

# SEFL Integration 3.3 Examination Playbook

Accountability and Decision Making Playbook

June 28, 2017

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## WHAT'S NEW

- This version of the Playbook accompanies SEFL Integration Policy 3.3.
- This version was produced in MS Word by request and shows revisions from SEFL Integration Policy 3.2 using Track Changes - with the exception of the Exam Process Maps (diagrams).
- The primary change is the switch from calendar days to business days. In most cases, a “simple translation” from calendar to business days:
  - 30 calendar days → 20 business days
  - 7 calendar days → 5 business days
- The diagrams have been revised for ease of reference, viewing and printing. The diagrams also contain new information with regard to business days for many decision points.
- Appendices D and E have been added to support the report review timeline

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## **PLAYBOOK OVERVIEW**

- The Examination Playbook is designed to provide guidance to decision makers on the key decisions identified throughout the examination process and each decision-maker's roles and responsibilities.
- Decision rights outlined in the Playbook are not intended to replace chain of command or limit collaboration; those involved in key decisions should keep supervisors abreast of decisions and collaborate across CFPB as needed.
- This document is intended to be dynamic and updated as improvements are made to the decision-making and examination process.
- The decisions outlined in this document reflect those in the SEFL 3.3 Policy update; guidance may be provided for further clarification or revisions to policies and procedures.
- The decision rights detailed in this document do not release decision-makers from responsibilities provided by other policies and guidance.

## CRITICAL EXAMINATION PROCESS - Decisions for Scoping (1/3)

<b>0.1</b> CFPB Strategic Initiatives	High-level priority determination made at Director level
<b>0.2</b> SEFL Examination Priorities	Determination of examination/IPL priorities based on bureau-wide strategic priorities, risk levels, entity, complaints, field market intelligence (FMI) for the calendar year
<b>0.3</b> SEFL Examination Schedule	Timing and sequencing of examinations for the calendar year; focused only on scheduling, not setting priorities or selecting entities
<b>1.1a</b> FL Data Request and Analysis	Preliminary development of examination scope and information request for Fair Lending Targeted Examinations approximately 125 business days prior to on-site examination
<b>1.2a</b> FL Risk Assessment and Examination Focal Point Identification	Analysis by FL supervision attorneys and economists prior to on-site examination to identify focal points for Fair Lending Targeted Examinations 40 business days prior to on-site exam
<b>1.3a</b> FL Scope Summary and Info Request	Development of scope summary document and preparation of the information request for additional information required 20-30 business days prior to on-site examination
<b>1.4a</b> FL Final Examination Schedule	Finalized on-site scheduling based on review of entity documentation and CFPB resource constraints; decision is to be made in the context of the regional examination start and end dates made in Decision 0.3
<b>1.5a</b> FL Final Scope	Finalized scope for Fair Lending Targeted Examinations based on review of entity documentation and CFPB resource constraints
<b>1.3b</b> Preliminary Scope and Info Request	Preliminary examination scoping including product lines and modules and development/ preparation of the Information Request for Targeted examinations approximately 60-80 business days prior to on-site examination
<b>1.4b</b> Final Examination Schedule	Finalized scheduling based on review of entity documentation and resource constraints; decision is to be made in the context of the regional examination start and end dates made in Decision 0.3
<b>1.5b</b> Final Scope	Finalized scope for Targeted examinations based on review of entity documentation and CFPB resource constraints



## CRITICAL EXAMINATION PROCESS - Decisions for On-site and Off-site Analyses (2/3)

<b>2.1</b> Workpapers	Determination of which templates to compile for findings documentation and final workpapers to support final examination conclusions
<b>2.2</b> Scope Modifications	Modifications to examination scope after initial scope is finalized
<b>2.3</b> Optional Fact Verification Memo	Review and validation of factual findings (without legal interpretation) during the examination with entity; generally happens multiple times throughout duration of on-site examination phase
<b>2.4</b> Post-Examination Status Meeting with Entity	Meeting with entity to disclose preliminary findings and provide status update/next steps around open questions
<b>2.5</b> Duration of Off-site Analysis Period	Extensions to the period of time for off-site analysis in a given examination, beyond the 10 business days that each examination is granted. Additional 10 business day units of analysis time may be added up to three times, for a total of up to 40 business days. Further increments may be added in unique circumstances where examinations require complex statistical analysis.
<b>2.6a</b> Move to Expedited Review	Determination of which review track an exam will follow based on whether the exam is “clean” or not. “Clean” exams are those exams that do not require interpretation from legal, do not require a Potential Action and Request for Response (PARR) Letter, and do not require the ARC process. In general, “clean” exams also have minimal violations and low consumer harm/risk.
<b>2.6b</b> Need for Legal Opinion	Determination of need for sending a memo to Legal outlining preliminary factual findings and legal analysis; this memo serves as primary input for Legal’s determination on a violation decision
<b>2.7a</b> Violation Decision for Non-Routine Questions of Law	Determination if violation around non-routine questions of law, except discrimination-related ECOA, has occurred
<b>2.7b</b> Violation Decision for Non-Routine Questions of Law (Regulations)	Determination if violation around non-routine questions of law (regulations), except discrimination-related ECOA, has occurred
<b>2.7c</b> Violation Decision for Non-Routine Questions of Law (Fair Lending)	Determination if discrimination in violation of ECOA or Regulation B may have occurred
<b>2.8</b> Need for PARR letter	Determination of need for sending a Potential Action and Request for Response (PARR) Letter to the entity



## **CRITICAL EXAMINATION PROCESS - Decisions for Off-site and Report Review (3/3)**

<b>2.9a</b> PARR Letter Approval	A PARR Letter provides a supervised entity notice that the CFPB has found potential violation(s) of Federal consumer financial law and is considering possible public enforcement action. Subject entities are invited to substantively respond to PARR Letters within 14 calendar days. A PARR Letter may be used when addressing both potential non-ECOA (or non-discrimination ECOA) violations and HMDA violations.
<b>2.9b</b> PARR-Fair Lending (FL) Letter Approval	Documentation of 1) preliminary findings of potential ECOA violation(s), notice that the CFPB is considering referral to the Department of Justice and possible public enforcement action, and an invitation to the institution to respond within 14 calendar days; or 2) preliminary findings of HMDA violation(s), and possible public enforcement action, and an invitation to the institution to respond within 14 calendar days
<b>2.10</b> Need to ARC	Determination of need for developing an ARC Memo and holding an ensuing ARC Meeting
<b>2.11</b> ARC Memo Approval	Development of ARC Memo (internal) and recommended decision to pursue public enforcement action or non-public supervisory action
<b>2.12</b> ARC Decision on Enforcement or Supervision	Decision by ARC members (Assistant Directors of the SEFL Offices or their designees) on whether or not a matter will be pursued through public enforcement action
<b>3.1</b> Expedited-Review Track Report Approval	Decision and ratification that an expedited exam report (per Decision 2.5) is finalized and ready to be sent to Prudential Regulators/entity
<b>3.2</b> Full-Review Track Report Approval	Decision and ratification that an exam report under Full Review (per Decision 2.5) is finalized and ready to be sent to Prudential Regulators/entity

## TYPES OF DECISION RIGHTS

	INPUT (I)	MAKE (M)	RATIFY (R)	NOTIFY (N)
<b>What it Means</b>	Right to <b>provide input or be consulted</b> before a decision is made	Right to <b>make decisions</b> in light of key input gathered	Right to <b>veto or overturn a decision</b>	Right to <b>be notified</b> of a decision outcome after it has been made or ratified
<b>General Allocation Principles</b>	<p>Should only be allocated to those who <b>must provide a critical input</b> in decision making process</p> <p>Only the <b>smallest effective number of people</b> should have input rights</p> <p><b>Others may be kept “in the loop”</b> but do not have a formal right to provide input</p>	<p><b>Only one person</b> should have this right to ensure clear accountability<sup>1</sup></p> <p>Takes the decision, bearing the <b>consequences for its outcome</b></p> <p>Key considerations in allocation are: <b>knowledge; inter-dependencies; and skill / experience</b> of decision maker</p>	<p><b>Make and Ratify rights must be separated</b></p> <p>The number of people with ratify rights should be the <b>minimum necessary</b></p> <p>Ratify rights should be <b>used infrequently</b> so as not to diminish the power of the Make right</p>	<p>In general, people should be notified if they are <b>required to participate in implementation of the decision</b></p> <p>Typically, those who provide <b>input</b> to a decision are also <b>notified</b> after the fact</p>

*Note: Make and ratify rights may be delegated at the discretion of leadership.*

<sup>1</sup> In some cases (such as the ARC approval process) there may be multiple make rights.

## EXAMINATION PROCESS: Decision Rights Allocation Chart (1/5)

Decisions		Headquarters															Regions <sup>2</sup>					Other <sup>3</sup>					
		OSE Oversight	RAMPS	OSE Deputy AD	OSE Assistant Director	OSP POC	OSP Program Manager	OSP Deputy AD	OSP Assistant Director	Legal	FL POC	FL Deputy AD	FL Assistant Director	ENF Staff/Deputy	ENF Assistant Director	SEFL Associate Director	Director	EIC	Regional Analyst	Review Examiner	FM/SEM	ARD	RD	Office of Regulations (Regs)	Office of Research (OR)		
Scoping	0.1 CFPB Strategic Priorities				I,N				I,N	I,N				I,N		I,N	I,N	M							N		
	0.2 SEFL Exam Priorities	N	I,N	N	R	I,N	I,N	I,N	M	N	I,N	I,N	M	I,N		R	R	I,N	I,N		I,N	I,N	I,N				
	0.3 SEFL Exam Schedule	N	N	I,N	R	N	I,N	N	R		I,N	I,N	R	I,N	R						I,N	I,N	M				
	1.1a FL Data Request and Analysis					N					M		R	N				I,N			I,N	N	N			I,N	R
	1.2a FL Risk Assessment and Examination Focal Point Identification					N					M		R					I,N			I,N	N	N			I,N	R

*Note: Refer to Playbook sections “Types of Decision Rights” and “Roles and Responsibilities by Decision” for further information.*

<sup>2</sup> Decision rights in the Region may be delegated at the discretion of the RD. The FM/SEM may assume EIC Make Rights for non-commissioned EICs.

<sup>3</sup> Throughout this document, all input and ratify rights given to the Office of Research (OR) Economist or Section Chief are limited to examinations in which they are providing statistical/econometric analysis, and may only be exercised for decisions related to that analysis, including how it is characterized. FL will facilitate the exercise of OR decision rights where the decision maker is not in FL.



