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FROM DIRECTOR CLARK'S DESK**SERVING WASHINGTON IN MANY WAYS**

My team here at the Department of Financial Institutions (DFI) works tirelessly to regulate our state's financial service providers and financial institutions. Our core activities of licensing, registration, chartering, examining, investigating complaints, and taking enforcement action never stops. These activities are a top priority. However, DFI serves Washington in many other ways too. This newsletter details examples of how we serve Washington to deliver on our vision. [Leading the Way in Consumer Protection and Financial Services Regulation.](#)



Beyond providing fair regulation of financial services, we are dedicated to educating consumers as well. With that, I'd like to say how proud I am that DFI reached audiences in nearly every corner of our state with our "\$10 Billion Reasons" Financial Fraud Prevention campaign (www.dfi.wa.gov/10B). From roadside billboards and radio PSA's, to print ads, digital banner and even placements in movie theaters, we know we delivered on our message to **Identify, Prevent and Report** financial fraud by the 39,000+ visits to our campaign website. We also received more than 5,600 clicks to the reporting page where we are testing our new [single-form DFI complaint system](#).

My schedule is always busy as I engage with our industry. In my role as Chair of the Conference of State Bank Supervisors (CSBS) I had the opportunity to speak at the WA, OR, ID & NV Annual Bankers Convention in July, the American Association of Residential Mortgage Regulators (AARMR) Conference in August, and the Money Transmitters Regulators Association (MTRA) Conference and the Community Bankers of Washington (CBW) Conference, both in September. I encourage you to review the Division of Banks pages in this publication for some takeaways from the Community Banking Research Conference I attended. I also had the pleasure of meeting with our state-chartered credit unions at the Go West Credit Union Association's MAXX event this month as well, which is covered under the Division of Credit Unions.

I always learn something new during every interaction with our industry, and I encourage my entire team to stay connected to the entities we regulate as it is critical to fulfilling our agency's vision!

Charlie Clark

Director, Department of Financial Institutions

**SPOTLIGHTING DFI: HOW TO IDENTIFY, PREVENT & REPORT FINANCIAL FRAUD**

Listen to Laurie Hardie's interview with Director Clark discussing financial scams and DFI's '\$10 Billion Reasons' campaign

<https://www.movin925.com/episode/spotlighting-dfi-how-to-identify-prevent-and-report-financial-fraud/>

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DIVISION OF BANKS



Q: Are Interactive Teller Machines (ITMs) considered branches, and do they require a branch application (approval) to open?

A: The definition of domestic branch excludes ATMs & Remote Service Units in [Section \(o\) of the FDI Act](#) without mention of ITM. **However, the recently released Financial Institution Letter (FIL) clarifies the FDIC would not consider an ITM a branch, and as such they would not require prior approval.**

Have a question for DFI's Division of Banks? Please send it to banks@dfi.wa.gov

LESSONS FROM THE COMMUNITY BANKING RESEARCH CONFERENCE

In early October, DFI Director Charlie Clark joined Program Manager Shannon Tushar at the 12th Annual [Community Banking Research Conference](#). Hosted by the Federal Reserve Bank of St. Louis, the conference brought together community bankers, academics, policymakers and bank regulators. Discussions centered on the latest research, with a focus on innovation.

Community bankers contributed to an annual survey prior to the conference. Participants then explored issues raised by the industry. Speakers and panelists provided their feedback to the findings. This year's agenda included keynotes from Federal Reserve Board Governor Michelle Bowman and FDIC Chairman Martin Gruenberg.



*Director Clark presenting at the Community Banking Research Conference
Photo Courtesy: CSBS*

KEY CONFERENCE TAKEAWAYS

- 1) In his talk, Director Clark shared concern about the impact of the large volume of federal regulations on community banks. Read his full remarks at www.csbs.org/newsroom/opening-remarks-csbs-chair-charlie-clark-2024-community-banking-research-conference
- 2) This year's Annual Survey of Community Banks was sent after the failure of the first two large regional banks in 2023. Among other things, this triggered a focus on bank liquidity. Uninsured deposits, unrealized losses on available-for-sale, and held-to-maturity securities were also mentioned. Download the full report at www.csbs.org/survey

Industry Roundtable: Increase Access to Capital For Under-Resourced Washington Small Businesses

Attention all banks, credit unions & CDFI's offering small business lending. Please join OMWBE, Commerce, Treasury & DFI for a conversation between government and the financial services industry to find solutions.

