JANUARY 2026

YOUR MONTHLY COMPLIANCE NEWSLETTER

ADVANCING YOUR CAREER IN 2026

Happy New Year! We hope you all had a wonderful ending to 2025, enjoyed some rest and relaxation, and we are here to help make your job hopefully a little easier in 2026 by sharing our compliance knowledge and industry changes with you.

To kick off 2026, we're going to do something a little different. Now that everyone's training budgets are hopefully refilled, we want to talk for a bit about certifications.

At Tuscan Club Consulting, we believe strongly in certifications. It shows you have achieved a level of knowledge, gained experience in your field, and you are better prepared to do your job as a compliance or audit professional. We often get asked questions about which certifications to pursue. We wanted to dive deeper into that conversation to help you work towards your first or next certification. We will break it down by different areas of work.

General Compliance

CRCM – Certified Regulatory Compliance Manager. This ABA certification is really the gold standard when it comes to general

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FDIC EXTENDS OFFICIAL ADVERTISING AND SIGN REQUIREMENT GUIDANCE

The changes to Section 328.4 and 328.5 which cover FDIC official signs and advertising requirements have been officially extended. The deadline for compliance was March 1, 2026. It has been extended to January 1, 2027. This isn't the first time these rules have been pushed back, but now we have another year to comply. You can read the official FDIC guidance HERE.

2026 REGULATORY THRESHOLD CHANGES

Every December, many of the thresholds for different regulatory requirements are updated. This is simply to keep up with inflation. None of these adjustments are out of the ordinary. In most cases, you don't need to worry about these thresholds, but you need to know they are there as every once in a while, you come across a situation where someone is right on the threshold.

Here are some updates of thresholds going into 2026:

Exempt transactions under Regulations M and Z – the exemption threshold for leases under Regulation M and loans under Regulation Z is $73,400.

Each regulation has a link to the CFPB guidance.

Appraisal requirements for Higher-Priced Mortgage Loans (HMPLs) – transactions less than $34,200 are exempt. Find more information HERE.

The ceiling for allowable charges under section 612(f) of the Fair Credit Reporting Act will increase to $16.

Regulation Z HOEPA loans and Qualified Mortgages (QMs) – there are multiple changes that can be found HERE.

There may be other threshold changes such as Community Reinvestment Act and Home Mortgage Disclosure Act changes, so keep an eye out if you are near the current thresholds for going above or staying under certain reporting requirements.

After writing this but prior to publication, the OCC did release CRA thresholds for 2026. A small bank is considered one with assets under $412 million as of December 31 of the prior two calendar years, and the new upper intermediate small bank threshold sits at $1.649 billion for the same timeframe. The other regulator's thresholds should be the same, but the guidance HERE only applies to OCC regulated institutions.

OCC ISSUES CRA SIMPLIFIED STRATEGIC PLAN TO REDUCE REGULATORY BURDEN FOR COMMUNITY BANKS

There is an OCC proposal to simplify the CRA strategic plan process. For those of you unaware, banks can elect to be evaluated under a CRA strategic plan that allows you to set thresholds on performance. While this sounds great, they are very difficult to write, and even harder to get approved.

This proposed rule is to try to change that by clarifying expectations, making the easier to draft, understand, and submit for approval. The guidance doesn't change requirements; it clarifies how plans should articulate goals and components so community banks can tailor them to local needs.

If you are interested in submitting a public comment, you have until February 20th, and you can do so following the link HERE.

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compliance. It's challenging, requires years of experience, and the study manual is well above 1,000 pages. However, don't be intimidated to take this one on. While it's a lot of work, these letters behind your name can do wonders to boost your career. Many compliance jobs have this as a desired qualification.

CCBCO – Certified Community Bank Compliance Officer. This is ICBA's compliance certification, and it's a great training and start for those getting into the industry. This is a course and certification all in one and is really where you want to start if you are working in consumer compliance. It's not overly challenging if you are engaged in the training.

BSA/AML

CAMS – Certified Anti-Money Laundering Specialist. This is the gold standard if you're working specifically with the Bank Secrecy Act or Anti-Money Laundering parts of finance. While the letters are great to have behind your name and a great boost to your career and resume, most of the certification deals with international sanctions and other non-BSA related topics. If you are at very large institution, it's worth pursuing. If you work BSA/AML at a smaller bank, it's still nice to have, but you may not learn the skills relevant to your job.

CBAP – Certified BSA/AML Professional. For most of you working in community banking, this all-in-one course and certification put on by the ICBA is perfect to learn what you need to do to be a BSA professional. It's very much bank related, and everyone on our team goes through this certification. While it might not receive the same name recognition as CAMS, it's where every new BSA professional should start out.

CAFP – Certified AML and Fraud Professional. This is ABA's version of a fraud certification. This is a newer certification directed more towards fraud prevention than it is BSA. ABA has a new fraud school that we don't yet have experience with, so make sure you ask around if you plan to go after the CAFP.

Fair Lending

FLE – Fair Lending Expert. The FLE has quickly risen as the chosen training course and certification for fair lending. In full disclosure, this is the course and certification our company built and launched in 2020. While we may be a bit biased, the hundreds of certified FLEs continue to talk about the value the course brings. Like ICBA's certifications, this is a training course and certification in one. This course is perfect for fair lending personnel and general compliance specialists looking for the next step in their careers.