## EXAMINATION PROCESS: Decision Rights Allocation Chart (2/5)

Decisions		Headquarters															Regions					Other			
		OSE Oversight	RAMPS	OSE Deputy AD	OSE Assistant Director	OSP POC	OSP Program Manager	OSP Deputy AD	OSP Assistant Director	Legal	FL POC	FL Deputy AD	FL Assistant Director	ENF Staff/Deputy	ENF Assistant Director	SEFL Associate Director	Director	EIC	Regional Analyst	Review Examiner	FM/SEM	ARD	RD	Office of Regulations (Regs)	Office of Research (OR)
Scoping	1.3a FL Scope Summary and Information Request					I,N				I,N	R		I,N					M				R			I,N,R
	1.4a FL Final Examination Schedule		N			N	N			N	N	I,N		I,N				M			R				I,N
	1.5a FL Final Scope					I,N				I,N	R		I,N					M				R			I,N,R
	1.3b Preliminary Scope & Info Request					I,N	R				I <sup>4</sup> ,N	R <sup>3</sup>		I,N				M			R				
	1.4b Final Examination Schedule		N			N	I,N			N	N	I <sup>3</sup> ,N		I,N				M			R				
	1.5b Final Scope					I,N	N				I <sup>3</sup> ,N			I,N				M				R			

*Note: Refer to Playbook sections “Types of Decision Rights” and “Roles and Responsibilities by Decision” for further information.*

<sup>4</sup> FL decision rights are for HMDA Verification Reviews.



## EXAMINATION PROCESS: Decision Rights Allocation Chart (3/5)

Decisions		Headquarters															Regions					Other			
		OSE Oversight	RAMPS	OSE Deputy AD	OSE Assistant Director	OSP POC	OSP Program Manager	OSP Deputy AD	OSP Assistant Director	Legal	FL POC	FL Deputy AD	FL Assistant Director	ENF Staff/Deputy	ENF Assistant Director	SEFL Associate Director	Director	EIC	Regional Analyst	Review Examiner	FM/SEM	ARD	RD	Office of Regulations (Regs)	Office of Research (OR)
On-site and Off-site Analysis	2.1 Workpapers					I,N					I,N			I,N				M				R			I,N
	2.2 Scope Modifications					I,N	R				I,N	R		I,N	R			I,N			M		R		I,N,R
	2.3 Optional Fact Verification Memo					I,N					I,N		R <sup>5</sup>	I,N				M			R				I,N,R
	2.4 Post-Exam Status Meeting with Entity					I,N	I,N			N	I <sup>4</sup> ,N	I <sup>4</sup> ,N	R <sup>6</sup>	I,N	R			M				R			I,N,R
	2.5 Duration of Off-site Analysis	N			R	I,N	I,N	N	R <sup>4</sup>		I <sup>4</sup> ,N	I <sup>4</sup> ,N	R <sup>4</sup>					I,N			I,N	M	R		I,N
	2.6a Move to Expedited Review					I,N	I,N		R		I,N	I,N	R <sup>4</sup>	I,N	R			M				R			

*Note: Refer to Playbook sections “Types of Decision Rights” and “Roles and Responsibilities by Decision” for further information.*

<sup>5</sup> FL decision rights are for: 1) ECOA Targeted Reviews, 2) HMDA Verification Reviews, 3) other types of reviews/documents that cite violations or facts that relate to ECOA or HMDA, or that describe risks of violations under ECOA or HMDA, and 4) other types of reviews with MRAs related to ECOA or HMDA, including ECOA or HMDA compliance management. For Decision 2.5, OSP decision rights are applicable to those exams with an OSP HQ lead POC, FL decision rights are for those exams with a FL HQ lead POC.

<sup>6</sup> FL Ratify rights are FL Enforcement decisions.

## EXAMINATION PROCESS: Decision Rights Allocation Chart (4/5)

Decisions		Headquarters															Regions					Other			
		OSE Oversight	RAMPS	OSE Deputy AD	OSE Assistant Director	OSP POC	OSP Program Manager	OSP Deputy AD	OSP Assistant Director	Legal	FL POC	FL Deputy AD	FL Assistant Director	ENF Staff/Deputy	ENF Assistant Director	SEFL Associate Director	Director	EIC	Regional Analyst	Review Examiner	FM/SEM	ARD	RD	Office of Regulations (Regs)	Office of Research (OR)
Off-site Analysis	2.6b Need for Legal Opinion					I,N	M		R	N	I,N	M	R	I,N				I,N			I,N		R		I,N
	2.7a Violation Decision for Non-Routine Questions of Law					I,N	I,N		I,N	M			I,N	I,N	I,N	R <sup>7</sup>	R <sup>6</sup>	I,N			I,N	I,N	I,N		
	2.7b Violation Decision for Non-Routine Questions of Law (Regs.)					I,N	I,N		I,N	R			I,N	I,N	I,N	R <sup>6</sup>	R <sup>6</sup>	I,N			I,N	I,N	I,N	M,N	
	2.7c Violation Decision for Non-Routine Questions of Law (FL)									R	I,N	I,N	M			R <sup>6</sup>	R <sup>6</sup>	I,N			I,N	I,N	I,N	R	I,N, R
	2.8 Need for PARR Letter			N		I,N	I,N	I,N	R		I <sup>3</sup> ,N	I <sup>3</sup> ,N	R <sup>3</sup>	I,N	R			I,N			M		R		
	2.9a PARR Letter Approval			N		I,N	M	I,N		I,N	I <sup>3</sup> ,N	I <sup>3</sup> ,N	I <sup>3</sup> ,N	I,N				I,N			I,N		R		
	2.9b PARR-FL Letter Approval									N	M	R		I,N				I,N			I,N		I,N		I,N

*Note: Refer to Playbook sections “Types of Decision Rights” and “Roles and Responsibilities by Decision” for further information.*

<sup>7</sup> The SEFL Associate Director and the Director have Ratify rights in cases where there is disagreement. Refer to the SEFL Integration Policy for details.

## EXAMINATION PROCESS: Decision Rights Allocation Chart (5/5)

Decisions		Headquarters															Regions					Other			
		OSE Oversight	RAMPS	OSE Deputy AD	OSE Assistant Director	OSP POC	OSP Program Manager	OSP Deputy AD	OSP Assistant Director	Legal	FL POC	FL Deputy AD	FL Assistant Director	ENF Staff/Deputy	ENF Assistant Director	SEFL Associate Director	Director	EIC	Regional Analyst	Review Examiner	FM/SEM	ARD	RD	Office of Regulations (Regs)	Office of Research (OR)
Off-site Analysis	2.10 Need to ARC					I,N	I,N	I,N	R		I,N	I,N	R	I,N	R			I,N			M		R		N
	2.11 ARC Memo Approval					I,N				I,N	I,N	I,N		I,N				I,N			M		R		I,N
	2.12 ARC Decision on Enforcement or Supervision	N				M				M	N			M		M	R						I,N		N
Report Review	3.1 Expedited-Review Track Report Approval	N				I,N	I,N	I,N			I <sup>4</sup> ,N	I <sup>4</sup> ,N		N				I,N		I,N	I,N	M	R		I,N
	3.2 Full-Review Track Report Approval	N				R	I,N	I,N	I,N	R	I <sup>8</sup> ,N	I,N	I <sup>4</sup> ,N	R <sup>4</sup>	I,N		R		I,N		I,N	I,N	M	R	

*Note: Refer to Playbook sections “Types of Decision Rights” and “Roles and Responsibilities by Decision” for further information.*

<sup>8</sup> Legal decision rights are for non-routine questions of law only.

## ROLES AND RESPONSIBILITIES BY DECISION

### PRE-SCOPING: 0.1 CFPB Strategic Priorities

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSE Assistant Director (AD)	Provide Division-wide perspectives to Director to consider when developing/revising the Bureau-wide priorities
	OSP Assistant Director (AD)	
	FL Assistant Director (AD)	
	ENF Assistant Director (AD)	
	SEFL Associate Director	
	Legal	
<b>MAKE</b>	Director	Determine Bureau-wide priorities with input from the SEFL Associate Director, SEFL Assistant Directors, Legal Division, federal government, and market actors
<b>NOTIFY</b>	Regional Directors (RDs), OSE AD	Receive notification from Director/SEFL Associate Director on Bureau-wide priorities and convene meeting(s) to begin developing the SEFL Examination Priorities and high-level SEFL Schedule
	OSP AD	
	FL AD	
	ENF AD	
	SEFL Associate Director	
	Legal	



### PRE-SCOPING: 0.2 SEFL Examination Priorities

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, Regional Analyst, FM/SEM, ARD, RD, RAMPS	Provide strategic priorities, field market intelligence and consumer complaint data through the RAMPS prioritization recommendation document
	OSP POC, OSP Program Manager, OSP Deputy AD	SEFL Offices will seek input from all other divisions as part of an ongoing risk assessment
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	RAMPS consolidates inputs from Supervision Policy, Enforcement and Fair Lending on its assessment of market risk for each market
<b>MAKE</b>	OSP AD	Review documentation of inputs through the RAMPS process
	FL AD	SEFL will present each of the Office's strategies to the Director
<b>RATIFY</b>	OSE AD	Ratify determination of SEFL examination priorities in cases where there is disagreement and provide SEFL Associate Director with a briefing memo of no more than two pages (per SEFL 3.3 Integration Policy).  The SEFL Associate Director will report any disagreements raised and confer with the Director about proposed resolutions
	SEFL Associate Director	
	Director	
<b>NOTIFY</b>	EIC, Regional Analyst, FM/SEM, ARD, RD, RAMPS, OSE Oversight, OSE Deputy ADs	Receive notification of examination priorities; convene team/office-wide staff meetings to communicate priorities
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
	Legal	

### PRE-SCOPING: 0.3 SEFL Examination Schedule

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	FM/SEM, ARD, OSE Deputy ADs	Provide input regarding scheduling and resource allocation issues to RDs to consider when scheduling examinations for the calendar year  FM/SEM are primary input providers based on examination schedule
	OSP Program Manager	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
<b>MAKE</b>	RD	Consult with OSE, OSP, Fair Lending and Enforcement to create a region-specific 12 month schedule of examinations and provide to OSE AD, OSP AD, FL AD, and ENF AD for ratification
<b>RATIFY</b>	OSE AD	Ratify regional examination schedule based on any concerns regarding staffing, resource allocations, priorities or future enforcement concerns  ENF and FL are notified of changes to the schedule on no less than a monthly basis (per SEFL 3.3 Integration Policy) and have ratify rights for changes to scheduling
	OSP AD	
	FL AD	
	ENF AD	
<b>NOTIFY</b>	FM/SEM, ARD, OSE Oversight, OSE Deputy ADs, RAMPS	Receive notification of examination schedules and communicate schedule to staff with respective office/division
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy AD	