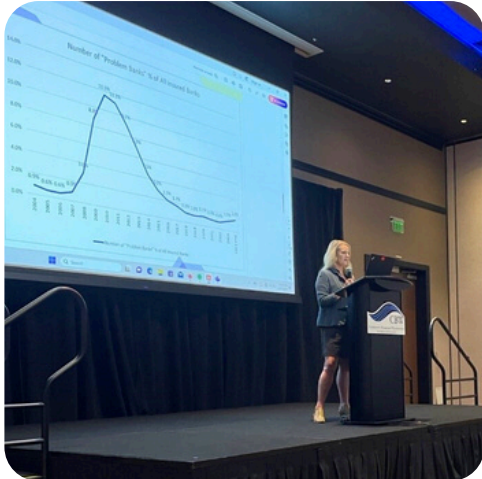
Oct. 29, 2024 **9am-4pm** **Courtyard Marriot (Tacoma, WA)**

Registration



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TAKEAWAYS FROM THE COMMUNITY BANKERS OF WASHINGTON CONVENTION



Roberta Hollinshead (Director of Banks) at the CBW Convention and Trade Show

On Sept. 12, DFI Director Charlie Clark and Director of Banks Roberta Hollinshead attended the annual Community Bankers of Washington's Convention and Trade Show. The event was held at the Tulalip Casino Convention Center.

OVERVIEW OF DIRECTOR HOLLINSHEAD'S PRESENTATION

- 1) The banking industry remains in sound condition. While the percentage of "troubled" nationwide banks is higher than in 2008/09, it remains historically low.
- 2) In the "post pandemic, bracing for a potential recession" economy, community bank strategic plans are a mixed bag. Some banks are growing, some are downsizing, many are innovating. Over the last year, we are also seeing a few Washington community banks selling.
- 3) Loan quality and credit risk metrics continue to be favorable, regionally and nationally. Regulator focus continues to be on refinancing risk from commercial real estate concentrations, maturing loans, and mortgage performance.
- 4) The economy in the Pacific region remains resilient, and housing demand is stable. Inventory levels below national average, combined with high construction costs, has led to sustained upward pressure on home prices.

BEYOND DOMESTIC REGULATION: TAIWANESE BANKING & DFI

On Oct. 8, Division of Banks Program Manager Shannon Tushar presented on a regulator panel at the annual Taiwanese Bankers Conference. The event was hosted jointly by the California Dept. of Financial Protection and Innovation, the Federal Reserve Bank and the Banking Bureau of Taiwan's Financial Supervisory Commission. Taiwanese banks, branches, and subsidiaries from across Los Angeles, Silicon Valley and Seattle attended. Agenda topics included an overview of Taiwan's banking industry and financial policy, and the supervision and expectations for Taiwanese branches and subsidiaries in the U.S.

Left to right: Mark Nolte, FDIC Los Angeles Field Supervisor; Shannon Tushar, DFI Program Manager; Sherri Hsou-Yuan Chuang, Taiwan Financial Supervisory Commission (FSC) Banking Bureau Director General; Donna Balcer, Federal Reserve Bank of San Francisco (FRBSF) Senior Manager; Sukyee Lok, California Department of Financial Protection and Innovation (DFPI) Regional Deputy Commissioner; Jasmin Liu, Taiwan FSC New York Office Director; Sandra Khatchadourian, California DFPI Senior Examiner / Bank Secrecy Act Subject Matter Expert; Patrick Prickett, FRBSF Examining Manager.



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DIVISION OF CREDIT UNIONS



Q: Can a credit union compensate board and supervisory committee members?

