# Compliant AMC Management

## **Compliance and AMCs**

When using multiple AMCs, you need a consolidated software platform to comply with AIR, and with the third party oversight requirements of OCC, FDIC, CFPB, FNMA and others.

### From CFPB Bulletin 2012-03, April 13, 2012:

- "Regulated entities are expected to oversee their business relationships with service providers in a manner that ensures compliance with Federal consumer financial law, which is designed to protect the interests of consumers and avoid consumer harm."
- "The lending institution is not absolved from responsibility of the third party's compliance."





Visit <u>www.MercuryVMP.com/TPO</u> for the free white paper with links and indepth discussion of relevant regulations.

### **Due diligence and AMCs**

The OCC mandates due diligence be conducted on third party service providers.

### From OCC Bulletin 2013-29:

- Mandates due diligence in selecting the third party
- Requires ongoing, consistent monitoring of activities and performance throughout the life cycle of the relationships
- Specifies responsibility for compliance with regulations, including provisions of the Gramm-Leach-Billey Act for consumer privacy
- Outlines the documentation and reporting expectations
- Mandates processes for vendor onboarding and easy substitutions when needed

#### OCC BULLETIN 2013-29

Subject: Third-Party Relationships Date: October 30, 2013 To: Chief Executive Officers and Chief Risk Officers of All National Banks and Federal Savings Associations, Technology Service Providers, Department and Division Heads, All Examining Personnel, and Other Interested Parties

**Description: Risk Management Guidance** 

#### Summary

This bulletin provides guidance to national banks and federal savings associations (collectively, banks) for assessing and managing risks associated with third-party relationships. A third-party relationship is any business arrangement between a bank and another entity, by contract or otherwise. \(^1\)

The Office of the Comptroller of the Currency (OCC) expects a bank to practice effective risk management regardless of whether the bank performs the activity internally or through a third party. A bank's use of third parties does not diminish the responsibility of its board of directors and senior management to ensure that the activity is performed in a safe and sound manner and in compliance with applicable laws.<sup>2</sup>

This bulletin rescinds OCC Bulletin 2001-47, "Third-Party Relationships: Risk Management Principles," and OCC Advisory Letter 2000-9, "Third-Party Risk." This bulletin supplements and should be used in conjunction with other OCC and interagency issuances on third-party relationships and risk management listed in appendix B. In connection with the issuance of this bulletin, the OCC is applying to federal savings associations (FSA) certain guidance applicable to national banks, as indicated in appendix B.

### Highlights

 A bank should adopt risk management processes commensurate with the level of risk and complexity of its third-party relationships.

## Solution: Manage all your AMCs from a single platform

- Comply with AIR, CFPB, OCC and other regulations regarding third party oversight and due diligence
- Eliminate unnecessary due diligence burdens of using multiple vendors' web portals for appraisal ordering and management
- Ensure borrower payments are handled in compliance with PCI
- Consolidate your compliance control, ensuring consistent practices across all channels
- Easily compare vendor performance as required by regulations
- Onboard new vendors quickly for business continuity, as required by OCC
- Prove compliance with automatically recorded audit trails for every appraisal order, regardless of vendor

## Compliance aside, there are several operational benefits:

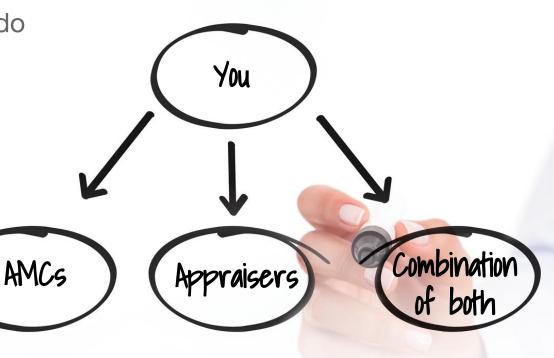
- More efficient vendor management
- Consolidated settings and preferences, ensuring consistent practices across all channels
- One technology interface, rather than expense and due diligence required for integrating with multiple AMCs' individual websites
- Reduce delays and accelerate turn times with better data integrity from production to your vendor
- Avoid payment hassles by passing payments directly to your AMCs via Mercury's PCI-compliant tools
- Pass portal transaction fees to your AMCs if you wish

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More than 32,000 individual appraisers are already on board, and any can join free of charge or any software requirements.



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Streetlinks (Lender-X) Solutions
Terra-Val
The Synergy Appraisal Services Family
Timsco, Inc.
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United Appraisal Management
United Lender Services (ULS)
United States Appraisals
USA Appraisal Solutions
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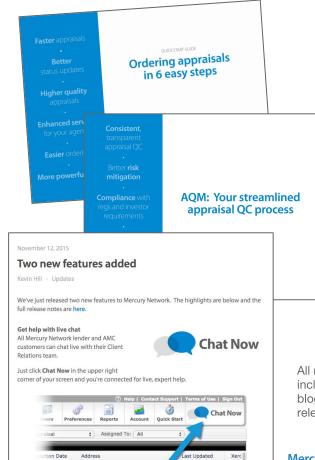






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