*Note: For purposes of this policy, “examination” means either an examination (resulting in a rating) or a target review, which does not.*

### SCOPING: 1.1a FL Data Request and Analysis

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM	Provide input from Office of Research Reports to FL POC during the preliminary scoping discussions around examination scope and development of data request  Provide input on draft data request letter
	Office of Research (OR) Economist <sup>9</sup>	
<b>MAKE</b>	FL POC	Receive inputs during Scoping and Data Request Development Discussion and incorporate feedback from EIC, FM/SEM, and OR Economist into the data request letter  Incorporate feedback from FL Deputy AD and FL AD
<b>RATIFY</b>	FL AD	Review Data Request Letter and provide feedback if there are concerns that may impact scope or analysis  FL AD may delegate to the FL Deputy AD
	OR Section Chief	
<b>NOTIFY</b>	EIC, FM/SEM, ARD, RD	FL POC posts data request letter to SES for reference by OSP POC, ENF Staff/Deputy, EIC, FM/SEM, ARD, RD, and OR
	OSP POC	
	ENF Staff/Deputy	
	Office of Research	

*Note: As the term is used in this policy, Fair Lending Targeted Examinations does not include HMDA verification reviews.*

<sup>9</sup> Throughout this document, all input and ratify rights given to the OR Economist or Section Chief are limited to examinations in which they are providing statistical/econometric analysis, and may only be exercised for decisions related to that analysis, including how it is characterized. FL will facilitate the exercise of OR decision rights where the decision maker is not in FL.

### SCOPING: 1.2a FL Risk Assessment and Examination Focal Point Identification

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM	Provide appropriate input from Office of Research Reports, FMI, and Entity Data to FL POC
	OR Economist	
<b>MAKE</b>	FL POC	Make decision based on review of the Office of Research's regression analysis, FL priorities, and other relevant supervisory information
<b>RATIFY</b>	FL AD	<p>Ratify focal point of FL examination as required if there are concerns such as resource constraints for examination or further data analysis required</p> <p>FL AD may delegate to the FL Deputy AD</p> <p>The OR Section Chief may ratify in instances where it is believed that included focal points are not adequately supported by the economist's research</p>
	OR Section Chief	
<b>NOTIFY</b>	EIC, FM/SEM, ARD, RD	<p>Receive notification of contents of Regression Analysis/FL Targeted examination Focal Point Memo and use the memo to inform the development of additional Data or Info Requests (Template to be found on SES) and Scope Summary</p>
	OSP POC	
	Office of Research	



### SCOPING: 1.3a FL Scope Summary and Information Request

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC	Provide Regression Analysis/FL Targeted examination Focal Point Memo to EIC and the examination team via SES
	FL POC	
	ENF Staff/Deputy	Advise EIC on level of analysis required for scope and any ENF concerns
	OR Economist	
<b>MAKE</b>	EIC	<p>Download Regression Analysis/FL Targeted examination Focal Point Memo from SES and develop Scope Summary and necessary information request documentation</p> <p>Review with FL POC, OSP POC, ENF Staff/Deputy, and OR Economist for inputs on scope summary and information request</p>
<b>RATIFY</b>	FL Deputy Assistant Director	Review contents of FL Scope Summary Document and Info Request and ratify as appropriate prior to submission of the information request to institution
	ARD	
	OR Section Chief	
<b>NOTIFY</b>	OSP POC	Receive notification of contents of FL Scope Summary and Info Request through submission to SES
	FL POC	
	ENF Staff/Deputy	
	Office of Research	

### SCOPING: 1.4a FL Final Examination Schedule

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	FL Deputy AD	Provide relevant input on the availability of FL, ENF and OR resources
	ENF Staff/Deputy	
	OR Economist	Provide input during the bi-weekly calls to EIC to ensure that schedule of supervised entities does not conflict with ENF actions  OR Economist will provide relevant input regarding their availability to participate on-site, so that the EIC is aware of these constraints when scheduling OR-related activities within an exam
<b>MAKE</b>	EIC	Determine examination schedule based on review of entity documentation, resource constraints, and inputs from OR Economist, FL Deputy AD, and ENF Staff/Deputy
<b>RATIFY</b>	FM/SEM	Ratify examination schedule as required based on resource availability to support examination
<b>NOTIFY</b>	RAMPS	Receive notification of upcoming FL examination schedule through bi-weekly calls
	OSP POC, OSP Program Manager	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
	Legal	
	OR Economist	

### SCOPING: 1.5a FL Final Scope

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC	Provide input through bi-weekly calls to EIC to ensure final scope aligns with all available data/information provided by the entity in response to the data/information request
	FL POC	
	ENF Staff/Deputy	
	OR Economist	
<b>MAKE</b>	EIC	Finalize scope based on review of entity documentation and resource constraints as well as input from stakeholders. Upload final Scope Summary to SES
<b>RATIFY</b>	ARD	Ratify final Fair Lending scope consistent with the focal points developed in decision 1.2a
	FL Deputy AD	
	OR Section Chief	OR Section Chief ratifies only if the scope is changed in a way that affects OR resources
<b>NOTIFY</b>	OSP POC	Receive notification of final FL Scope (document and discussion on bi-weekly calls)
	FL POC	
	ENF Staff/Deputy	
	Office of Research	

### SCOPING: 1.3b Preliminary Scope and Information Request

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC	Provide input to EIC during schedule pre-scoping discussions 60-80 business days prior to on-site examination  <i>Note: FL POC input is for HMDA verification reviews only</i>
	FL POC (as applicable)	
	ENF Staff/Deputy	
<b>MAKE</b>	EIC	Gather inputs, determine preliminary scope, and draft Information Request (IR)  Upload Preliminary Scope Document and Information Request Letter to SES
<b>RATIFY</b>	<i>FM/SEM</i>	Review contents of Preliminary Scope and IR and ratify prior to submission of the IR to the institution  <i>OSP Program Manager and FM/SEM ratify for examinations that do not include HMDA verification</i>  <i>FL Deputy AD, FM/SEM, OSP Program Manager, ratify for examinations that include HMDA verification in addition to other non-FL areas of review</i>  <i>FL Deputy AD and FM/SEM ratify for examinations that include HMDA verification only</i>
	<i>OSP Program Manager</i>	
	<i>FL Deputy AD</i>	
<b>NOTIFY</b>	OSP POC	Receive notification that non-FL Scope Summary and IR are posted to SES
	FL POC	
	ENF Staff/Deputy	



### SCOPING: 1.4b Final Examination Schedule

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP Program Manager	Provide input to final examination schedule to EIC or through bi-weekly calls to ensure schedule does not conflict with ENF actions  <i>Note: FL decision rights are for HMDA verification reviews only</i>
	FL Deputy AD (as applicable)	
	ENF Staff/Deputy	
<b>MAKE</b>	EIC	Finalize the exam schedule based on a review of entity documentation, resource constraints, and stakeholder input  On-going dialogue should occur between EIC and FM/SEM when determining examination schedule
<b>RATIFY</b>	FM/SEM	Ratify the final examination schedule
<b>NOTIFY</b>	RAMPS	Receive notification of schedule from OSP POC or through bi-weekly calls
	OSP POC, OSP Program Manager	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
	Legal	

### SCOPING: 1.5b Final Scope

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC	Work directly with EIC to provide input on final scope of examination to ensure final scope aligns with all available data/information provided by the entity in response to the data/information request  <i>Note: FL POC input is for HMDA verification reviews only</i>
	FL POC (as applicable)	
	ENF Staff/Deputy	
<b>MAKE</b>	EIC	Incorporate input from OSP POC, FL POC, and ENF Staff/Deputy and make final decision of examination scope  Upload final Scope Summary to SES
<b>RATIFY</b>	ARD	Ratify final examination scope document as needed with focus on ensuring the level of detail and resources are appropriate
<b>NOTIFY</b>	OSP POC, OSP Program Manager	Receive notification of final examination scope (document and discussion on bi-weekly calls)
	FL POC	
	ENF Staff/Deputy	

### ON-SITE ANALYSIS: 2.1 Workpapers

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC	Work directly with EIC during early stages of the on-site examination phase to ensure that the chosen workpapers are able to support the examination findings
	FL POC (as applicable)	
	ENF Staff/Deputy	ENF input will focus on ensuring workpapers will be able to support any substantive examination findings and potential enforcement action  <i>Note: FL and OR Economist input is focused on ECOA/HMDA related workpapers</i>
	OR Economist (as applicable)	
<b>MAKE</b>	EIC	Solicit input on appropriate findings templates and workpapers and upload applicable documentation to SES or store the documentation in such other location as is consistent with the Office of Supervision's guidelines
<b>RATIFY</b>	ARD	Ratify selected workpaper templates providing feedback to EIC
<b>NOTIFY</b>	OSP POC	Receive notification of which templates/workpapers will be used for examination during biweekly calls
	FL POC (as applicable)	
	ENF Staff/Deputy	<i>Note: FL POC and OR Economist notification is related to ECOA/HMDA workpapers only</i>
	OR Economist (as applicable)	

### ON-SITE ANALYSIS: 2.2 Scope Modifications

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC	Identify scope changes and discuss impacts during bi-weekly call
	OSP POC	EIC to provide request for scope change to FM/SEM
	FL POC	
	ENF Staff/Deputy	
	OR Economist (as applicable)	
<b>MAKE</b>	FM/SEM	<p>Gather stakeholder input on impact of scope change</p> <p>Determine scope modifications with consideration for personnel resource constraints in Supervision/FL Headquarters, ENF, and the Regions</p> <p>Modify Scope Summary document and upload to SES</p>
<b>RATIFY</b>	RD	Ratify modified examination scope summary, which serves as the official document outlining changes to scope and its consequences
	OSP Program Manager	
	FL Deputy AD	<i>OR Section Chief ratifies only if the scope is changed in a way that affects OR resources</i>
	ENF Assistant Director	
	<i>OR Section Chief</i>	
<b>NOTIFY</b>	EIC	Receive notification from FM/SEM on bi-weekly call to note impacts of scope modification and reference updated Scope Summary in SES
	OSP POC	
	FL POC	
	ENF Staff/Deputy	
	Office of Research (as applicable)	



