

Communities, Capital & the CRA Understanding a Bank's Role in Community Development

Baton Rouge, Louisiana

Friday, December 1st 2017

FDI© The FDIC

- An independent federal agency
- Major responsibilities:
 - Insuring deposits
 - Bank supervision
 - Failed bank resolution
- Economic Inclusion



FD Community Affairs Program

Support the FDIC's mission of promoting stability and public confidence in the nation's financial system by:

- encouraging financial institutions to invest as well as meet the credit needs of the communities they serve
- promoting laws, regulations, policies and programs that protect and inform consumers

Assist financial institutions in developing strategies that are responsive to the credit, service and investment needs of their communities by:

- Promoting community development partnerships and access to capital in historically underserved markets
- Collaborating with financial institutions, national, regional, and local organizations on community development and asset-building projects
- Serving as subject matter experts at industry and community conferences and meetings
- Providing technical assistance, as necessary, to financial institutions and compliance staff
- Producing articles, publications and other materials on current and emerging issues
- Increasing knowledge of Community Reinvestment Act regulations and fair lending laws
- Fostering initiatives that create positive banking relationships between consumers and financial institutions and move unbanked and underserved consumers into mainstream banking relationships
- Developing products and presenting training programs on financial education

FDI© Objectives

- Upon completion of today's workshop, you will understand:
 - The Community Reinvestment Act (CRA)
 - How the CRA applies to banks of different asset sizes
 - The CRA examination components based on a bank's CRA designation as Small, Intermediate Small or Large
 - How to establish a partnership with a bank
 - How to research the CRA performance of local banks

FDI© Community Reinvestment Act

- Passed by Congress in 1977.
- The regulations implementing the CRA were revised in 1989, 1995, 2005 & 2010.
- Updates were made to the CRA Questions & Answers in 2013 & 2016

FD The Purpose of the CRA

> The CRA states:

- Regulated financial institutions are required by law to demonstrate that their deposit facilities serve the convenience and needs of the communities in which they are chartered to do business;
- 2. "Convenience and needs" include the need for **credit services** as well as deposit services; and
- 3. Regulated financial institutions have a continuing and affirmative obligation to **help** meet the credit needs of the **local communities** in which they are chartered.*

^{*}Consistent with "safe and sound" operation of such institutions.



FD Community Credit Needs

- **Encourage banks and thrifts to meet the** credit needs of their communities:
 - Including borrowers of different income levels and businesses/farms of different sizes;
 - Including low- and moderate-income geographies, certain non-metropolitan middle income geographies or designated disaster areas;
 - CRA activities MUST be consistent with safe, sound and prudent business operations.

FDI© Regulators

- Banks and thrifts supervised by:
 - Office of the Comptroller of the Currency
 - Federal Reserve Banks
 - Federal Deposit Insurance Corporation
- Excludes credit unions and non-bank financial providers
- How to determine a financial institution's regulator: www.ffiec.gov

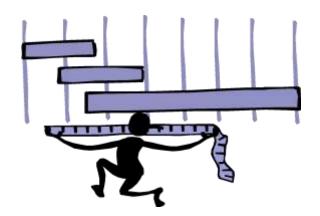


Incentives for Compliance

- Public Disclosure of CRA rating and performance evaluation.
- Record of meeting community needs is considered during applications for:
 - New branch office
 - Relocating main office
 - Merger or acquisition
 - Charter conversion

Ratings

- Outstanding
- Satisfactory
- Needs to Improve
- Substantial Noncompliance





Key Terms & Definitions

Low- and Moderate-Income

- Low-income means an individual income that is less than 50 % of the area median income*
- Moderate-income means an individual income that is between 50 - 80% of the area median income

*Median Family Income is adjusted for family size – go to www.huduser.org to find MFI for your area.



Assessment Area (AA)

- The geographic area within which the examiners will evaluate a bank's CRA performance
- Assessment Area(s) are defined by the Institution.

