

# 2023 COMPLIANCE CONFERENCE

MAY 23-24, 2023

New Hampshire Bankers Association Training Room  
2 Eagle Square, 2<sup>nd</sup> Floor, Concord, NH



**NH Bankers**  
ASSOCIATION

**VBA**  
Vermont Bankers Association, Inc.

# 2023 COMPLIANCE CONFERENCE

MAY 23-24, 2023 | NH BANKERS TRAINING ROOM, CONCORD, NH

## AGENDA

### TUESDAY

### MAY 23

8:30 AM – 9:00 AM

#### REGISTRATION & CONTINENTAL BREAKFAST

9:00 AM – 9:05 AM

#### WELCOME

**Sandy Tracy**, SVP/COO  
New Hampshire Bankers Association

9:05 AM – 10:05 AM

#### COMMON REGULATORY COMPLIANCE EXAM VIOLATIONS AND WHAT RECENT ENFORCEMENT ACTIONS TELL

**Kathy Enbom**, Principal - CRCM  
Wipfli LLP

Using information collected from regulators, public enforcement actions, and Wipfli's experience with its financial institution clients, this session covers the hot spots of compliance so you can know what to focus your resources on to minimize your risk.

10:05 AM – 11:05 AM

#### CANNABIS BANKING IN NEW ENGLAND: OPPORTUNITIES AND CHALLENGES

**Paul Dunford**  
GreenCheck Verified

As New England's cannabis market matures, and the majority of medical states move to adult-use, the demand for cannabis banking has grown exponentially. Banking cannabis is not without risk, but financial institutions across the region are embracing this opportunity while meeting examiner expectations. In this session we will cover the regulatory landscape and review what's unique in Vermont, New Hampshire, and beyond.

11:05 AM – 11:15 AM

#### MORNING BREAK

11:15 AM – 12:00 PM

#### COMPLIANCE FOR SOCIAL MEDIA

**Brian M. Shea**, Senior Manager, CRCM, CAMS  
Wolf & Company PC

Social media is among the most common forms of modern communication. For financial institutions, it is a way to directly interact with customers and potential customers. This includes not just advertising products and services, but also receiving direct consumer feedback and inquiries. Institutions need to ensure they have appropriate controls in place to mitigate the various compliance risks imposed by social media. A wide variety of laws, regulations and guidance are directly impacted. During this session we'll examine the various ways through which institutions utilize social media and handle their compliance obligations.

You'll learn:

- Risks that impact financial institutions using social media
- Rules and guidelines that apply
- Industry best practices

12:00 PM – 12:45 PM

#### LUNCH

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12:45 PM – 1:45 PM

## OVERDRAFT ROUND UP

**Kathy Enbom**, *Principal - CRCM*  
Wipfli LLP

Over the last several years overdraft and NSF services and fees have been the topic of advisories, enforcement actions, and litigation. With the regulatory agencies commenting that they are taking a look at overdraft services and “junk” fees, there has never been a better time to recap all of the regulations, recommendations, suggestions, and advice from the past several years surrounding overdrafts. We’ll talk about the issues, risks, and how you can work toward resolution of any gaps that may exist in your programs.

1:45 PM – 2:00 PM

## AFTERNOON BREAK

2:00 PM – 3:15 PM

## ELDER FINANCIAL EXPLOITATION

**James Nemecek**, *Compliance Anchor Director*  
ACBB Compliance Anchor

Elder Financial Exploitation has exploded over the last few years. The scams and frauds that face Senior Citizens on a daily basis have increased in number and complexity. Join us as we discuss the following topics:

- Red Flags for Seniors
- Types Of Frauds, Scams And Elder Theft
- Red Flags For Financial Institutions
- What Financial Institutions Can Do to combat Elder Financial Abuse
- Where to report abuse
- Recent Elder Financial Abuse Litigation
- Bank responsibility to file SARs, and recent stats/cases