### ON-SITE ANALYSIS: 2.3 Optional Fact Verification Memo

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC	Provide input to EIC and examination team regarding examination findings on bi-weekly calls and where additional facts may be required to support findings  <i>Note: FL and OR input rights are for FL Targeted Reviews or Examinations with FL issues/violations (i.e., ECOA or HMDA)</i>
	FL POC (as applicable)	
	ENF Staff/Deputy	
	OR Economist (as applicable)	
<b>MAKE</b>	EIC	Gather stakeholder input on bi-weekly calls  Draft and, upon approval, send Fact Verification Memo to entity
<b>RATIFY</b>	FM/SEM	Ratify contents of Fact Verification and approve for EIC to send to entity  <i>FL AD ratifies decisions for FL Targeted Reviews or Examinations with FL issues/violations (i.e., ECOA or HMDA)</i>  <i>OR Section Chief (as applicable) ratifies decisions for FL Targeted Examinations or other ECOA or HMDA issues along with the FL AD</i>
	<i>FL AD (as applicable)</i>	
	<i>OR Section Chief (as applicable)</i>	
<b>NOTIFY</b>	OSP POC	Receive update on Fact Verification Memo and entity response on bi-weekly calls
	FL POC (as applicable)	
	ENF Staff/Deputy	
	Office of Research (as applicable)	

### ON-SITE ANALYSIS: 2.4 Post-Examination Status Meeting with Entity

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC, OSP Program Manager	<p>Provide input to EIC on what can be shared with the entity in regards to (1) findings that the CFPB can take a definitive stance on next steps and (2) open issues that require further analysis</p> <p>Input will be provided during bi-weekly calls and documented in a post-examination status meeting script or outline</p> <p><i>Note: FL decision rights are for: (1) ECOA Targeted Reviews; (2) HMDA Verification Reviews; (3) other types of reviews/documents that cite violations or facts that relate to ECOA or HMDA, or that describe risks of violations under ECOA or HMDA; and (4) other types of reviews with MRAs related to ECOA or HMDA, including ECOA or HMDA compliance management</i></p>
	FL POC, FL Deputy AD, FL ENF Staff/Deputy (as applicable)	
	ENF Staff/Deputy	
	OR Economist, OR Section Chief (as applicable)	
<b>MAKE</b>	EIC	<p>Gather input from stakeholders on bi-weekly calls and develop a post-examination status meeting script or outline regarding findings or open issues</p> <p>Facilitate meeting with entity after receiving ratification</p>
<b>RATIFY</b>	ARD	<p>Ratify the content within the meeting script or outline for post-examination status meeting with entity to ensure analysis supports findings to be shared with entity</p> <p><i>Note: FL AD ratify rights are as applicable to FL enforcement decisions</i></p>
	FL AD (as applicable)	
	ENF AD	
	OR Section Chief (as applicable)	
<b>NOTIFY</b>	OSP POC, OSP Program Manager, OSP Deputy Assistant Director	<p>Receive notification of what information will be shared with entity and when the meeting is scheduled to occur</p>
	FL POC, FL Deputy AD (as applicable)	
	ENF Staff/Deputy	
	Legal	
	OR Economist, OR Section Chief (as applicable)	

## OFF-SITE ANALYSIS: 2.5 Duration of Off-Site Analysis Period

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM	The OSP POC or FL POC gathers input from their respective Program Manager or Deputy Assistant Director
	OSP POC, OSP Program Manager	Either the OSP POC or FL POC provides input to ARD, FM and EIC on how long any HQ analysis is expected to take, and whether a request for extension has come from any other office
	FL POC, FL Deputy AD	
	OR Section Chief (as applicable)	The FM and EIC provide input to either the OSP POC or FL POC on the status of any information requests, or PARR /PARR-FL responses  Either the OSP POC or FL POC serves as the liaison with the Office of Research  <i>Note: FL decision rights are for Fair Lending Targeted Reviews or Examinations with FL issues/violations (i.e., ECOA or HMDA)</i>
<b>MAKE</b>	ARD	Gather input from those with input rights during the initial 10 business days off-site to determine whether an extension of an additional 10 business days is warranted, and request ratification for extensions in a timely fashion
<b>RATIFY</b>	RD	Review requests for extension, and make decision on ratification  <i>Note: FL decision rights are for Fair Lending Targeted Reviews or Examinations with FL issues/violations (i.e., ECOA or HMDA)</i>
	OSE AD	
	OSP AD or FL AD (as applicable)	
<b>NOTIFY</b>	EIC, FM/SEM, OSE Oversight	Receive notification of the decision and the length of the extension, and act accordingly
	OSP POC, OSP Program Manager, OSP Deputy Director	
	FL POC, FL Deputy AD (as applicable)	
	Office of Research (as applicable)	



### OFF-SITE ANALYSIS: 2.6a Move to Expedited Review

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	OSP POC, OSP Program Manager	Provide input to EIC throughout the course of the examination on bi-weekly calls regarding an examination's candidacy for review on the Expedited Review Track based on the "clean" criteria outlined in the SEFL Integration policy  <i>Note: FL decision rights are for FL Targeted Reviews or examinations with FL issues/violations (i.e., ECOA or HMDA)</i>
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
<b>MAKE</b>	EIC	Evaluate input and determine if an examination will be reviewed on the Expedited Review Track based on the criteria
<b>RATIFY</b>	ARD	Ratify to move an examination to the Expedited Review Track. An exam may not be appropriate for expedited review when there are different views about whether an examination meets the definition of "clean", or when findings are disputed by the entity, HMDA errors are above the resubmission threshold, an examination is focused on a new IPL or entity, or the examination is a roll-up examination  <i>Note: Any parties listed for Decision 2.6a may suggest the decision be revisited in the event that new information presents itself during the review of the report (Decision 3.1)</i>
	OSP AD	
	FL AD	
	ENF AD	
<b>NOTIFY</b>	OSP POC, OSP Program Manager	Receive notification on bi-weekly call that the specified examination will follow the Expedited Review Track
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	



### OFF-SITE ANALYSIS: 2.6b Need for Legal Opinion

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM	Provide input to decision maker on whether a violation has occurred
	OSP POC	
	FL POC	
	ENF Staff/Deputy	
	OR Economist (as applicable)	
<b>MAKE</b>	OSP Program Manager	Determine if it is necessary to develop a memo seeking Legal’s opinion on a violation decision  <i>Note: FL decision rights are for FL Targeted Reviews or Examinations with FL issues/violations (i.e., ECOA or HMDA)</i>  <i>Note: The decision to seek Legal’s opinion can occur at any point in an examination when a potential violation is identified</i>
	FL Deputy AD	
<b>RATIFY</b>	RD	Ratify the decision to consult Legal
	OSP AD	
	FL AD	
<b>NOTIFY</b>	EIC, FM/SEM	Receive notification from either the OSP POC or FL POC that the examination’s potential violations will be referred to Legal for a violation decision
	OSP POC	
	FL POC	
	ENF Staff/Deputy	Legal will be notified formally through the receipt of the legal memo
	Legal	
	OR Economist (as applicable)	

## OFF-SITE ANALYSIS: 2.7a Violation Decision for Non-Routine Questions of Law<sup>10</sup>

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM, ARD, RD	Provide input to the OSP POC who drafts the memo to Legal
	OSP POC, OSP Program Manager, OSP AD	
	FL AD	
	ENF Staff/Deputy, ENF AD	
<b>MAKE</b>	Legal	Determines if a violation has occurred and has the right of “non-objection” to the memo
<b>RATIFY</b>	SEFL Associate Director	In the case where OSP or the region does not agree with Legal’s decision, the decision may be ratified by the SEFL Associate Director or Director
	Director	
<b>NOTIFY</b>	EIC, FM/SEM, ARD, RD	Receive notification regarding Legal’s decision on whether a non-routine violation has occurred
	OSP POC, OSP Program Manager, OSP AD	
	FL AD	
	ENF Staff/Deputy, ENF AD	

<sup>10</sup> *Non-routine matters include potentially unfair, deceptive or abusive acts or practices, substantive claims of discrimination, and all matters where the interpretation or application of a law or regulation is not clear based on the text or any official commentary. Refer to the Examination Manual and SEFL Staff Memos for further information.*

### OFF-SITE ANALYSIS: 2.7b Violation Decision for Non-Routine Questions of Law (Regulations)

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM, ARD, RD	Provide input to the OSP POC who drafts the memo to Regulations
	OSP POC, OSP Program Manager, OSP AD	
	FL AD	
	ENF Staff/Deputy, ENF AD	
<b>MAKE</b>	Office of Regulations	Determines if a violation has occurred and has the right of “non-objection” to the memo
<b>RATIFY</b>	Legal	<i>Legal has ratify rights except for in the case where OSP or the region does <b>not</b> agree with the decision, then the SEFL Associate Director and Director have ratify rights</i>
	<i>SEFL Associate Director</i>	
	<i>Director</i>	
<b>NOTIFY</b>	EIC, FM/SEM, ARD, RD	Receive notification regarding the decision on whether a non-routine violation has occurred
	OSP POC, OSP Program Manager, OSP AD	
	FL AD	
	ENF Staff/Deputy, ENF AD	
	Office of Regulations	

**OFF-SITE ANALYSIS: 2.7c Violation Decision for Non-Routine Questions of Law (Fair Lending)**

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM, ARD, RD FL POC, FL Deputy AD OR Economist	Provide input to FL AD on Fair Lending Initial Determination Memo (FLID)
<b>MAKE</b>	FL AD	Make the decision whether a violation may have occurred and document the decision in a FLID
<b>RATIFY</b>	Legal Office of Regulations OR Section Chief <i>SEFL Associate Director</i> <i>Director</i>	Ratify the FLID  OR Section Chief has a ratify right during the development of the FLID over how OR analysis is characterized  <i>The SEFL Associate Director and Director have ratify rights in the case where FL or the Region does <b>not</b> agree with the way in which Legal or Regulations exercises its ratify right</i>
<b>NOTIFY</b>	EIC, FM/SEM, ARD, RD FL POC, FL Deputy AD Office of Research	Receive notification on outcome of the FLID



### OFF-SITE ANALYSIS: 2.8 Need for a PAAR Letter

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC	Provide input to FM/SEM on bi-weekly call regarding the need for a PARR Letter depending on if there is potential enforcement action and/or it is believed a formal letter is required to convey message to entity  <i>Note: FL decision rights for PARRs are for potential HMDA and/or non-discrimination ECOA violations</i>
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
<b>MAKE</b>	FM/SEM	Gather input from stakeholders on bi-weekly call and determine if a PARR Letter needs to be drafted and sent to entity
<b>RATIFY</b>	RD	Ratify decision to draft a PARR Letter  <i>Note: FL decision rights for PARRs are for potential HMDA and/or non-discrimination ECOA violations</i>
	OSP AD	
	FL AD	
	ENF AD	
<b>NOTIFY</b>	EIC, FM/SEM, ARD, RD, OSE Deputy AD	Receive notification that a PARR Letter will be drafted and sent to entity, inviting the entity to respond with additional information
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	