FD 6 Key Terms & Definitions

Performance Context

A broad range of economic, demographic, and institution- and community-specific information that an examiner reviews to understand the context within which an institution's record of performance should be evaluated.

FD 6 Key Terms & Definitions

Community Contacts

Conducted as part of the CRA examination process, Community Contacts help examiners:

- Learn local perspective and obtain insight into:
 - Area's economic condition
 - Changes in area's description
 - Area's credit and community development needs
 - Financial Institutions' response to identified needs
- Identify potential opportunities for involvement (partnerships)



FD Evaluating Performance

Five types of examinations

- Small bank (SB)
- Intermediate-small bank (ISB)
- Large bank (LB)
- Wholesale or limited purpose bank
- Banks operating under a strategic plan



FD Bank Type by Asset Size

Small Bank

• <\$307 Million

Intermediate Small Bank

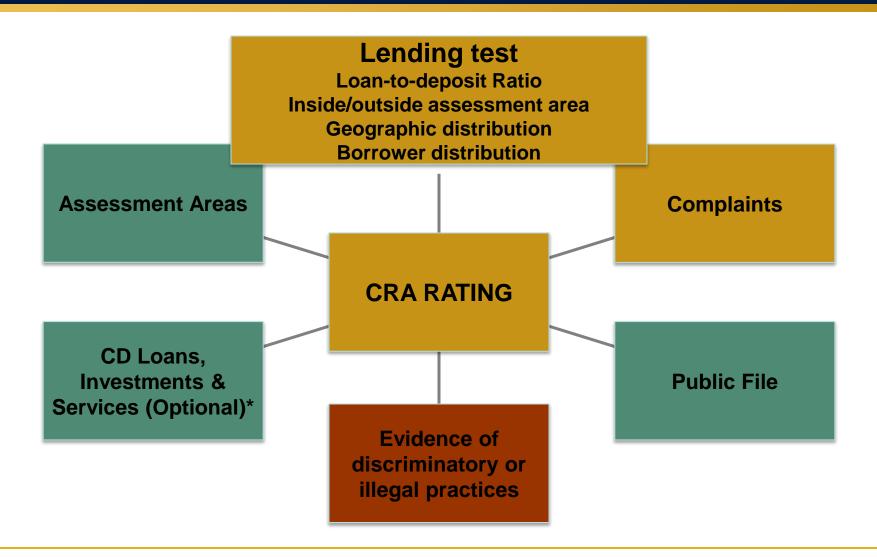
• =>\$307 Million and <\$1.226 Billion

Large Bank

• =>\$1.226 Billion



FD Small Banks



FD Small Banks Cont'd.

- Loan Types
- Community Development Loans, Investments & Services



FD Intermediate Small Bank

- Small Lending Test PLUS
- Community Development Test
 - Loans
 - Investments
 - Services
 - Responsiveness to community needs

FDI Large Bank

- Lending Test (50%)
 - Small Bank Lending Test
 - Community Development Loans
 - Innovative, complex, flexible lending practices
- Investment Test (25%)
 - Innovative, complex
- Service Test (25%)
 - Retail banking services
 - Community Development Services
 - Innovative, complex



FD Consumer Protection Violations

- Violations could impact overall CRA rating
 - Discrimination against applicant on a prohibited basis (ECOA/FH)
 - Violations of section 5 of FTC Act (Unfair and Deceptive Practices)
 - Violations of section 8 of RESPA (illegal kickbacks)
 - Violation of TILA provision regarding a consumer's right of rescission.

FD CRA Ratings

- Outstanding
- Satisfactory
- Needs to Improve
- Substantial Noncompliance





FD Community Development

Community Development is a key factor for two types of institutions:

- Intermediate Small Banks (ISB)
- Large Banks

Small Banks may strive for an outstanding rating with CD activities or strengthen a poor lending performance

The Four Hooks of Community Development

- 1) Affordable housing for LMI individuals and families
- 2) Community services targeted to LMI individuals

FD The Four Hooks Cont'd.

