

# RESCINDED

OCC Bulletin 2011-41| October 11, 2011

Replaced - See OCC 2021-35

## Community Reinvestment Act Notices, Fair Housing Act Posters, Equal Credit Opportunity Act Notices: Guidance

This bulletin advises institutions supervised by the Office of the Comptroller of the Currency (OCC) of the appropriate names and addresses for notices required by the Community Reinvestment Act (CRA) and Equal Credit Opportunity Act (ECOA) and posters required by the Fair Housing Act (FHA).

On July 21, 2011, the transfer of former Office of Thrift Supervision (OTS) functions to the OCC, including the supervision of all federal savings associations, was completed. In addition, enforcement authority for compliance with ECOA for OCC-supervised institutions with assets greater than \$10 billion was transferred to the Consumer Financial Protection Bureau (CFPB). Altogether, these activities necessitate changes to CRA public notices, FHA posters, and ECOA notices. OCC-supervised institutions should make the appropriate changes to their notices and posters, if necessary, within 90 days of this notification.

### Community Reinvestment Act—Public Notice by Banks

Implementing regulations for the CRA for both national banks and federal savings associations require these institutions to place in the public lobby of their main office and each of their branches the appropriate notice as set forth in appendix B of the CRA regulation that applies to the institution.<sup>1</sup> All OCC-supervised institutions subject to CRA must provide in their public notices the address of the appropriate supervisory office for purposes of informing the public how to (1) obtain a list of institutions that are scheduled for CRA examination each quarter, (2) obtain an announcement of applications covered by the CRA filed with the OCC, or (3) send written comments about an institution's performance in helping to meet community credit needs. These addresses are

To

Chief Executive Officers and Compliance Officers of All National Banks, Federal Savings Associations, Department and Division Heads, and All Examining Personnel

#### **Large Bank Supervision**

Deputy Comptroller  
Large Bank Supervision  
Office of the Comptroller of the  
Currency  
400 7th Street, SW  
Washington, DC 20219

#### **Midsize & Credit Card Bank Supervision**

Deputy Comptroller  
Midsize Bank Supervision  
Office of the Comptroller of the Currency  
400 7th Street, SW  
Washington, DC 20219

#### **Central District**

Deputy Comptroller  
Central District  
Office of the Comptroller of the  
Currency

#### **Northeastern District**

Deputy Comptroller  
Northeastern District  
Office of the Comptroller of the Currency  
340 Madison Avenue

One Financial Place  
Suite 2700  
440 South LaSalle Street  
Chicago, IL 60605

Fifth Floor  
New York, NY 10173-0002

### **Southern District**

Deputy Comptroller  
Southern District  
Office of the Comptroller of the  
Currency  
500 North Akard Street  
Suite 1600  
Dallas, TX 75201

### **Western District**

Deputy Comptroller  
Western District  
Office of the Comptroller of the Currency  
1225 17th Street  
Suite 300  
Denver, CO 80202

## Fair Housing Act—Posters

U.S. Department of Housing and Urban Development (HUD) regulations require that all persons subject to section 805 of the FHA shall post and maintain a fair housing poster at all their places of business which participate in the covered activities.<sup>2</sup> Additionally, savings associations are required to include in their posters a statement directing persons who believe that they have been discriminated against to send a complaint to the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, Washington, DC 20410; and to the appropriate federal regulator.<sup>3</sup> All federal savings associations must update their Equal Housing Act posters to replace the OTS address with the following OCC address:

**Office of the Comptroller of the Currency**  
**Customer Assistance Group**  
**1301 McKinney Street, Suite 3450**  
**Houston, TX 77010-9050**

The provision dealing with submission of FHA complaints to HUD remains unchanged.

## Regulation B—ECOA Notice

The ECOA requires the creditor to provide a notice that is substantially similar to the following: "The federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Protection Act. The federal agency that administers compliance with this law concerning this creditor is [name and address as specified by the appropriate agency listed in Appendix A of this regulation]."<sup>4</sup>

As the addresses of the respective federal agencies are noted within the regulation itself,<sup>5</sup> the CFPB intends on updating this rule in the future to reflect the supervisory changes

resulting from the enactment of the Dodd–Frank Wall Street Reform and Consumer Protection Act of 2010. Until the rule has been updated, financial institutions should continue to provide the address previously noted for the institution within appendix A of the regulation. For example, federal savings associations now supervised by the OCC should continue to use the OTS complaint address. Currently, ECOA and other consumer complaints that are received at the former OTS address are forwarded to the appropriate supervisory agency for processing. Similarly, complaints received by the OCC for institutions supervised for consumer compliance by the CFPB are forwarded to the CFPB.

For more information on this communication, please contact your supervisory office, Compliance Policy at (202) 649-5470, or Community and Consumer Law at (202) 649-6350.

Grovetta N. Gardineer

Deputy Comptroller for Compliance Policy

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<sup>1</sup> National banks should refer to appendix B to 12 CFR 25. Federal savings associations should refer to appendix B to 12 CFR 195.

<sup>2</sup> See 24 CFR 110.10(c).

<sup>3</sup> See 12 CFR 128(b).

<sup>4</sup> See 12 CFR 202.9(b)(1).

<sup>5</sup> See appendix A to Part 202.