

COLORADO UCCC COMPLIANCE EXAMINATION GUIDELINES

WORK-SPACE REQUIREMENTS AT A CREDITOR'S LOCATION:

At a minimum, your office **must** provide:

- ADEQUATE WORK SPACE (desk/table to accommodate one to two examiners)
- ADEQUATE LIGHTING
- ACCESS TO AN ELECTRICAL OUTLET (suitable for a laptop computer)
- PHOTOCOPIER (if no photocopier is available, please advise the Administrator's Office)
- ACCESS TO COMPUTER RECORDS (if records are stored on a computer, examiners will require a computer terminal to access the records)

NOTE: If it is determined by the examiner(s) that the creditor does not have adequate facilities available in order for the examiner(s) to conduct the examination, the Administrator may require the records be delivered to the office of the UCCC Administrator or any other location deemed appropriate by the Administrator for examination and review. All costs incurred in the transport of documents to and from the Administrator's office shall be borne by the creditor.

REQUIREMENTS FOR MAIL-IN EXAMINATIONS:

PLEASE SUBMIT DOCUMENTS GROUPED BY TRANSACTION. PLEASE SUBMIT ONLY ONE COPY OF EACH DOCUMENT LISTED IN THE APPLICABLE SECTION. DO NOT SEND ORIGINAL DOCUMENTS. SUBMIT EITHER PHOTOCOPIES OR IMAGED DOCUMENTS VIA DISK. PASSWORD PROTECTION IS PERMISSIBLE. HOWEVER, PLEASE DO NOT APPLY A PASSWORD TO EACH INDIVIDUAL DOCUMENT FILE.

SECTION 1 – REAL ESTATE SECURED LOANS

REQUIRED DOCUMENTS TO BE REVIEWED DURING EXAMINATION:

- TRUTH IN LENDING DISCLOSURES
- CONTRACTS/PROMISSORY NOTES, TRUST DEEDS, HOME EQUITY REVOLVING LOAN AGREEMENTS
- HUD-1 REAL ESTATE SETTLEMENT CLOSING STATEMENTS
- GOOD FAITH ESTIMATE (AS REQUIRED BY RESPA-HUD REGULATION X AND AS STIPULATED IN REGULATION Z, SECTION 226.19)
- DISCLOSURES REQUIRED BY SECTION 226.32, REGULATION Z ("HOEPA") AND THE COLORADO CONSUMER EQUITY PROTECTION ACT ("CCEPA")
- PAYMENT HISTORIES/RECORDS
- DISBURSEMENT/ITEMIZATION OF THE AMOUNT FINANCED
- INSURANCE AUTHORIZATIONS, POLICIES, PREMIUMS, AND CERTIFICATES
- RIGHT TO RESCIND NOTICES
- CREDIT APPLICATIONS
- INCOME VERIFICATION (TAX RETURNS, PAY STUBS, AWARD/BENEFIT LETTERS, ETC.)
- CREDIT REPORTS, APPRAISALS, & TITLE POLICIES
- SUPPORTING DOCUMENTS (FOR ANY ADDITIONAL CHARGES IMPOSED ON THE BORROWER PER C.R.S. 5-2-202, INCLUDING INVOICES TO DOCUMENT CHARGES COLLECTED)
- RIGHT TO CURE, DEFAULT, AND REPOSSESSION OF COLLATERAL NOTICES
- COLLECTION RECORDS/NOTES
- DELINQUENCY FEE/LATE CHARGE ASSESSMENT NOTICES AND DEFERRAL NOTICES
- ADVERTISING/SOLICITATION MATERIAL (IN ANY MEDIUM)

SECTION 2 – NON-REAL ESTATE SECURED LOANS

***including mobile home loans NOT SECURED BY AN INTEREST IN LAND**

REQUIRED DOCUMENTS TO BE REVIEWED DURING EXAMINATION:

- TRUTH IN LENDING DISCLOSURES
 - CONTRACTS/PROMISSORY NOTES/LOAN AGREEMENTS
- ALL DOCUMENTS REGARDING:
 - CREDIT INSURANCE
 - NON-CREDIT INSURANCE (AUTHORIZATIONS AND ALL OTHER DOCUMENTS MEETING THE REQUIREMENT OF RULE 3)
 - INVOLUNTARY UNEMPLOYMENT INSURANCE (AUTHORIZATIONS AND ALL OTHER DOCUMENTS MEETING THE REQUIREMENT OF RULE 4)
 - GUARANTEED AUTOMOBILE PROTECTION (GAP) (AUTHORIZATIONS AND ALL OTHER APPLICABLE DOCUMENTS MEETING CONDITIONS OF RULE 8)
- SUPPORTING DOCUMENTS FOR ANY ADDITIONAL CHARGES/FEEES IMPOSED ON THE BORROWER (I.E. EVIDENCE THAT FILINGS HAVE BEEN COMPLETED TO JUSTIFY ANY FILING FEES CHARGED)
- CREDIT APPLICATIONS
- PAYMENT HISTORIES/RECORDS
- COLLECTION RECORDS/NOTES
- CREDIT REPORTS
- RIGHT TO CURE, DEFAULT, AND REPOSSESSION OF COLLATERAL NOTICES
- DELINQUENCY FEE/LATE CHARGE ASSESSMENT NOTICES AND DEFERRAL NOTICES
- ADVERTISING/SOLICITATION MATERIAL (IN ANY MEDIUM)

SECTION 3 – RETAIL INSTALLMENT & LEASE CONTRACTS

REQUIRED DOCUMENTS TO BE REVIEWED DURING EXAMINATION:

- RETAIL INSTALLMENT SALES CONTRACTS AND/OR LEASE AGREEMENTS
- PURCHASE ORDERS, INVOICES, AND BUYER'S ORDERS
- REVOLVING CHARGE AGREEMENTS
- ALL DOCUMENTS REGARDING:
 - CREDIT INSURANCE
 - NON-CREDIT INSURANCE (AUTHORIZATIONS AND ALL OTHER DOCUMENTS MEETING THE REQUIREMENT OF RULE 3)
 - INVOLUNTARY UNEMPLOYMENT INSURANCE (AUTHORIZATIONS AND ALL OTHER DOCUMENTS MEETING THE REQUIREMENT OF RULE 4)
 - GUARANTEED AUTOMOBILE PROTECTION (GAP) (AUTHORIZATIONS AND ALL OTHER APPLICABLE DOCUMENTS MEETING CONDITIONS OF RULE 8)
- SUPPORTING DOCUMENTS FOR ANY ADDITIONAL CHARGES/FEEES IMPOSED ON THE BORROWER (I.E. EVIDENCE THAT FILINGS HAVE BEEN COMPLETED TO JUSTIFY ANY FILING FEES CHARGED)
- CREDIT APPLICATIONS
- PAYMENT HISTORIES/RECORDS
- COLLECTION RECORDS/NOTES
- CREDIT REPORTS
- RIGHT TO CURE, DEFAULT, AND REPOSSESSION OF COLLATERAL NOTICES
- DELINQUENCY FEE/LATE CHARGE ASSESSMENT NOTICES AND DEFERRAL NOTICES
- ADVERTISING/SOLICITATION MATERIAL (IN ANY MEDIUM)

A REMINDER:

PURSUANT TO §§ 5-2-304 AND 5-2-305 OF THE UNIFORM CONSUMER CREDIT CODE, THE ADMINISTRATOR AND/OR HER REPRESENTATIVES SHALL HAVE FREE AND REASONABLE ACCESS TO THE OFFICES, PLACES OF BUSINESS, AND RECORDS OF THE CREDITOR.

*PURSUANT TO §§ 5-2-304(1) AND 5-3-109, ALL RECORDS MUST BE RETAINED FOR **FOUR** YEARS FOLLOWING THE FINAL ENTRY ON THE TRANSACTION. ALL RECORDS MUST BE MAINTAINED IN ACCORDANCE WITH THE COLORADO UCC, THE ADMINISTRATOR'S RULE 10, AND GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.*