### OFF-SITE ANALYSIS: 2.9a PARR Letter Approval

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM	<p>Provide input to the OSP Program Manager or delegated OSP POC who is drafting the PARR Letter</p> <p>While not an official decision right, it is a best practice for OSP POC to consult with Legal about specific sections of the PARR Letter relating to non-routine questions of law and incorporate guidance provided from Legal during the Violation Decision</p> <p><i>Note: FL decision rights for PARRs are for potential HMDA and/or non-discrimination ECOA violations</i></p>
	OSP POC, OSP Deputy AD	
	FL POC, FL Deputy AD, FL AD (as applicable)	
	ENF Staff/Deputy	
	Legal	
<b>MAKE</b>	OSP Program Manager	<p>Draft the PARR Letter and circulate for input</p> <p>Incorporate feedback and provide to RD for ratification</p>
<b>RATIFY</b>	RD	<p>Ratify content of PARR Letter</p> <p>Sign and approve sending the PARR Letter to the entity</p>
<b>NOTIFY</b>	EIC, FM/SEM, OSE Deputy AD	<p>Receive notification that a PARR Letter was drafted and sent to entity, inviting the entity to respond with additional information</p>
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD, FL AD (as applicable)	
	ENF Staff/Deputy	
	Legal	

### OFF-SITE ANALYSIS: 2.9b PARR-FL Letter Approval

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, FM/SEM, RD	Review draft PARR-FL Letter and provide input to the FL POC
	ENF Staff/Deputy	
	OR Economist	
<b>MAKE</b>	FL POC	Draft PARR-FL Letter and circulate to stakeholders for input  Sign and, upon approval, send PARR-FL letter to entity
<b>RATIFY</b>	FL Deputy AD	Ratify content of PARR-FL Letter  Approve sending the PARR-FL Letter to the entity
<b>NOTIFY</b>	EIC, FM/SEM, RD	Receive notification that a PARR-FL Letter will be drafted and sent to entity, inviting the entity to respond with additional information
	ENF Staff/Deputy	
	Legal	
	OR Economist	

### OFF-SITE ANALYSIS: 2.10 Need to ARC

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC	Provide input to FM/SEM on bi-weekly call regarding the need to ARC an examination based on official SEFL criteria for initiating the ARC Process (outlined in Part IV of the SEFL Integration Policy)
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
<b>MAKE</b>	FM/SEM	Gather input from stakeholders on bi-weekly call and determine if an examination will go to the ARC Process  <i>Note: FL decision rights are for FL Targeted Reviews or examinations with FL issues/violations (i.e., ECOA or HMDA)</i>
<b>RATIFY</b>	RD	Ratify decision to put an examination through the ARC Process if possible violations warrant further discussion
	OSP AD	
	FL AD	
	ENF AD	
<b>NOTIFY</b>	EIC	Receive notification from the examination POC that an examination will go to ARC and an ARC Memo will be drafted
	OSP POC, OSP Program Manager, OSP Deputy AD	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
	OR Economist (as applicable)	



### OFF-SITE ANALYSIS: 2.11 ARC Memo Approval

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC	Review draft ARC Memo and provide input to FM/SEM; schedule time to review feedback as needed  <i>Note: FL decision rights are for examinations with FL issues/violations (i.e., ECOA or HMDA). ENF decision rights are for all other non-HMDA matters.</i>
	OSP POC	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
	Legal	
	OR Economist (as applicable)	
<b>MAKE</b>	FM/SEM	Draft ARC Memo and circulate for input  Incorporate feedback and provide to RD for ratification and send to <a href="mailto:CFPB_ARC_Request@cfpb.gov">CFPB_ARC_Request@cfpb.gov</a> for distribution
	RD	Ratify content of ARC Memo, sign and approve sending to ARC Committee
<b>NOTIFY</b>	EIC	Receive notification that the ARC Memo has been approved and sent to ARC Committee
	OSP POC	
	FL POC, FL Deputy AD	
	ENF Staff/Deputy	
	Legal	
	OR Economist (as applicable)	

**OFF-SITE ANALYSIS: 2.12 ARC Decision on Enforcement or Supervision**

<b>DECISION RIGHTS</b>	<b>WHO</b>	<b>ROLES AND RESPONSIBILITIES</b>
<b>INPUT</b>	RD	Provide input to ARC Committee via the ARC Memo
<b>MAKE</b>	OSE AD	Review ARC Memo and vote on whether they (a) believe the matter should be handled through the supervisory process, (b) believe that public enforcement action is warranted, (c) wish to convene a meeting of the ARC to discuss the matter, or (d) abstain  ARC Committee vote occurs within 5 business days of receipt of ARC Memo
	OSP AD	
	FL AD	
	ENF AD	
<b>RATIFY</b>	SEFL Associate Director	Ratify ARC Committee vote within 3 business days of ARC Committee vote  Solicit the views of the Assistant Directors, decide the matter, and provide notice of the decision to each of the Assistant Directors and the Regional Director
<b>NOTIFY</b>	RD	Receive notification of the ARC Committee's vote and SEFL Associate Director's decision on tool choice (supervisory action or enforcement action)
	Legal	
	OR Economist (as applicable)	

### REPORT REVIEW: 3.1 Expedited-Review Track Approval

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, Review Examiner, FM/SEM	EIC, Review Examiner, FM/SEM provide input to ARD on draft report
	OSP POC, OSP Program Manager, OSP Deputy AD	Lead HQ POC consolidates HQ input and returns to ARD/Region no later than 15 business days after the report was distributed for stakeholder input
	FL POC, FL Deputy AD	<p><i>Note: The highest level reviewer will depend on the team structure of the applicable OSP group or if the examination has FL components</i></p> <p><i>Note: FL POC and FL Deputy Assistant Director will only review reports for examinations with FL considerations. The FL POC will assume the OSP POC Role for FL Targeted examinations</i></p>
	OR Economist (as applicable)	
<b>MAKE</b>	ARD	<p>Decide on content within the draft report and send to HQ for input no later than 25 business days after the exam is placed on Expedited Review Track. See Appendix D for a breakdown of days.</p> <p>Assess and incorporate consolidated comments, as appropriate, from Lead HQ POC (OSP POC or FL POC) and finalize report within five business days (including the five calendar day courtesy copy to the Prudential Regulator(s) when applicable)</p>
<b>RATIFY</b>	RD	Ratify the content of the final exam report before sending to the entity (or Prudential Regulator if applicable) within five business days of receiving input from HQ)
<b>NOTIFY</b>	EIC, Review Examiner, FM/SEM, OSE Oversight	OSE Oversight monitors the mailbox ( <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a> ) and distributes the draft report to stakeholders for input
	OSP POC, OSP Program Manager, OSP Deputy AD	Receive notification that the report has been approved and is ready to be sent to the entity (or Prudential Regulator(s) if applicable)
	FL POC, FL Deputy AD	<ul style="list-style-type: none"> <li>• <i>There is an additional 30 calendar day period when ERs are sent to Prudential Regulators for review and comment</i></li> </ul>
	ENF Staff/Deputy	

	OR Economist (as applicable)	<ul style="list-style-type: none"><li>• <i>Provide a courtesy copy of the SL for Depository Institutions (only) to Prudential Regulator(s) after the letter has been ratified and five calendar days prior to transmitting the letter to the entity</i></li></ul>
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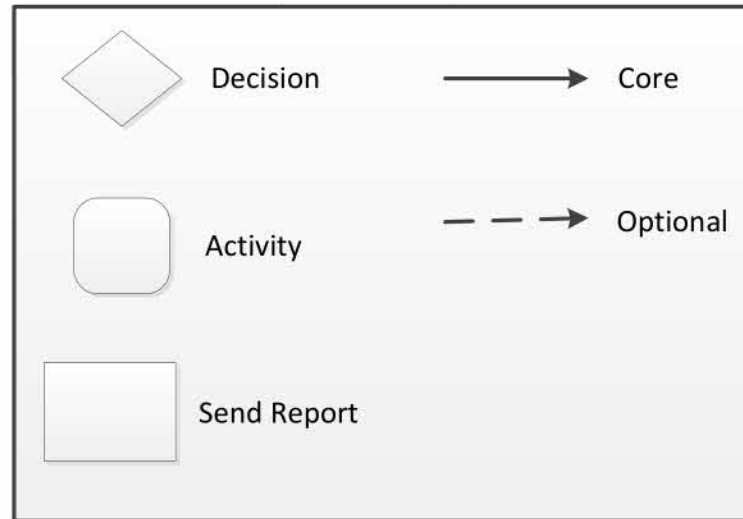
### REPORT REVIEW: 3.2 Full-Review Track Report Approval

DECISION RIGHTS	WHO	ROLES AND RESPONSIBILITIES
<b>INPUT</b>	EIC, Review Examiner, FM/SEM	EIC, Review Examiner, FM/SEM provide input to ARD on draft report
	OSP POC, OSP Program Manager, OSP Deputy AD	Non-Lead HQ POCs provide input on examination findings or policy/legal analysis to Lead HQ POC
	FL POC, FL Deputy AD	Lead HQ POC consolidates HQ input and returns to ARD/Region no later than 13 business days after the report was distributed for stakeholder input
	ENF Staff/Deputy	
	Legal	HQ reviews (including reviews by the stakeholders, SEFL ADs and Associate Director as necessary) are completed in 25 business days
	OR Economist (as applicable)	<p>The highest level reviewer will depend on the team structure of the applicable OSP group or if the examination has FL components</p> <p><i>Note: FL POC will review all reports. However, FL Deputy AD will only review (1) ECOA Targeted Reviews; (2) HMDA Verification Reviews; (3) other types of reviews that cite violations of ECOA or HMDA, or that describe risks of violations under ECOA or HMDA; and (4) other types of reviews with MRAs related to ECOA or HMDA, including ECOA or HMDA compliance management</i></p> <p><i>Note: Legal decision rights are for non-routine questions of law only</i></p>
<b>MAKE</b>	ARD	<p>Decide on content within the draft report and send to HQ for input no later than 15 business days after exam analysis finalized date has been determined. See Appendix E for a breakdown of days.</p> <p>Address and incorporate input from Lead HQ POC, the applicable SEFL ADs, and the SEFL Associate Director (if ratification is necessary at that level) before sending it to the entity or Prudential Regulator(s) (as applicable) within five business days of receiving input from HQ</p>
<b>RATIFY</b>	RD	RD ratifies the final content of the draft report and submits it to HQ