3) Activities that promote economic development by financing small businesses or small farms

 Small = SBA, SBDC or SBIC programs or gross annual revenues of \$1M or less

4) Activities that revitalize or stabilize:

- LMI geographies
- Designated disaster areas
- Distressed or underserved nonmetropolitan middle-income geographies

FD Where CD Activities Take Place

- Consideration for CD loans, investments and services may be given if made in or benefit:
 - The bank's AA
 - A greater statewide or regional area that includes the bank's AA
 - Designated Major Disaster Areas as defined by FEMA for 36 months following designation. The FEMA website lists designated disaster areas.
 - Distressed & Underserved Rural Middle-Income Geographies as designated by the regulators
 - a county that has an unemployment rate of at least 1.5 times the national average
 - a poverty rate of 20% or more
 - population loss between censuses of 10% or more; net migration rate of 5%.

FD Community Development Loans

- Have a primary purpose of CD
- Not reported as a home mortgage, small business, small farm or consumer loan
 - Unless it is a multi-family loan
- May be direct or indirect

 Indirect refers to loans originated by affiliates or third party lenders



Community Development Loans:

- Affordable housing rehabilitation and construction
- Loans to nonprofit organizations with CD purpose
- Loans to finance environmental cleanup or redevelopment of an industrial site
- Low-cost loans to fund education

FD Qualified Investments

A Qualified Investment:

- Is a lawful investment, deposit, membership share, or grant
- Has Community Development as its primary purpose
- May be direct or indirect (through affiliates)

FDI© Examples

Qualified Investments:

- Investments, grants, deposits, or shares in or to organizations engaged in:
 - Affordable housing
 - Financing small businesses or farms
 - Providing community services for LMI individuals
 - Supporting activities essential to the capacity of LMI to sustain economic development or utilize credit



Community Development Services

Community development services

- Have CD as its primary purpose
- Related to the provision of financial services or employee's expertise at the institution
- Has not been considered as a retail banking service

FDI@ Examples

CD services may include:

- Giving technical assistance on financial matters
- Loaning an executive to a qualifying organization
- Providing credit or foreclosure prevention counseling
- Providing financial planning to promote CD
- Hosting school savings programs
- Referring unqualified customers to community organization for assistance

FDIG CRA Q&As

Read them!

FDI© Review

Does it qualify?

- Bank employee serves on loan review committee for micro business lender
- A bank makes a loan to fund construction of affordable single family houses
- Bank executive is loaned to a city or community organization that serves LMI to develop its marketing campaign
- 4. Bank employees help distribute food at a local pantry

FDI@ Review

Does it qualify?

- Bank gives a grant to a shelter for serving women leaving domestic abuse
- Bank human resources workers help individuals develop resumes and improve interviewing skills
- 7. Bank makes a loan to fund construction of a new hotel in an LMI area
- Bank employee serves on the board of a non-profit that provides community services to LMI individuals
- 9. A bank makes a grant to Big Brothers / Big Sisters



Developing Collaborative Relationships

Understand the Market

- What is the income level?
- What banks are in the market?
- What are the ratings of local banks?
- > When will local banks be evaluated?
- What are their primary loan products?



Developing Collaborative Relationships

Understand Local Banks

- What sizes are they?
- What geographies do they serve?
- > Who are their customers?
- Who are their competitors?
- What are their CD activities?



Developing Collaborative Relationships

Tell Your Story

- Who benefits?
- What is the impact?
- What do you bring to the table?
- What is missing from the project?
- How can banks specifically assist?

FDI@

Developing Collaborative Relationships

Things to Consider

- Is there significant community support for your idea or initiative?
- Do you have a strong leadership team and business plan?
- Is your proposal appropriate for your organization's financial condition?
- Can you help the bank reach new customers?
- Is your proposal consistent with the bank's business model?
- Can you provide publicity for the bank?