A: Yes, they can. About 1/3 of Washington state-chartered credit unions provide compensation. A credit union must submit written notice to DFI's Director of Credit Unions of its intent to compensate at least 60-days before policy adoption. Also, [WAC 208-400-010](#) explains criteria for compensation, including defining 'reasonable compensation', as well as notice requirements to the credit union membership.

Have a question for DFI's Division of Credit Unions? Please send it to dcu@dfi.wa.gov

LEARNING FROM THE MAXX TRAINING CONFERENCE

Director Charlie Clark, Division Director Amy Hunter and Program Managers Lael Byington and Myriam Powers attended the MAXX Training Conference in Denver (Oct. 13-16). MAXX is the annual conference hosted by the GoWest Credit Union Association. After a merger, GoWest now includes Washington State, Oregon, Idaho, Arizona, Colorado and Wyoming. Industry representatives served as panelist, making MAXX a learning event for both credit unions and regulators. Division Director Hunter was featured in a panel focusing on the changing regulatory landscape, examination trends, and exam focus topics in 2025. Amy, Lael, and Myriam sat with credit union staff and volunteers during the Washington/Arizona Regulator Forum to field questions and hear concerns.



Charlie, Amy, Lael, and Myriam
at the MAXX Training Conference

KEY CONFERENCE TAKEAWAYS

- 1) [Robotic Process Automation](#) may assist in the disciplines of Artificial Intelligence, Blockchain, Cloud Computing, Computer Systems and Cyber Security.
- 2) Credit unions may be uniquely qualified and positioned to be green lenders. [Green Lending: What, How, and Especially Why](#)
- 3) The affordable housing and equity session supported DFI's initiatives in helping people achieve their financial goals.
- 4) Online car buying is increasing, but not at rates predicted. Large auto franchises have started to self-finance their sales, creating a new competitor for auto manufacturers, banks, and credit unions.

DATA ANALYSYS USING POWER BI

The Division of Credit Unions uses Microsoft's Power BI as a tool to bring Washington State chartered credit unions' financial data to one visual location. Seeing what is going on across our credit unions helps DCU analyze trends and spot areas of concern. These areas of concern can become an area of emphasis with regards to offsite reviews conducted by examiners once a quarter, and areas of focus on future exams.



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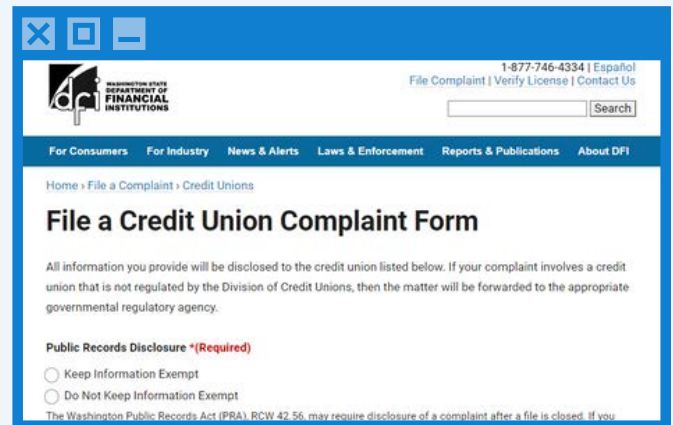
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TRENDING INFORMATION ABOUT COMPLAINT TRENDS

As credit union membership continues to grow, we are also seeing an increase in the number of complaints we receive. Over the last year (July 1, 2023 - June 30, 2024), the Division of Credit Unions (DCU) received a total of 369 complaints. This is a 13% increase over the same period last year. Our top four complaint categories continue to be Account Service (29%), Scam/Fraud (19%), Vehicle Loan CPI (15%) and Credit Reporting (7%).

Account Service is a broad category, and many of these complaints fall under consumers being unaware of what is in their membership agreement. Of the 19% of consumer complaints surrounding Scam/Fraud, 11% of those surround wire fraud. While only a small percentage of complaints received, the dollar amounts consumers lose to wire fraud is substantial.