3:15 PM

## ADJOURNMENT

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## AGENDA

### WEDNESDAY

### MAY 24

8:30 AM – 9:00 AM

#### REGISTRATION & CONTINENTAL BREAKFAST

9:00 AM – 9:05 AM

#### WELCOME

**Sandy Tracy**, SVP/COO  
New Hampshire Bankers Association

9:05 AM – 10:05 AM

#### UDAAP

**Amy R. Bergen**, CRCM, AVP, Senior Compliance Consultant  
M&M Consulting

This is an area of compliance which is seeing a lot of regulator focus and reinterpretation that is likely to impact existing bank products and services. It is also tied into the current Administration's Junk Fee push, which has flagged existing practices as potential UDAAP violations. The presentation addresses this by starting with a baseline overview of the regulation and then provides some context through current guidance updates, the addition of a new Policy Statement from the CFPB on the "abusive" standard and things banks should be watching for in their products, services, and processes.

10:05 AM – 11:00 AM

#### FAIR LENDING: EXAMINER EXPECTATIONS FOR YOUR FAIR LENDING PROGRAM

**Kathy Enbom**, Principal - CRCM  
Wipfli LLP

In this session, you will be provided with information on how to conduct a fair lending risk assessment, ideas and techniques for monitoring your loan data for risk indicators, and other ideas to ensure you have a robust fair lending program. We'll also discuss various ways you can analyze your loan data to assist with comparative file analysis.

11:00 AM – 11:10 AM

#### MORNING BREAK

11:10 AM – 12:10 PM

#### RISK-BASED BSA/AML PROGRAM

**Katie Kennedy**, Senior Manager - CFE, CUCE  
Wipfli, LLP

"What does BSA require of your program?" vs. "What is a good idea to do for your program?" If we had unlimited resources, we might not care how much time, energy, and money is used to comply with BSA. However, the reality is that we don't monitor every customer and every transaction. Recent guidance indicates that examiners are taking a risk-based approach, and institutions are being encouraged to do the same. Before you take this as carte blanche to start cutting back on your processes, this session will help identify relevant risk factors you should consider and how that translates to policy and procedures.

12:10 PM – 1:00 PM

#### LUNCH

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1:00 PM – 1:45 PM

## **CDD AND EDD: IT'S NOT JUST FOR HIGH-RISK CUSTOMERS**

**Katie Kennedy**, *Senior Manager - CFE, CUCE*  
Wipfli, LLP

Collection of Customer Due Diligence (CDD) and Enhanced Due Diligence (EDD) has evolved from “handshake banking” to implementing a system of internal controls to collect CDD at the time of account opening and throughout the account relationship. Examiners expect BSA staff to understand the risk rating process, how high-risk customers are identified, and the subsequent monitoring schedule for higher-risk customers.

1:45 PM – 2:30 PM

## **OPTIMIZING YOUR AUTOMATED SURVEILLANCE MONITORING SYSTEM**

**Katie Kennedy**, *Senior Manager - CFE, CUCE*  
Wipfli, LLP

Managing an automated monitoring solution is not as simple as turning on the software, no matter what the sales representative told management. While confusion exists on which type of validation is appropriate, examiners expect to see that staff understand the data feeds and monitoring parameters and have adequate governance over the system's operation. Just because your vendor says the system is configured to “industry standards” does not mean that it is appropriately configured for your institution's risk profile. This session will provide an in-depth discussion on what is involved in a comprehensive system validation.

2:30 PM – 3:30 PM

## **SMALL BUSINESS 1071 RULE**

**David Larocque**  
Crowe, LLP

The Consumer Financial Protection Bureau will begin enforcing the collection and reporting of small business credit applications as mandated by Section 1071 of the Dodd-Frank Act.

In this presentation, we will discuss the technical requirements of the Section 1071 final rule, what your financial services organization should consider in order to comply with the requirements, and potential challenges that your financial services organization may encounter during implementation.

You should leave this presentation with the ability to:

- Briefly state the history of Section 1071 and its regulatory requirements
  - Describe the importance of data gathered via Section 1071 requirements to financial services organizations
  - Determine the potential challenges of implementing Section 1071 requirements within your organization
- Establish next steps for timely implementation of Section 1071 requirements

3:30 PM

**ADJOURN**