Bank Decision Factors

Organization

- Capacity & expertise
- Sustainability
 - Success Measures

Project

- Location
- Beneficiaries/Impact
- Responsive to community needs
- Innovative or complex

Bank

- Risks and costs
- Aligned with business strategy and expertise
- Business development potential
- Value to overall CRA program

FD Other Collaboration Factors

- Be prepared to support why CD activity qualifies.
- Discuss a tracking mechanism to capture impact of community development collaborations. This will ensure help during an evaluation.
- Be proactive rather than reactive.
- Keep bank partners informed.



FDI@ Questions



FDI© Public File

- ➤ All written CRA related comments for the current year and two previous years
- The most recent public evaluation
- List of all branches address and geographies
- List of services
- Map of Assessment Area(s)
- Last two years HMDA Disclosure Statement

FD Public Access to Information

- The public has the right to comment on a bank's performance under the CRA, and to comment on any application submitted to the federal bank regulatory agencies to acquire another bank, add a branch, etc.
- For exam schedules, CRA data, HMDA data, and application information, see the agencies' websites:
 - www.ffiec.gov (CRA and HMDA data)
 - www.fdic.gov
 - www.federalreserve.gov
 - www.occ.treas.gov

FDI@ Research



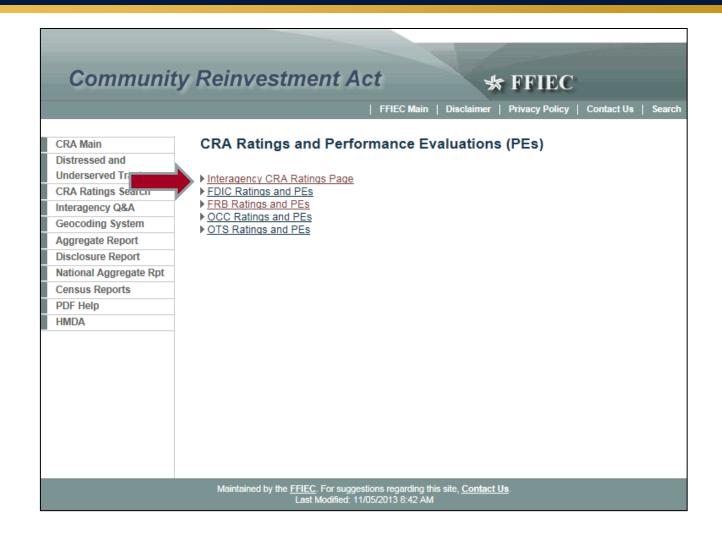
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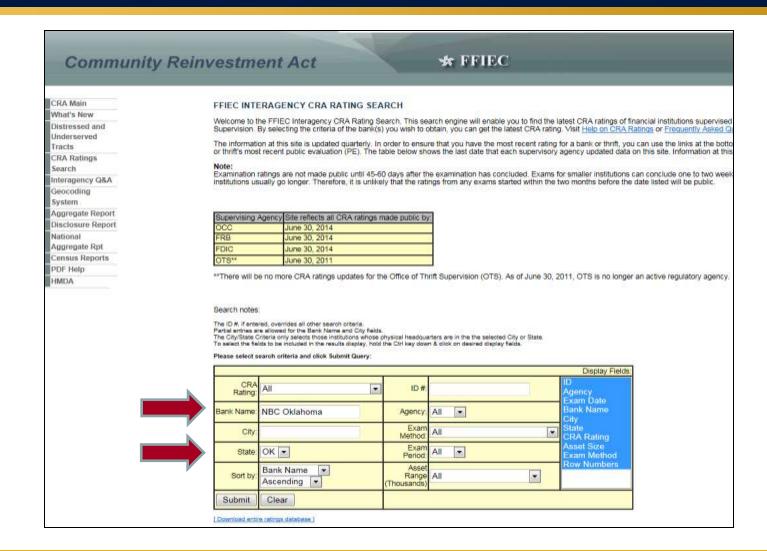