Vehicle Loan/CPI (Collateral Protection Insurance) complaints tend to fall under two categories; consumers being unaware of what is in their signed agreements, or claim they did not receive disclosures. Credit reporting complaints often involve consumers believing the credit union is incorrectly reporting on their profile. Most report concerns have to do with late payments, charge-offs and repossessions. Learn more at www.dfi.wa.gov/consumers/file-complaint/credit-unions.



LOOKING TO THE FUTURE OF OUR SUBJECT MATTER EXPERT PROGRAM

DFI's Division of Credit Unions developed a Subject Matter Expert (SME) program in 2024 to assist with the transitions of staff, including succession planning due to likely retirements of long-tenured staff. Additional specialties will benefit credit union locations by increasing access to top-level expertise. Additionally, these SME opportunities offer newer examiners the ability to specialize in areas that will help further their careers and engage their involvement in the industry.

The SME program will cover the following areas:

- Cannabis Banking
- Anti-Money Laundering (AML) & Bank Secrecy Act (BSA)
- Electronic Payment Systems (EPS)
- Lending Specialist
- Member Business Lending (MBL)
- Small Credit Unions
- Transaction Fraud
- Liquidity and Interest Rate Risk
- Information Security and Technology



Examiners that chose a SME specialty will have the opportunity to attend 80-hours per year of enhanced training that aligns with their specific area, and then focus on this content during examinations. In some cases, SME's will assist on credit union applications related to their specialty, such as member business lending waivers and/or investment authority.



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DIVISION OF CONSUMER SERVICES



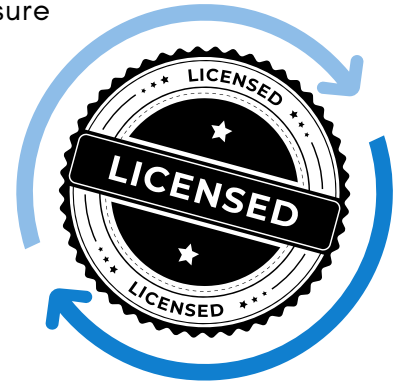
Q: What are the most common complaints received by DFI Consumer Services?

A: From January–August in 2024, Consumer Services received nearly 1,000 complaints related to financial products offered by non-bank entities. **The most common involve mortgage servicing issues, money transmission, virtual currency transactions, and scams.** Visit <https://dfi.wa.gov/file-complaint> for information on filing a complaint.

Have a question for DFI's Division of Consumer Services? Please send it to dcs@dfi.wa.gov

READY TO RENEW WITH CONSUMER SERVICES?

The annual renewal period for Division of Consumer Services' licensees begins Nov 1. During the renewal period, virtually all licensees must take action to maintain licensure in 2025. The steps to renew, or complete an annual attestation or registration, vary between industries. The common piece of advice we offer to all, be prepared and act early.



- **For licenses managed on NMLS;** there are steps that can be taken now to ensure a smoother renewal.
 - 1) [Log into NMLS to update your account](#). The first phase of NMLS modernization rolled out a few months ago and users must update their accounts before accessing NMLS.
 - 2) [Resolve any outstanding license items on your license record](#).
 - 3) [Complete renewals requirements now](#). For example, mortgage loan originators need continuing education to renew. Completing before Nov. 1 avoids the last-minute rush.
- **For mortgage loan originators;** this year the Department requires authorization of a new criminal background check and a credit report. Check your NMLS record to make sure your fingerprints on file aren't expired. A criminal background check can even be authorized now, as long as the mortgage loan originator renews in November.
- **For licenses not managed on NMLS;** watch your mail for a renewal notification (Escrow), or email for the opening of the registration period (Refund Anticipation Loan Facilitators).

More Information on renewals can be found on the websites below:

- <https://mortgage.nationwidelicensingsystem.org/slr/common/renewals>
- <https://dfi.wa.gov/refund-anticipation-loans>

DFI EMPLOYEE NAMED 2024 AARMR EIC OF THE YEAR!

