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Banking Law, Pub. #00052, updated four times per year; over 60 chapters updated in 2018—Release 141 included the following developments:

Chapter 24: This newly rewritten chapter provides a comprehensive guide to the duties, powers and liabilities of bank officers and directors as well as a variety of checklists and guides to assist bank officers and directors in the application and assessment of their oversight functions.

Chapter 80: In 2017 the Federal Financial Institutions Examination Council set forth a streamlined Call Report for institutions that do not have foreign offices and hold total assets of less than \$1 billion, and in 2018, the Board and other banking agencies increased the threshold level at or below which such appraisals are required for commercial real estate transactions to \$500,000.

Chapter 82: To help meet institutions' demand for intraday balances while mitigating Reserve Bank credit risk, the Board allows the Reserve Banks to supply intraday balances and credit predominantly through explicitly collateralized daylight overdrafts to healthy depository institutions; the policy offers pricing incentives to encourage greater collateralization.

Chapter 86: For certain civil money penalties assessed against bank holding companies on or after January 10, 2018, the maximum per day C.M.P. amounts that may be assessed are Tier 1, \$9,819; Tier 2, \$49,096; and Tier 3, the lesser of 1% of total assets or \$1,963,870.

Chapter 152: The CFPB recently issued a final rule concerning, among other things, certain lender prohibitions regarding payday loans.

Chapter 153: Effective April 16, 2018, none of the nationwide consumer reporting agencies will include in their credit reports information concerning tax liens; creditors requiring tax lien information will need to obtain a report from a consumer reporting agency specializing in such reports or check the relevant public records themselves.

Chapter 154: As of January 1, 2018, creditors are permitted to obtain information on an applicant's ethnicity, race or sex if certain conditions are met, among them, if the loan is an excluded closed or open-end loan under Regulation C, but the creditor submits HMDA data on that type of transaction or has done so for any of the past five years.

Chapter 155: The Third Circuit joined the Fifth, Sixth and Seventh Circuits in holding that, even absent threats of litigation, offers to settle time-barred debts may violate the Fair Debt Collection Practices Act.

Chapter 158: The OCC, FDIC and the FRB recently issued a final rule that amended the definition of "consumer loan"; under the rule, the definition no longer includes "home equity loan" in the list of "consumer loan" categories for purposes of the Community Reinvestment Act.

Chapter 160: In January 2018, the OCC provided guidance regarding the minimum deductible amounts permitted under private insurance policies for flood insurance required under the National Flood Insurance Program for multiple commercial structures.

Chapter 179A: In April 2018, the CFPB issued a final rule to address the "black hole" created by the intersection of the timing requirements for the Loan Estimate and the Closing Disclosure; a revised Loan Estimate must be provided within three business days of receiving information requiring a revision and not later than four business days prior to consummation, but a revised Loan Estimate cannot be given to the consumer on or after the date on which the creditor provides the consumer with the Closing Disclosure.

Chapter 181A: In the context of mortgage loans, consumers generally have until midnight of the third business day following consummation to exercise their right to rescind, but the three-business day period can be extended in certain circumstance.

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