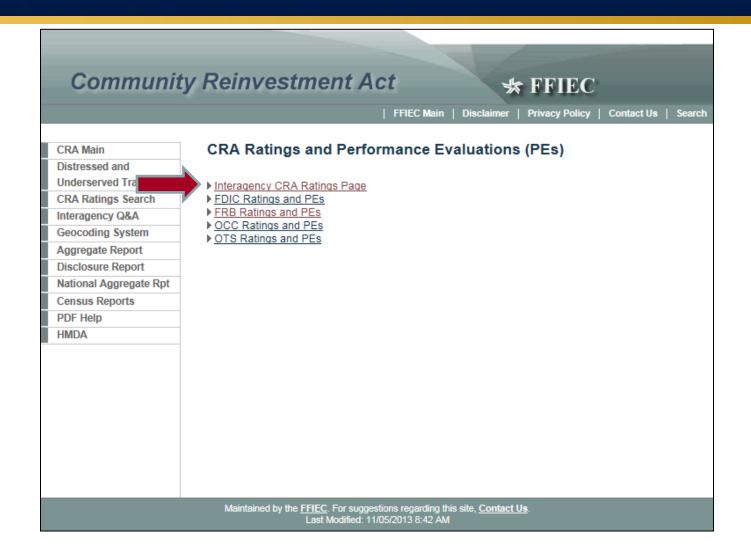














Community Reinvestment Act



CRA Main What's New Distressed and Underserved Tracts **CRA** Ratings Search Interagency Q&A Geocoding System Aggregate Report Disclosure Report National Aggregate Rpt Census Reports PDF Help HMDA

FFIEC INTERAGENCY CRA RATING SEARCH

Welcome to the FFIEC Interagency CRA Rating Search. This search engine will enable you to find the latest CRA ratings of financial institutions supervised. Supervision. By selecting the criteria of the bank(s) you wish to obtain, you can get the latest CRA rating. Visit Help on CRA Ratings or Frequently Asked QI.

The information at this site is updated quarterly. In order to ensure that you have the most recent rating for a bank or thriff, you can use the links at the botto or thriff's most recent public evaluation (PE). The table below shows the last date that each supervisory agency updated data on this site. Information at this

Note:

Examination ratings are not made public until 45-60 days after the examination has concluded. Exams for smaller institutions can conclude one to two week institutions usually go longer. Therefore, it is unlikely that the ratings from any exams started within the two months before the date listed will be public.

Supervising A	gency Site reflects all CRA ratings made public by:
OCC	June 30, 2014
FR8	June 30, 2014
FDIC	June 30, 2014
OTS"	June 30, 2011

^{**}There will be no more CRA ratings updates for the Office of Thrift Supervision (OTS). As of June 30, 2011, OTS is no longer an active regulatory agency.

Search notes:

The ID #, if arrowed, overrides all other search criteria.

Partial entries are allowed for the Bank Name and City fields.

The City/State Criteria only selects those institutions whose physical headquarters are in the the selected City or State. To select the fields to be included in the results display, hold the Citi key down & click on desired display fields.