Join us in congratulating [DFI Financial Examiner Jacob Monson who received the 2024 Examiner-In-Charge \(EIC\) of the Year award](#) from the American Association of Residential Mortgage Regulators (AARMR). Jacob was recognized for his exceptional leadership and effective team guidance.

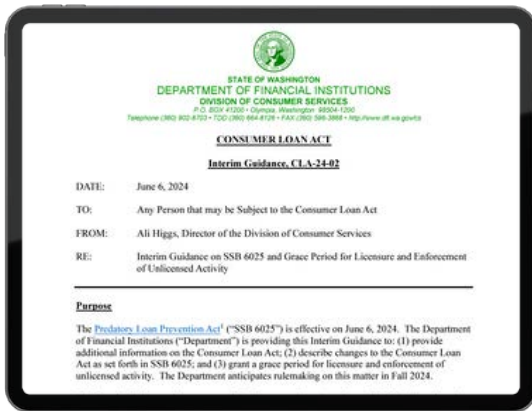


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IMPLEMENTING THE NEW LAW: THE CONSUMER LOAN ACT (SSB 6025)

The Predatory Loan Prevention Act (“SSB 6025”) is effective as of June 6, 2024. **Read the Department of Financial Institutions entire Interim Guidance on this act by visiting <https://dfi.wa.gov/sites/default/files/CLA-24-02.pdf>**



DFI is providing this Interim Guidance to 1) Provide added info on the Consumer Loan Act; 2) Describe changes to the Consumer Loan Act as set forth in [SSB 6025](#); and 3) Grant a grace period for licensure and enforcement of unlicensed activity

This Interim Guidance is subject to change or withdrawal, and the Department anticipates further rulemaking on this matter in Fall 2024. This Interim Guidance does not amend the [Consumer Loan Act, chapter 31.04 RCW](#), or its rules, [chapter 208-620 WAC](#).

Visit <https://dfi.wa.gov/consumer-loan-companies/interpretive-statements> for additional Interpretative Statements by the Division of Consumer Services.

STUDYING HOME EQUITY SHARE AGREEMENTS (INQUIRY REPORT)

Home Equity Sharing Agreements (HESAs), and similar shared equity products, provide consumers with an up-front payment in exchange for a share of the future equity or value appreciation of the consumer’s home. Phase One of the HESA report was issued on Sept. 12.

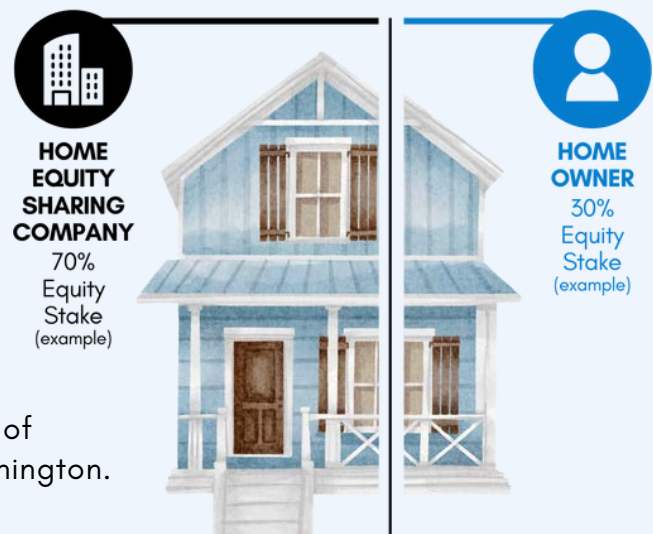
During the 2024 legislative session, [House Bill \(HB\) 2081](#) and [Senate Bill \(SB\) 5968](#) were introduced to further clarify that HESAs are residential mortgage loan products subject to the [Consumer Loan Act, chapter 31.04 RCW](#), and its rules, [chapter 208-620 WAC \(Act\)](#).