	<p>OSE AD, FL AD, OSP AD</p> <p><i>SEFL Associate Director</i></p>	<p>Applicable SEFL ADs and the Associate Director, if necessary, ratify the final report and return to region for transmitting to entity/Prudential Regulator(s) as appropriate</p> <p><i>SEFL Associate Director will review all examinations with ratings (3, 4, or 5) and has delegated ratification of certain examinations. (See Appendix C)</i></p>
<b>NOTIFY</b>	<p>EIC, Review Examiner, FM/SEM, OSE Oversight</p> <p>OSP POC, OSP Program Manager, OSP Deputy AD</p> <p>FL POC, FL Deputy AD</p> <p>ENF Staff/Deputy</p> <p>Legal</p> <p>OR Economist (as applicable)</p>	<p>OSE Oversight monitors the mailbox (<a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a>) and distributes the draft report to stakeholders for input</p> <p>Receive notification that the report has been approved and is ready to be sent to the entity (or Prudential Regulator(s), if applicable)</p> <ul style="list-style-type: none"> <li>• <i>There is an additional 30 calendar day period when ERs are sent to Prudential Regulators for review and comment</i></li> <li>• <i>Provide a courtesy copy of the SL for Depository Institutions (only) to the appropriate Prudential Regulator(s) after the letter has been ratified and five calendar days prior to transmitting the letter to the entity</i></li> </ul>

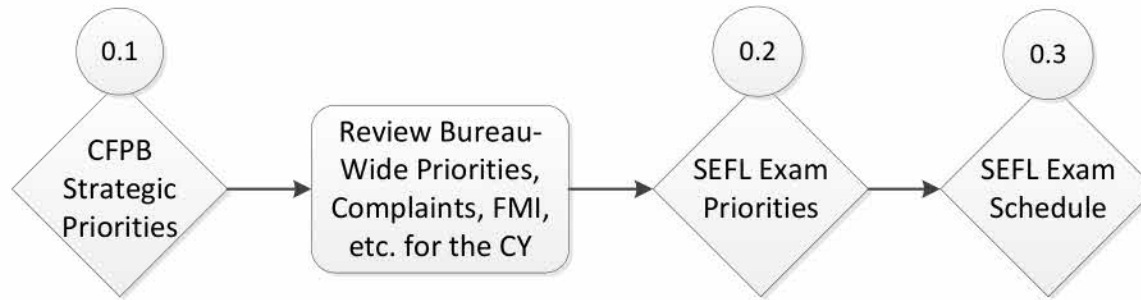
## APPENDIX A: Decision Rights Diagrams

### Symbols Legend



## Decision Rights 0.1-0.3

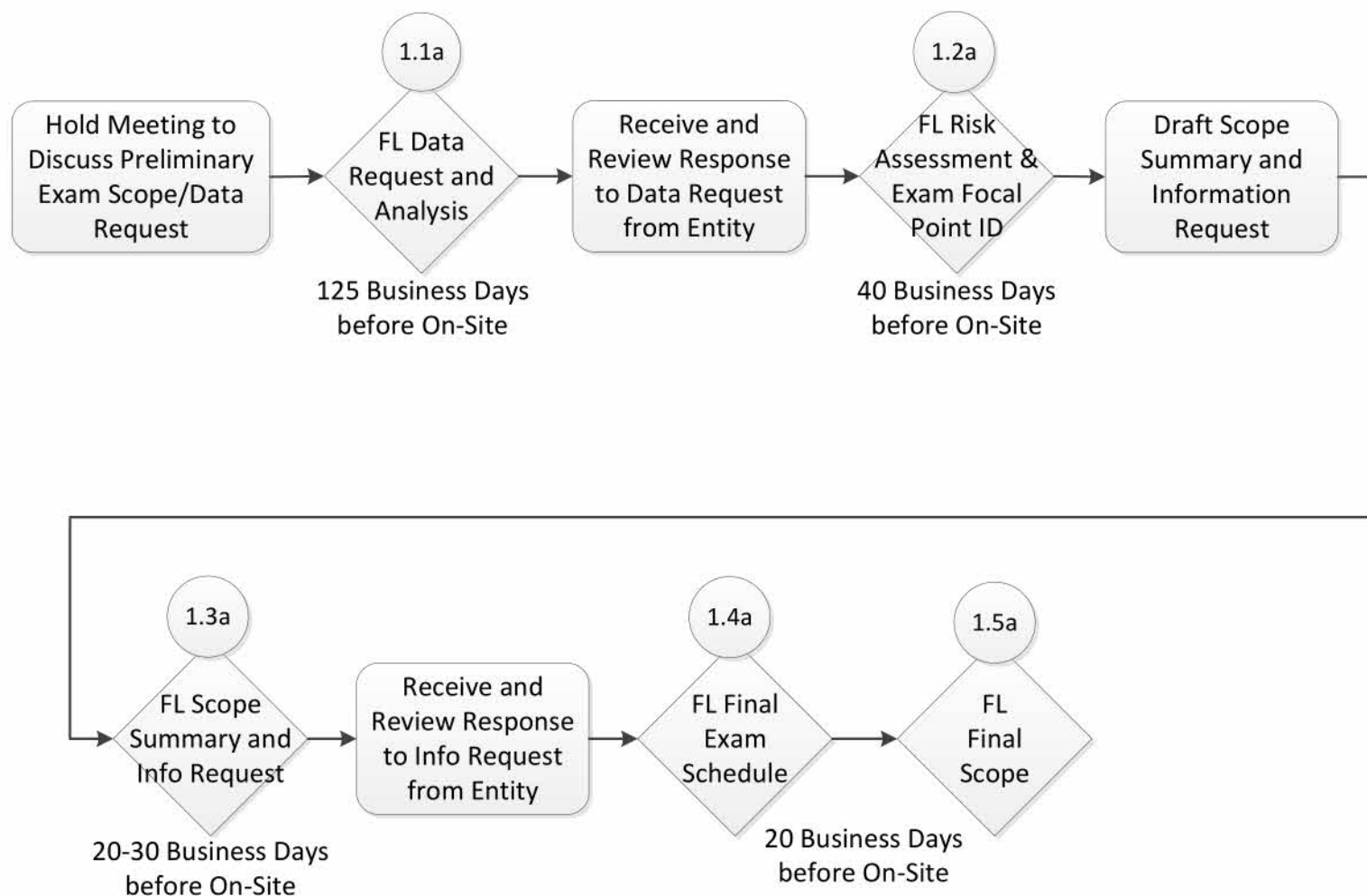
### Identify Priorities and Prepare Examination Schedule