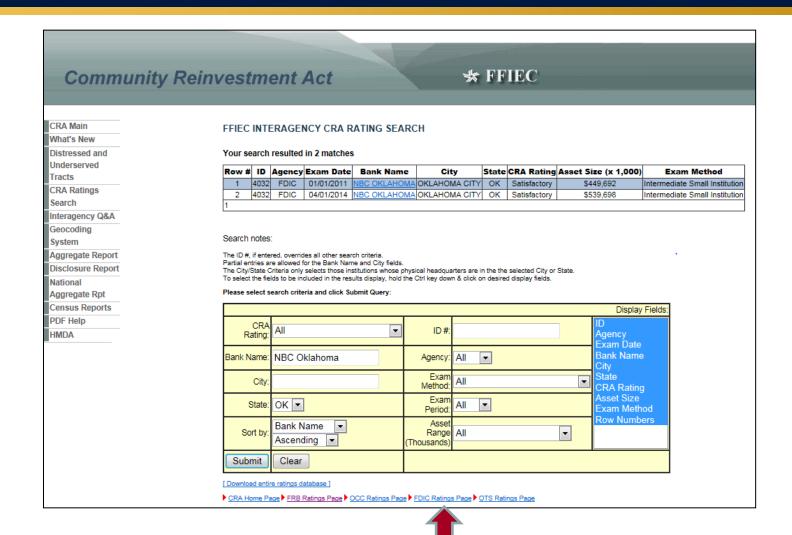
Please select search criteria and click Submit Query



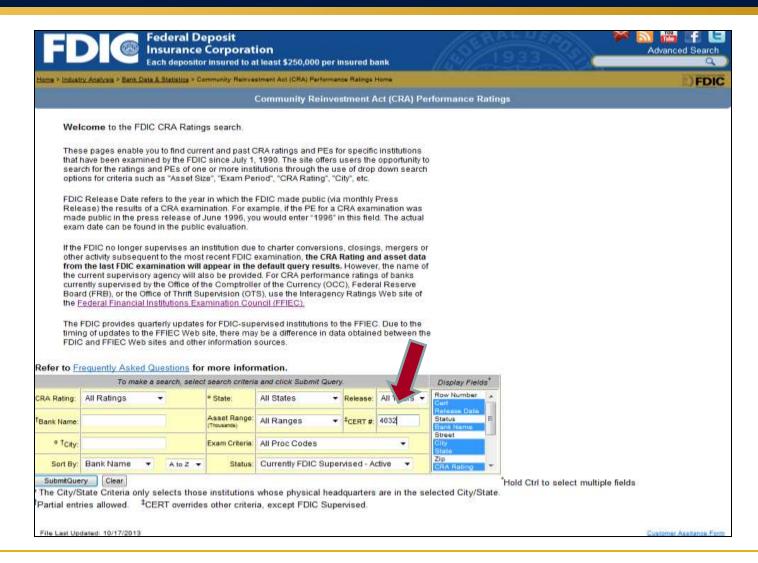
CRA Rating	All 💌	10#	j 1	ID Agency
Bank Name	NBC Oklahoma	Agency	Al .	Exam Date Bank Name
City		Exam Method	Al .	State CRA Rating
State	OK •	Exam Period	Al 💌	Asset Size Exam Method Row Numbers
Sort by	Bank Name Ascending	Asset Range (Thousands)		Row Numbers
Submit	Clear		•	

[Download entire ratings database]