While HB 2081 and SB 5968 did not pass, the Legislature granted funding to study HESA products and their effect on communities of color, seniors, and other vulnerable populations. This report is the first phase of the Department’s larger study that is being conducted in partnership with the Evans School of Public Policy and Governance at the University of Washington.

Read DFI’s full Inquiry Report by visiting

<https://dfi.wa.gov/sites/default/files/reports/hesa-report-september-2024.pdf>

HOME EQUITY SHARING EXAMPLE



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DIVISION OF SECURITIES



Q: Is fraud really that major of a concern here in Washington State?

A: Yes, it is! In the first half of 2024 the FTC recognized 25,404 reports of fraud in our state, for a total loss of \$144.2 million. The top fraud category is Imposter scams.

Have a question for DFI's Division of Securities? Please send it to securities@dfi.wa.gov

DFI SECURITIES HITTING THE ROAD TO PROVIDE YOU EXAM INFORMATION!

Attention Investment Advisers & Consultants. The Department of Financial Institutions is offering an opportunity to learn about current issues in the securities industry. Explore the impact of investment adviser licensing, examinations, and enforcement, by participating in DFI's upcoming Securities Roadshow.

"This is an opportunity to learn and interact with DFI personnel, without the pressures of a formal examination," said Mark Kissler, Chief of Licensing and Examinations for DFI. "But the best part is that we are traveling to you, making it easier to get the face-to-face time you may want."

Over the coming year, representatives of the DFI Securities Team will be visiting locations throughout the state. At each stop they will deliver a short presentation about current trends with licensing, examinations, and enforcement, as well as to share other need-to-know information.

These locations include:

- **Oct. 22, 2024 - Spokane**
- **Jan. 8, 2025 - Bellevue**
- **Jan. 21, 2025 - Seattle**
- **Feb. 11, 2025 - Vancouver (WA)**
- **Mar. 25, 2025 - Bremerton**
- **May 6, 2025 - Tri Cities**
- **Oct. 2025 - Bellingham**



"While we are always happy to answer questions," Kissler added, "the goal of the DFI Securities Roadshow is to provide valuable tips and information that investment advisers and consultants can use to help in the licensing and examination process. If you are involved in this industry, we would welcome you to join us and learn more."

More stops in DFI's Securities Roadshow will be announced soon, so check future editions of this newsletter for a location near you!



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EDUCATE YOUR COMMUNITY (AND CLIENTS) ON THE IMPACTS OF AFFINTIY FRAUD

We often think of our communities as our safe havens. Surrounded by people who share similar beliefs, we often feel a sense of trust. But unfortunately, even when you feel safest you need to be cautious of your surroundings.

"[Affinity Fraud](#) is a common type of investment scam where fraudsters target specific groups of individuals ... such as by their age, ethnicity, religion and/or profession," explained Brian Guerard, Chief of Enforcement (Securities) for DFI.

"They leverage common characteristics to promote fake investments and are often very successful by exploiting the trust and friendship they have with their investors."

As outlined in a recent episode of NASAA's *Real Life Regulators* podcast titled "The Lone Wolf," leveraging connections in this manner can also be a component of many other types of fraud as well, with pyramid schemes often being driven by existing relationships. In this real-life case, an individual at a long-standing insurance company in Wenatchee, WA targeted older customers searching for investments to secure their financial future. He stole more than \$660,000 from seven individuals as part of his efforts.

[\(Click here to learn more by listening to the NASAA Real Life Regulators podcast\)](#)



Transfer Funds

**10 billion dreams
built on trust.
Don't let affinity fraud
tear down your
community.**

Get informed at:
dfi.wa.gov/10B

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"Of the many kinds of fraud, affinity fraud can be particularly hard for us to combat because it is so entrenched in the community", Guerard added." Individuals do not want to be embarrassed in front of their friends and family. Or even worse, be blamed for bringing negative perceptions or consequences to others in their community."

"But, we can't do anything to combat fraud if nobody reports it. So, we encourage everyone to report suspicious activity, even if you feel your report needs to be made anonymously!"