Community Reinvestment Act

CRACP – CRA Certified Professional. This is quickly becoming the gold standard for CRA professionals. Like the FLE and most ICBA certifications, it's an all-in-one training course and certification program. Linda Ezuka and the staff at CRA Today have built a wonderful training program that is a great fit for both new and seasoned CRA professionals.

Audit

CIA – Certified Internal Auditor. If you are strictly in the audit field, this is the gold standard for internal audit. This is one of the more challenging certifications to get on this list, but it's worth the effort. This is a three-part examination, and you need several years of experience to even sit for the CIA. If your goal is to make a career out of audit, this is the one for you.

CCBIA – Certified Community Bank Internal Auditor. This is ICBA's audit certification. Much like their compliance and BSA

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certifications, this is an all-in-one training course and certification. For those of you working in the banking audit field, this may be where you want to start.

Summary

Whether you are looking to get your first certification, or you're like us and you may have more letters behind your name than in it, it's up to you to grow your career. However, you really need to know where to start. Each certification is different, and they serve different purposes. If you have an unlimited budget and time, feel free to collect them all. If you are like everyone else, start with the one that makes the most sense. Our people look to get a new certification every few years because we want to always be improving. You should look into doing the same. Certifications are a way for you to stand out among your peers, and they can make all of the difference when you are climbing up to that next position.

EXECUTIVE ORDER REGARDING NATIONAL POLICY FRAMEWORK FOR ARTIFICAL INTELLIGENCE

There is a new executive order to establish an AI Litigation Task Force to "challenge unconstitutional, preempted, or otherwise unlawful State AI laws that harm innovation." You can find the order HERE.

What does that mean for you if you are operating in the AI space? Executive orders are not law, but state law is, and we are not lawyers. If you are operating under a state AI law and you have reason to believe it conflicts with this order, it's wise to get legal counsel involved. It would not be fair or wise for us to opine on this topic, but we feel an obligation to let you know the guidance currently out there.

We are certain that someday we will have AI laws, but just like in the infancy of the internet, it sort of feels like the wild west when it comes to artificial intelligence at the moment.

One other bit of information related to AI but not dealing with this order is your company's use of AI. At a recent conference, they mentioned the major difference between free AI and paid accounts.

For example, if you get on ChatGPT and create a free account, they may use your information. If you have a paid account, you have many more protections. That means if your employees are using free AI accounts and uploading sensitive or customer information, you could be at risk. It's critical you let everyone know the risks, and if AI is critical to what you do, ensure you protect yourselves and your data.

YOUR MONTHLY FAIR LENDING CORNER NEWSLETTER

With staff buyouts and workforce reductions occurring at federal agencies such as the OCC, FDIC, and CFPB, institutions may have the impression that the intensity of supervision will ease. However, relaxing fair lending vigilance in this environment would be a short-sighted approach. Regulatory cycles tend to be fairly consistent and when resources replenish, agencies typically conduct retrospective reviews that look back several years. The Department of Justice, for example, routinely uses a five-year lookback during redlining investigations, examining old data, lending patterns, and marketing practices to determine whether fair lending obligations were maintained during quieter periods.

A strong compliance culture must withstand the winds of change that accompany shifts in the regulatory landscape. Fair lending is not a seasonal responsibility, nor does it pause when external scrutiny appears lighter. Institutions that scale back regression analysis, comparative file reviews, or risk-based sampling to save resources often find themselves exposed once examiners return with renewed intensity.

A recent example underscoring this risk is the $2.5 million settlement in 2025 by Earnest Operations LLC, a Delaware-based student loan company. The Massachusetts Attorney General fined Earnest for allegedly using artificial intelligence (AI) models that disproportionately harmed Black, Hispanic, and non-citizen applicants. The company was found to have failed in testing and mitigating fair lending risks in AI underwriting, employed a “Cohort Default Rate” variable that disproportionately penalized minority applicants, used “knockout” rules that automatically denied applications based on immigration status, and sent inaccurate adverse action notices.

This case illustrates how even in times when federal agencies face staffing constraints, failures in compliance governance, data testing, and oversight, especially with emerging technologies like AI, can lead to costly enforcement actions. The internal documentation, governance oversight, and self-testing disciplines developed today will serve as critical evidence of consistent compliance in future reviews.

Now is the moment to reinforce a strong, proactive compliance culture. Maintain ongoing data monitoring, continue diligent oversight of complaint data, ensure clear board-level discussion of fair lending risk, and document decision-making around product design and marketing practices. A resilient culture, supported by strong data analytics and transparent governance, protects the institution from future scrutiny and demonstrates a long-term commitment to equitable access to credit, no matter which direction the regulatory pendulum swings.

This article was authored by Nicholas Harris, CRCM, FLE. Mr. Harris is a former federal regulator and currently serves as a Senior Audit Manager at TD Bank.

If you are interested in writing an article on compliance or fair lending for a future newsletter, please submit your article to support@tcuniversity.us

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