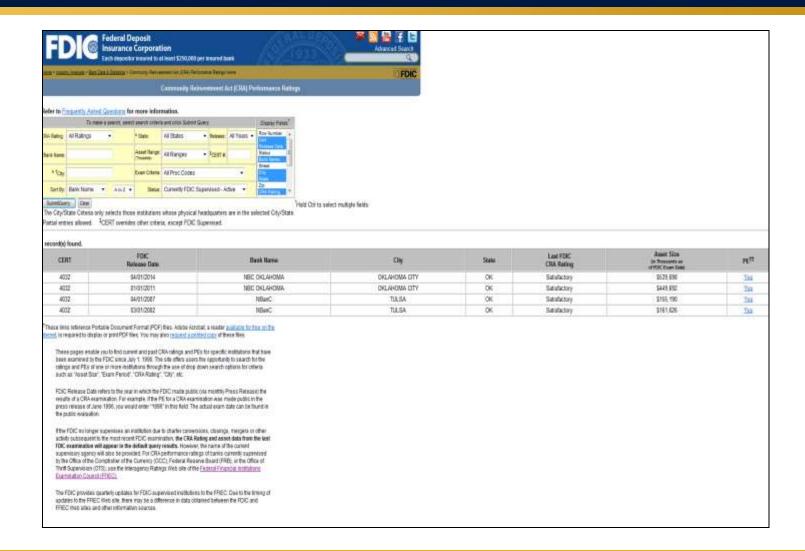














PUBLIC DISCLOSURE

October 15, 2013

COMMUNITY REINVESTMENT ACT PERFORMANCE EVALUATION

NBC Oklahoma Certificate Number: 4032

13401 North Pennsylvania Avenue Oklahoma City, Oklahoma 73120

Federal Deposit Insurance Corporation Division of Depositor and Consumer Protection Dallas Regional Office

> 1601 Bryan Street Dallas, Texas 75201

NOTE: This document is an evaluation of this institution's record of meeting the credit needs of its entire community, including low- and moderate-income neighborhoods, consistent with safe and sound operation of the institution. This evaluation is not, nor should it be construed as, an assessment of the financial condition of this institution. The rating assigned to this institution does not represent an analysis, conclusion, or opinion of the federal financial supervisory agency concerning the safety and soundness of this financial institution.

FD Beyond the CRA

- > CRA does not define a bank
- Commercial, CDFI, Agricultural, Consumer
- **▶** Bank "Personalities"



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FD Additional Resources

Bank Ratings & Evaluations

- FFIEC http://www.ffiec.gov/craratings/default.aspx
 - FDIC http://www2.fdic.gov/crapes/
 - FRB http://www.federalreserve.gov/apps/crape/BankRating.aspx
 - OCC http://www.occ.treas.gov/cra/crasrch.htm



FD Additional Resources

- Supervisory Agency Community Affairs Departments
- <u>www.fdic.gov</u>: Deposit market share data, list of branches, Bank Call Reports (https://www.fdic.gov/regulations/cra/)
- www.federalreserve.gov: Federal Reserve System
- <u>www.ffiec.gov</u>: HMDA data, CRA data, geocoding/mapping system, Interagency Questions and Answers on CRA; links to CRA ratings
- www.occ.treas.gov: Office of the Comptroller of the Currency
 - One-page fact sheets, e-zines and other publications on important CD programs and topics available <u>ww.occ.treas.gov/cdd/commfoc.htm</u>

FD Additional Resources

- Definitions of Terms in CRA Performance Evaluations (published by the FDIC): http://www2.fdic.gov/crapes/peterms.asp
- Glossaries of Community Development Terms- HUD: http://www.hud.gov/offices/cpd/library/glossary/
- Glossary of Community Development Terms St. Louis Fed: http://stlouisfed.org/community_development/selfstudy/pdf/glossary.pdf
- Glossary of Economic terms -San Francisco Fed http://www.frbsf.org/tools/glossary/

FDI@ Additional Resources

Interagency Questions & Answers (Q&As)

➤ Link to current Interagency Questions & Answers Regarding Community Reinvestment (Q&As) – July 15, 2016 https://www.ffiec.gov/cra/qnadoc.htm

FD Additional Resources

- ➤ Home page <u>www.ffiec.gov</u>
- Enter a street address to find the MSA/MD, state, county, and census tract codes. https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx
- Click on the "Get Census Demographic" button for tract income level data



FD Additional Resources

Financial Institution Directory

- Institution offices in area
 - Choose "Locations"
- Institution asset size
- Institution headquarters
- Institution primary regulator & primary product

https://www5.fdic.gov/idasp/advSear chLanding.asp



Search:

Banks Locations

Bank Holding Companies

All Entities

Summary Statistics

FDIC-Insured Institutions

Number as of 8/7/2014 6,660

Assets as of 3/31/2014 \$14,986,870

Deposits as of 3/31/2014 \$11,365,780

Dollars in millions; adjusted for mergers

More Details......