To report instances of affinity fraud within Washington State, contact DFI by calling (877) 746-4334, send an email dfi@dfi.wa.gov, or fill out a [complaint form](#).

Learn more about financial fraud at www.dfi.wa.gov/10B



[Learn more & listed to the podcast at
www.nasaa.org/real-life-regulators](https://www.nasaa.org/real-life-regulators)



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OUTREACH & FINANCIAL EDUCATION



Q: Can you help provide financial education to my group?

A: Yes! DFI offers workshops free of charge to organizations, schools, and groups located in Washington State! Visit www.dfi.wa.gov/financial-education/presentation-request to learn more! [Solicitud de Presentación sobre Educación Financiera En Español!](#)

Have a question for DFI's Division of Securities? Please send it to dfi@dfi.wa.gov

FINANCIAL EDUCATION TO EMPOWER SPANISH-SPEAKING COMMUNITIES!

This summer, DFI's outreach team has continued to promote financial education in Spanish. We are working to create and strengthen partnerships with community stakeholders, including nonprofits, schools, and other organizations seeking to empower the Spanish-speaking community.

DFI was honored to staff a resource table at [LETI's Latino Expo 2024](#) in Edmonds. A vibrant gathering of community organizations, state agencies, and fantastic food trucks, the event celebrated Latinx culture and offered resources.

During March and April, Outreach Coordinator Nathan Spiecker facilitated a four-part series of financial education workshops in coordination with [Centro Cultural Mexicano](#) in Redmond. Inspired by the positive feedback, Centro Cultural Mexicano launched a financial education series of their own. This program is accompanied by one-on-one mentorship opportunities for participating individuals. The goal is to increase financial wellness and literacy. Nathan was invited back to present two more times. It was a rewarding experience with active participation and lots of good questions asked and answered.

Through partnering with nonprofits in efforts like these, DFI hopes to continue to build a robust network of community-based resources. The hope is to promote financial education and wellbeing among the Spanish-speaking population in our state.



DID YOU KNOW? DFI provides a wide range of financial education resources, including tools for K-12 Educators and Parents. Discover these free at home worksheets and activities for Washington students - that are both fun, and informative - by visiting our website at www.dfi.wa.gov/financial-education.



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SUCCESS IN DELIVERING THE MESSAGE: '\$10 BILLION REASONS' AD CAMPAIGN


Created in response to an uptick in complaints, DFI's "\$10 Billion Reasons" ad campaign reflects the estimated \$10 Billion Americans lost in 2023 to financial fraud.

The goal of the campaign is to encourage people to learn how to **Identify, Prevent, and Report** financial fraud. It has been featured across a variety of media outlets including radio, billboards, social media, movie theater screens, streaming, print media, and more. Each placement drives viewers to detailed information about the many forms of financial fraud, how to prevent it and offers direct links to report it at www.dfi.wa.gov/10B.

"The team informed me that the campaign will have more than 12 million impressions over more than 30 media channels by the time we wrap things up," said DFI Director, Charlie Clark. "That is a huge feat, and it is exciting to see how successful the reach of this campaign has been in creating awareness about financial fraud across the state."

"We are also having the 10B website translated into Spanish, Chinese and Korean as well. Hopefully these translated pages will help us reach farther and provide even more engagement with our 10B site."

DFI will continue fraud prevention outreach and advertising on a smaller scale throughout the year. And as scammers gear up for the holidays, our goal is to help even more people in Washington learn how to **Identify, Prevent and Report** financial fraud via in-person presentations. If you would like a financial fraud presentation in your community, please fill out a [presentation request form](#).



**Scams on the rise.
Protect your money
and your community.**

**\$10,000,000,000
Lost to fraud in 2023**

Identify. Prevent. Report.
dfi.wa.gov/10B




JOIN THE TEAM AT THE DEPARTMENT OF FINANCIAL INSTITUTIONS!

Positions include Program Specialist, IT Systems Admin, Financial Examiners & more!
Great benefits! Great team! Learn more at www.dfi.wa.gov/careers



APPLY NOW



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