and issues*

## ***Compliance Calendar***

- *September 6th, 2021: Labor Day - Federal Holiday*
- *October 11th, 2021: Columbus Day - Federal Holiday (also recognized: Indigenous Peoples' Day)*
- *November 11th, 2021: Veterans Day - Federal Holiday*
- *November 25th, 2021: Thanksgiving Day - Federal Holiday*
- *November 30th, 2021: CFPB – Fair Debt Collections Practices (Regulation F)*

If this newsletter was forwarded to you and you'd like your own emailed copy, or to be removed from this list, please contact [Kathryn.Hall@mcu.org](mailto:Kathryn.Hall@mcu.org)