FDI® Institution Information



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FD Institution Information

	Key demographic information as of Aug	ust 7, 2014	
	Citizens Bank	ust 1, 2014	
	33 North Indiana Street Mooresville, IN 46158		
FDIC Certificate #:	9647	Date Established:	
Bank Charter Class: Primary Federal Regulator:	Federal Reserve Non-member Federal Deposit Insurance Corporation	Date of Deposit In	surance: More Demogra
Primary Internet Web Address:	http://www.citizens-banking.com		Genera
	Information Gateway		
D Report Selections:	Report Date		
D Report Selections: Assets and Liabilities	Report Date March 31, 20		Generate Report
	March 31, 20		Generate Report
Assets and Liabilities	March 31, 20	14	
Assets and Liabilities O Current List of Offices	March 31, 20 More Information— Bank Holding	14	ates
Assets and Liabilities Current List of Offices Compare to Peer Group(s)	March 31, 20 More Information Bank Holding Regional Eco	Company Ownership and Affilia	ates N)
O Current List of Offices Compare to Peer Group(s) FFIEC Call/TFR Report 6/30/2014 FFIEC Uniform Bank Performance	March 31, 20 More Information— Bank Holding Regional Eco Latest Available Organization	Company Ownership and Affilia nomic Conditions (FDIC RECOI Hierarchy from the Federal Res	ates N)

Institution headquarters Institution primary regulator Institution asset size Institution offices by city/county

FDI© Institution Information

	Citizens Ban 33 North Indiana St Mooresville, IN 461 FDIC Certificate #: 9647 Bank C	reet 158	Save to CSV	Frint this page
Definition	Dollar figures in thousands	Citizens Bar Mooresville, December 31,	IN	Citizens Bank Mooresville, IN December 31, 2012
Assets a	nd Liabilities			
1	Total employees (full-time equivalent)		128	126
2	Total assets		378,129	364,616
3	Cash and due from depository institutions		35,878	31,165
4	Interest-bearing balances		31,230	27,844
5	Securities		84,244	84,835
6	Federal funds sold & reverse repurchase agreements		0	(
7	Net loans & leases		245.233	234.819

This is an intermediate small bank.



FD Institution Information

	FDIC Certificate #: 58279 Bank Chart		
Definition	Dollar figures in thousands	Evansville Commerce Bank Evansville, IN December 31, 2013	Evansville Commerce Bank Evansville, IN December 31, 2012
Net Loan	ns and Leases		
11	Net loans and leases	55,911	45,124
2	Plus: Loan Loss Allowance	873	915
3	Total loans & leases	56,784	46,039
4	Plus: Uneamed income	0	(
5	Loans and leases, gross	56,784	46,039
6	All real estate loans	39,393	31,662
Z	Real estate loans in domestic offices:	39,393	31,662
8	Construction and land development	3.122	1 703
9	Commercial real estate	16,585	14,577
10	Commercial real estate owner-occupied	9,091	8,566
11	Other non-farm non-residential	7,494	6,011
12	Multifamily residential real estate	4,824	3,606
13	1-4 family residential	14,862	11,751
14	Farmland	0	Z
15	Real estate loans in foreign offices:	N/A	N/A
16	Farm loans	0	
17	Commercial and industrial loans	17,031	14,019
18	To non-U.S. addressees	N/A	N/A
19	Loans to individuals	343	328
20	Credit cards	0	(
21	Other revolving credit plans	7	32
22	Automobile loans	179	99
23	Other loans to individuals	157	197
24	Total other loans and leases *	17	3(
25	Loans to foreign governments & official institutions	0	(
26	Obligations of states & political subdivisions in the U.S.	0	
27	Other loans	17	
28	Lease financing receivables	0	
29	Loans to depository institutions and acceptances of other banks	0	

This institution's primary loan products are:

- Commercial RE
- Residential RE
- 3. Commercial