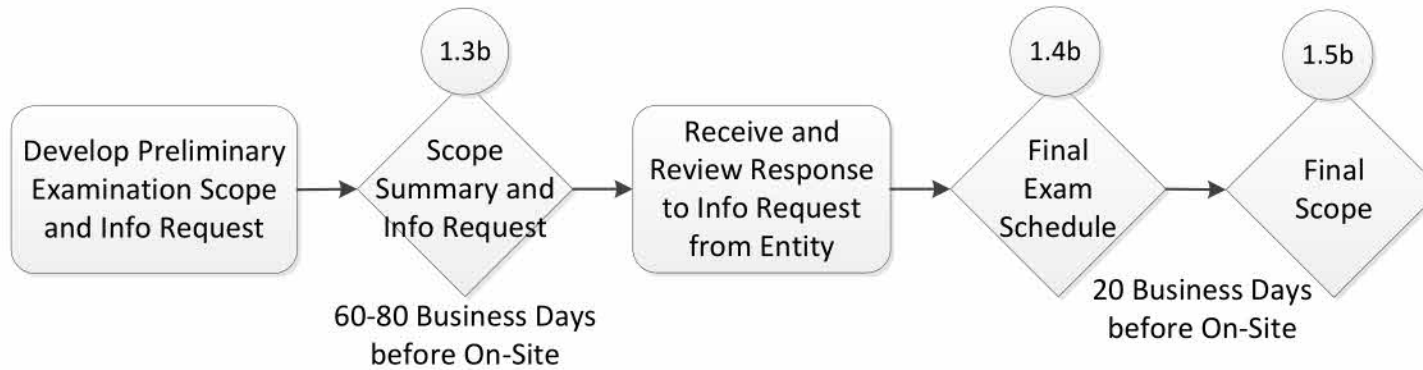
## Decision Rights 1.1a-1.5a

### FL Targeted Exams: Conduct Pre-Scoping/Perform Detailed Scoping



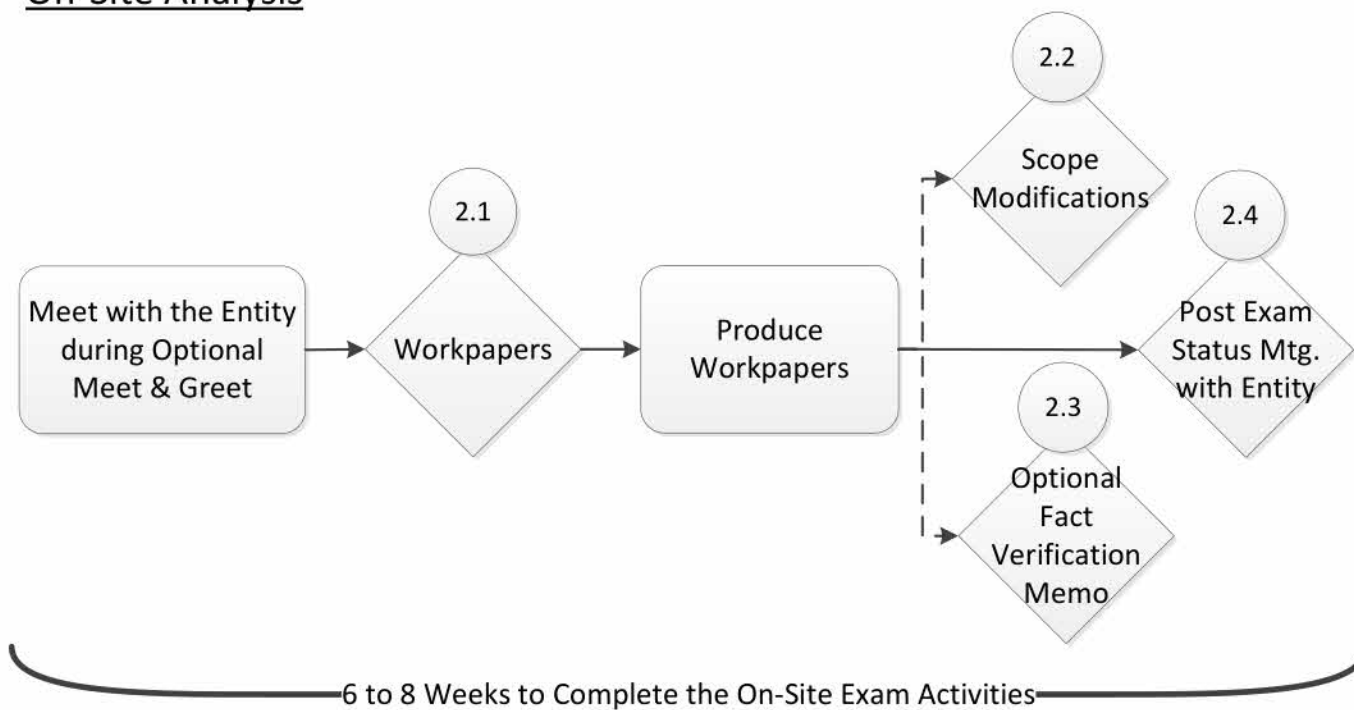
## Decision Rights 1.3b-1.5b

### Non FL Targeted Exams: Conduct Pre-Scoping/Perform Detailed Scoping



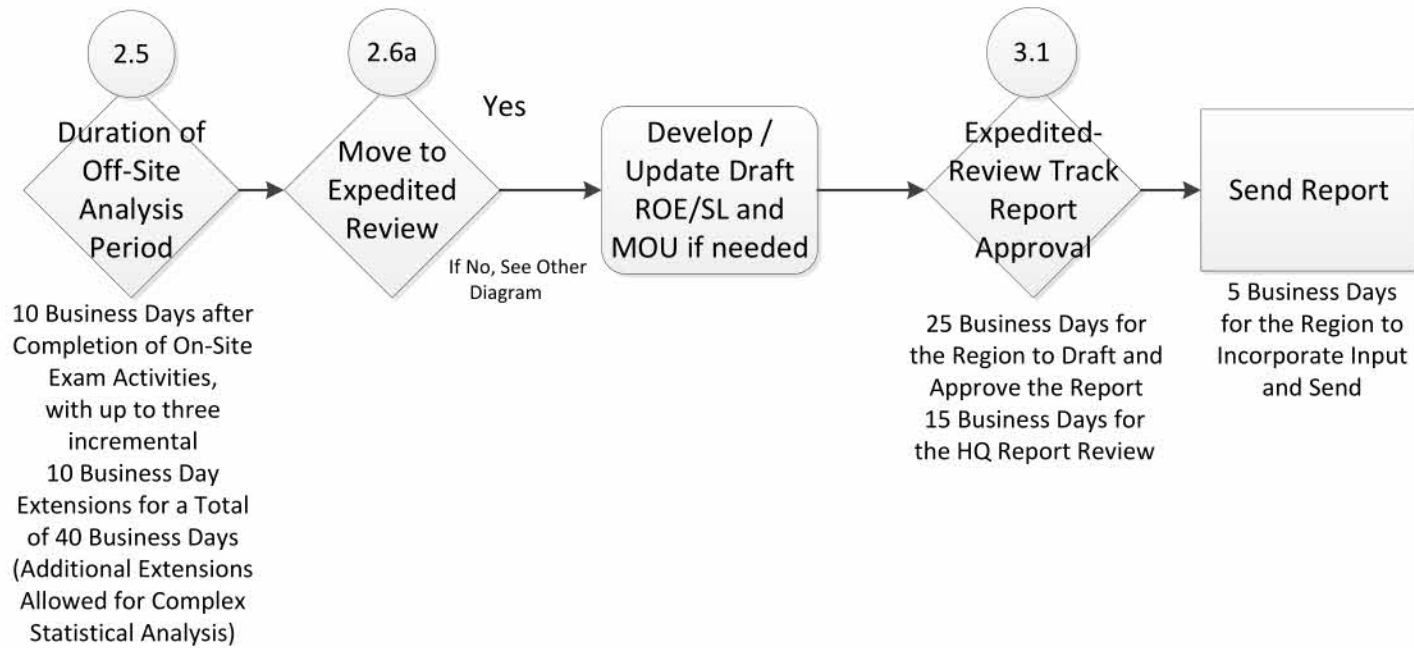
## Decision Rights 2.1-2.4

### On-Site Analysis



## Decision Rights 2.5-3.1

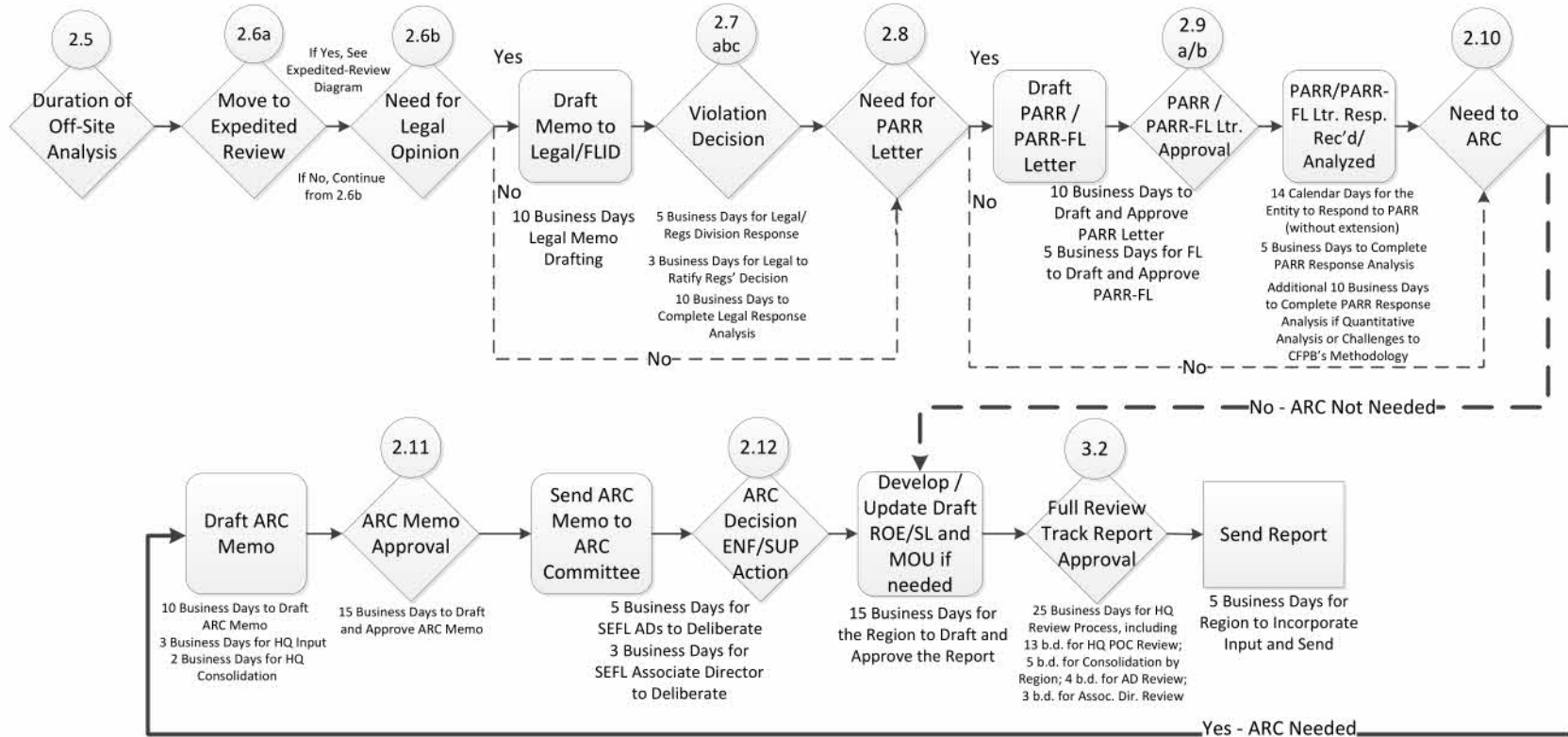
### Expedited-Review Track Report Approval Process





## Decision Rights 2.5-3.2

### Full-Review Track Report Approval Process



## APPENDIX B: Timing Expectations for Key Steps and Decisions

### Fair Lending and Non-Fair Lending Targeted Examinations

SCOPING		
Decision	Make Right	Timing
<b>1.1a</b> FL Data Request and Analysis	FL POC	125 business days before on-site
<b>1.2a</b> FL Risk Assessment and Exam Focal Point Identification	FL POC	40 business days before on-site
<b>1.3a</b> FL Scope Summary and Info Request	EIC	20-30 business days before on-site for FL Targeted Exams
<b>1.3b</b> Preliminary Scope Summary and Info Request	EIC	60-80 business days before on-site Targeted Exams
<b>1.4a</b> FL Final Examination Schedule	EIC	20 business days before on-site
<b>1.4b</b> Final Examination Schedule	EIC	
<b>1.5a</b> FL Final Scope	EIC	
<b>1.5b</b> Final Scope	EIC	

ON-SITE ANALYSIS		
Decision	Make Right	Timing
2.1 Workpapers	EIC	6 – 8 weeks to complete the on-site exam activities
2.2 Scope Modifications	FM/SEM	
2.3 Optional Fact Verification Memo	EIC	
2.4 Post-Exam Status Meeting with Entity	EIC	

## OFF-SITE ANALYSIS

Decision	Make Right	Timing
<b>2.5</b> Duration of Off-site Analysis Period	ARD	Not to exceed 40 business days unless approved due to complex statistical analysis; 10 business days after completion of on-site exam activities, with up to three incremental 10 business day extensions
<b>2.6a</b> Move to Expedited Review	EIC	10 business days after last day on-site, or per Decision 2.5
<b>2.6b</b> Need for Legal Opinion	OSP Program Manager <i>or</i> FL Deputy Assistant Director	
<b>2.7a</b> Violation Decision for Non-Routine Questions of Law	Legal/Regulations	10 business days for Legal Memo drafting (measured from the end of the off-site analysis period)
<b>2.7b</b> Violation Decision for Non-Routine Questions of Law (Regulations)		5 business days for Legal/Regulations Division Response  3 business days for Legal to ratify Regulations' decisions 2.7b  The Region has 10 business days to complete the Legal Response analysis



## OFF-SITE ANALYSIS, CONTINUED

Decision	Make Right	Timing
2.7c Violation Decision for Non-Routine Questions of Law (FL)	FL Assistant Director	25 total business days for Legal Memo drafting (FLID – includes Legal Response time) (measured from when enough information is available to draft the memo or the last day on-site) 10 business days for Legal Division and Regulations Response (included in 25 day total duration) 10 business days to complete the Legal Response analysis
2.8 Need for PARR Letter	FM/SEM	<b>PARR Drafting and Approval:</b> Non-FL: 10 business days FL: 5 business days
2.9a PARR Letter Approval	OSP Program Manager	<b>Entity Response to PARR:</b> 14 calendar days (unless an extension is granted) <b>PARR Response Analysis:</b> 5 business days to complete PARR Response analysis (additional 10 business days to complete PARR Response analysis if the PARR Response contains quantitative analysis and/or challenges to the CFPB’s statistical methodology/code.)
2.9b PARR-FL Letter Approval	FL POC	(This row shares the timing details from the 2.9a row.)

