

Am I subject to Real Estate Settlement Procedures Act (going into effect August 1st, 2015)?

“Impacted entities include service providers that perform key activities on behalf of a supervised banks and non-banks.”

Title Companies, Notary Companies and Notaries that perform key activities on behalf of supervised banks and non-banks are affected. See more here: <http://www.alta.org/cfpb/index.cfm#forum>

Am I compliant with new requirements?

“The Integrated Mortgage Disclosure Rule adds further emphasis on financial institutions obligations to vet third party service providers.”

The Consumer Financial Protection Bureau (CFPB) has issued guidelines to financial institutions regarding third party service oversight that includes but are not limited to the steps below:

- Conduct a thorough due diligence to verify that the service provider understands and is capable of complying with Federal consumer financial law;
- Request and review the service provider’s policies, procedures, internal controls, and training materials to ensure that the service provider conducts appropriate training and oversight of employees or agents that have consumer contact or compliance responsibilities;
- Create and include in the contract with the service provider clear expectations about compliance, as well as appropriate and enforceable consequences for violating any compliance-related responsibilities, including engaging in unfair, deceptive, or abusive acts or practices;
- Establish internal controls and on-going monitoring to determine whether the service provider is complying with Federal consumer financial law; and
- Take prompt action to address fully any problems identified through the monitoring process, including terminating the relationship where appropriate.

What is the CFPB’s Supervisory Authority over Service Providers?

The CFPB will exercise the full extent of its supervision authority over supervised service providers, including its authority to examine for compliance with Title X’s prohibition on unfair, deceptive, or abusive acts or practices. The CFPB will also exercise its enforcement authority against supervised service providers as appropriate.ⁱ

How can I become compliant and stay competitive?

OurRecords provides tool and services that support the required vetting of third party service providers. The OurRecords tools and services enable secure management and monitoring of third party service providers that add business and risk management value for both the third party provider and the financial institution.

Due diligence tools to verify compliance for:

- License maintenance
- Insurance
- Bond requirements
- Background check requirements
- Policy management & Vendor Agreements
- Training, and more...

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