## OFF-SITE ANALYSIS, CONTINUED

Decision	Make Right	Timing
<b>2.10</b> Need to ARC	FM/SEM	<p style="text-align: center;"><b>ARC Drafting and Approval:</b></p> 15 business days to draft and approve ARC memo (3 business days of which is for HQ offices to provide input, and 2 business days of which is for HQ POC to consolidate input)
<b>2.11</b> ARC Memo Approval	FM/SEM	
<b>2.12</b> ARC Decision on ENF or Supervision	OSE, OSP, FL, & ENF Assistant Directors	<p>5 business days for Assistant Directors to determine if (a) the matter should be handled through the supervisory process, (b) believes that public enforcement action is warranted, (c) wishes to convene a meeting of the ARC to discuss the matter or (d) abstains.</p> <p>3 business days for SEFL Associate Director to either concur in the decision or note his objection.</p>

## EXAMINATION REPORT/SUPERVISORY LETTER APPROVAL

Decision	Make Right	Timing
<p><b>3.1</b> Expedited-Review Track Report Approval (See also Appendix D)</p>	<p>ARD</p>	<p><b>Report Drafting and Approval in Region:</b> 25 business days</p> <p><b>HQ Report Review:</b> 15 business days</p> <p><b>Feedback incorporation in Region:</b> 5 business days</p>
<p><b>3.2</b> Full-Review Track Report Approval (See also Appendix E)</p>	<p>ARD</p>	<p><b>Report Drafting and Approval in Region:</b> 15 business days</p> <p><b>HQ Report Review:</b> 25 business days (which includes 13 business days for HQ POC review, 4 business days for the Region to incorporate HQ input prior to submitting for review by the applicable SEFL Assistant Directors, 4 business days for Assistant Director review, 1 business day for Region to incorporate SEFL ADs input prior to submitting for review by SEFL Associate Director, and 3 business days for Associate Director review)</p> <p><b>Final feedback incorporation in Region:</b> 5 business days</p>

## APPENDIX C: Supplemental Information

### Delegation Memos

Delegation Memos may be found on the wiki under the SEFL Staff Memos page, located here:

(b)(7)(E)

[Delegation of Examination Report Ratification](#)



## APPENDIX D: SEFL Integration Policy 3.3 Timeline – Expedited Review

For **EXPEDITED** Review track ER/SL (Decision Right 3.1), once the EAF date has been determined:

- The Region has 25 business days to draft the ER/SL.
- HQ has 15 business days to ratify the draft.
- The Region has five (5) business days to ratify the content of the final ER/SL and transmit it to the entity (*includes prudential regulator 5-day courtesy review of SL, when applicable*) or to the prudential regulator for the mandated 30-day comment period.

This is a further breakdown of the timeline noted above under (Decision Right 3.1), once the EAF has been determined:

Step	Responsible Party		Action(s)	Timing Expectations (business days)
1	Region	Determined w/i Region	Drafts ER/SL (approved within region)	25
			Ensures HQ POCs are listed in SES	
			Uploads draft to SES	
			Emails <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a> <ul style="list-style-type: none"> <li>• States draft is ready for distribution to HQ POCs</li> <li>• Includes EID</li> <li>• Either:               <ul style="list-style-type: none"> <li>○ Provides SES <u>hyperlink</u> to draft (to facilitate dissemination, expedite the process, and reduce the risk of errors, <i>this is the preferred approach</i>)</li> </ul> </li> <li><b>Or</b></li> <li>○ Confirms in email that draft (including version name) has been uploaded to SES (includes in SES comment field “Draft for initial HQ distribution”)</li> </ul>	
2	HQ	POCs (ENF/ OFLEO/ OSP)	Provides input on draft	5
		Replies to original email <ul style="list-style-type: none"> <li>• Attaches draft, if providing input</li> <li>• cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>		

		POC Lead (OFLEO/OSP)	Consolidates input from HQ POCs Emails draft to PM/deputy for input <ul style="list-style-type: none"> <li>Attaches consolidated draft</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	3
		PM/deputy (OFLEO/OSP)	Provides input on draft Replies to original email <ul style="list-style-type: none"> <li>Attaches draft, if providing input</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	5
		POC Lead (OFLEO/OSP)	Consolidates input from PM/deputy Uploads draft to SES Emails Region <ul style="list-style-type: none"> <li>States draft is uploaded to SES with consolidated HQ comments</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	2
3	Region	Determined w/i Region	Reviews/finalizes/ratifies draft Uploads final ER/SL to SES Transmits final ER/SL to entity <ul style="list-style-type: none"> <li><i>with exception for ERs that are transmitted to prudential for mandated 30-day comment period</i></li> </ul>	5 <i>(includes prudential regulator courtesy review of SL, when applicable)</i>

## APPENDIX E: SEFL Integration Policy 3.3 Timeline – Full Review

For **FULL** Review track ER/SL (Decision Right 3.2), once the exam analysis finalized (EAF) date has been determined:

- The Region has 15 business days to draft the ER/SL.
- Headquarters (HQ) has 25 business days to review the draft ER/SL.
- The Region has five (5) business days to ratify the content of the final ER/SL and transmit it to the entity (*includes prudential regulator 5-day courtesy review of SL, when applicable*) or to the prudential regulator for the mandated 30-day comment period.

This is a further breakdown of the timeline noted above under (Decision Right 3.2), once the EAF has been determined:

Step	Responsible Party		Action(s)	Timing Expectations (business days)
1	Region	Determined w/i Region	Drafts ER/SL (approved within Region) Ensures HQ points of contact (POCs) are listed in SES Uploads draft to Supervision & Examination System (SES)	15
	Region	Determined w/i Region	Emails <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a> <ul style="list-style-type: none"> <li>• States draft is ready for distribution to HQ POCs</li> <li>• Includes exam ID (EID)</li> <li>• Either:               <ul style="list-style-type: none"> <li>○ Provides SES <u>hyperlink</u> to draft (to facilitate dissemination, expedite process, and reduce risk of errors, <i>this is the preferred approach</i>)</li> </ul> </li> <li><b>Or</b></li> <li>○ Confirms in email that draft (including version name) has been uploaded to SES (includes in SES comment field “Draft for initial HQ distribution”)</li> </ul>	

Step	Responsible Party		Action(s)	Timing Expectations (business days)
2	HQ	POCs (ENF/ OFLEO/ OSP)	Sends draft to other relevant subject matter POCs	5
			Provides input on draft	
			Replies to original email <ul style="list-style-type: none"> <li>Attaches draft, if providing input</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	
		POC Lead (OFLEO/ OSP)	Consolidates input from HQ POCs	2
			Emails Program Manager (PM)/Deputy Assistant Director for input <ul style="list-style-type: none"> <li>Attaches consolidated draft</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	
		PM/Deputy (OFLEO/ OSP)	Provides input on draft	3
			Replies to original email <ul style="list-style-type: none"> <li>Attaches draft, if providing input</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	
		POC Lead (OFLEO/ OSP)	Consolidates input from PM/Deputy Assistant Director	3 <i>(includes 2 business days for Legal Division review, when applicable)</i>
			Where draft includes non-routine issue(s) of law/regulation: <ul style="list-style-type: none"> <li>Sends to Legal Division for review (providing two business days)</li> </ul>	
			Consolidates input from Legal Division	
			Uploads draft to SES	
			Emails Region <ul style="list-style-type: none"> <li>States draft is uploaded to SES with HQ consolidated comments</li> <li>Attaches partially completed Assistant Director (AD) Cover Form</li> <li>cc: <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a></li> </ul>	



Step	Responsible Party		Action(s)	Timing Expectations (business days)
3	Region	Determined w/i Region	Reviews/finalizes draft	4
			Uploads draft to SES	
			Emails <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a> <ul style="list-style-type: none"> <li>• States draft is ready for AD ratification</li> <li>• Attaches completed AD Cover Form</li> <li>• Either:               <ul style="list-style-type: none"> <li>○ Attaches draft (to facilitate dissemination to ADs, expedite process, and reduce risk of errors, <i>this is the preferred approach</i>)</li> </ul> </li> <li><b>Or</b></li> <li>○ Confirms in email that draft (including version name) has been uploaded to SES (includes in SES comment field “Draft for ADs”)</li> </ul>	
4	HQ	ADs (OFLEO/ OSE/OSP)	Reviews/comments/ratifies draft	4
			“Reply All” to email <ul style="list-style-type: none"> <li>• Attaches draft, if providing comments</li> </ul>	
5	Region	Determined w/i Region	Reviews/finalizes draft	1
			Uploads draft to SES	
			Emails <a href="mailto:CFPB_HQReportReview@cfpb.gov">CFPB_HQReportReview@cfpb.gov</a> <ul style="list-style-type: none"> <li>• States draft is ready for SEFL Associate Director ratification</li> <li>• Attaches completed Associate Director Cover Form</li> <li>• Either:               <ul style="list-style-type: none"> <li>○ Attaches draft (to facilitate dissemination to Associate Director, expedite process, and reduce risk of errors, <i>this is the preferred approach</i>)</li> </ul> </li> <li><b>Or</b></li> <li>○ Confirms in email that draft (including version name) has been uploaded to SES (includes in SES comment field “Draft for Associate Director”)</li> </ul>	

6	HQ	SEFL Associate Director	Reviews/comments/ratifies draft	3
			“Reply All” to email <ul style="list-style-type: none"> <li>• Attaches draft, if providing comments</li> </ul>	
7	Region	Determined w/i Region	Reviews/finalizes draft	5 <i>(includes prudential regulator courtesy review of SL, when applicable)</i>
			Uploads final ER/SL to SES	
			Transmits final ER/SL to the entity <ul style="list-style-type: none"> <li>• <i>with exception for ERs transmitted to prudential regulator for mandated 30-day comment period</i></li> </ul>	