

Contents

- PART I: OVERVIEW** 1
 - Message from the Ombudsman 1
 - Profile 5
 - Office of the Ombudsman Senior Leadership Team 6

- PART II: CUSTOMER ASSISTANCE GROUP** 7
 - A Day in the Life of a CAG Specialist* 8
 - Handling Complaints 9
 - Comptroller Draws Attention to CAG’s Skilled People and Effective Technology* 10
 - The Customer Assistance Group Expands Customer Access* 12
 - CAG Improves Customer Service. 13
 - Financial Regulators Forge a Formal Agreement To Share Complaint Data.* 15
 - Update—Just Launched! HelpWithMyBank.gov Serves Bank Customers* 17
 - CAG Services Affect People’s Lives 18
 - Complaint Case Load and Trends. 20
 - CAG Outreach. 27

- PART III: APPEALS** 29
 - The National Bank Appeals Process: Ensuring Fair Treatment for National Banks. 29
 - How the Process Works 29
 - Value of the Process 30
 - Appeals Summaries 30

- PART IV: THE EXAMINATION QUESTIONNAIRE** 37
 - A Valuable Resource. 37
 - Questionnaire Contents. 37
 - Questionnaire Results 38

- PART V: APPENDIXES** 45
 - A: How To File a Customer Complaint about a National Bank or a Subsidiary of a National Bank 45
 - B: Customer Complaint Form 48
 - C: How To File an Appeal 51
 - D: Frequently Asked Questions about the National Bank Appeals Process . . . 52
 - E: Examination Questionnaire Form 56

As national banks have increased their emphasis on retail products and services, the Office of the Comptroller of the Currency has stepped up its efforts to ensure fair treatment for all national bank customers. At the big-picture, “macro” level, OCC compliance examiners help to make sure that national banks follow the laws and rules that were adopted to protect banking consumers, from laws and rules about truth in lending to the Equal Credit Opportunity Act. But in a \$6.5 trillion system that serves hundreds of millions of customers, individual situations that require special attention are likely to arise, even in the best banks with the strongest commitment to customer service. That’s where the OCC’s Customer Assistance Group, or CAG, comes in.

Approximately 70,000 bank customers contact CAG each year. Some of these contacts involved simple issues that could be handled through a single telephone call such as questions about check hold times. Others were considerably more complex, such as the situation a New York man found himself in when he left a hospital after recovering from open heart surgery, only to find that \$11,000 had been improperly withdrawn from his money market account. After the bank initially refused to provide restitution, CAG got involved at the customer’s request and ultimately facilitated full restitution by the bank.

The money returned was part of the \$8 million in financial compensation CAG helped return to national bank customers last year. (See Figure 1: Estimated Compensation to Customers, 2002–2006.) Most compensation amounts were small—the median was \$146 in 2006—but these amounts are important to bank customers who believe they have been treated unfairly.

As one person put it in a letter to CAG, “\$647.23 may not seem like a lot of money, but it was to me at the time. One of the best things [in life] is people helping other people, people treating other people how they want to be treated—with kindness and respect.” (See “A Day in the Life of a CAG Specialist.”)

PART II: CUSTOMER ASSISTANCE GROUP

**APPROXIMATELY 70,000
BANK CUSTOMERS CONTACT
CAG EACH YEAR**



Rayburn Johnson, a 20-year OCC veteran with seven years of experience in customer assistance

A Day in the Life of a CAG Specialist

The calls, an average of 70,000 annually for the past two years, begin the same way.

“Hello, thank you for calling the Office of the Comptroller of the Currency’s Customer Assistance Group. How can I help you today?”

At one end of the phone line is a bank customer—usually, but not always, a national bank customer—that has turned to the OCC for assistance with a question or a problem. At the other end is a member of OCC’s Customer Assistance Group, greeting the caller with an offer of assistance.

“It’s about trying to help as much as you can,” said Vonda King, a customer assistance specialist in Houston. Callers are often frustrated and emotional, but it’s the job of the specialist to listen to the caller, understand the issue, and provide counsel on what to do.

Rayburn Johnson, a 20-year OCC veteran with seven years of experience in customer

assistance, knows that patience is important. Mr. Johnson said he never gets tired of working with national bank customers.

“Lots of times, folks just want to tell you the whole story and that’s part of the process,” he said.

“It’s always great when you can assist customers in getting a fee or charge refunded, but that’s not always the solution,” added another specialist, Alicia Loya. “It just comes down to doing what’s right.”

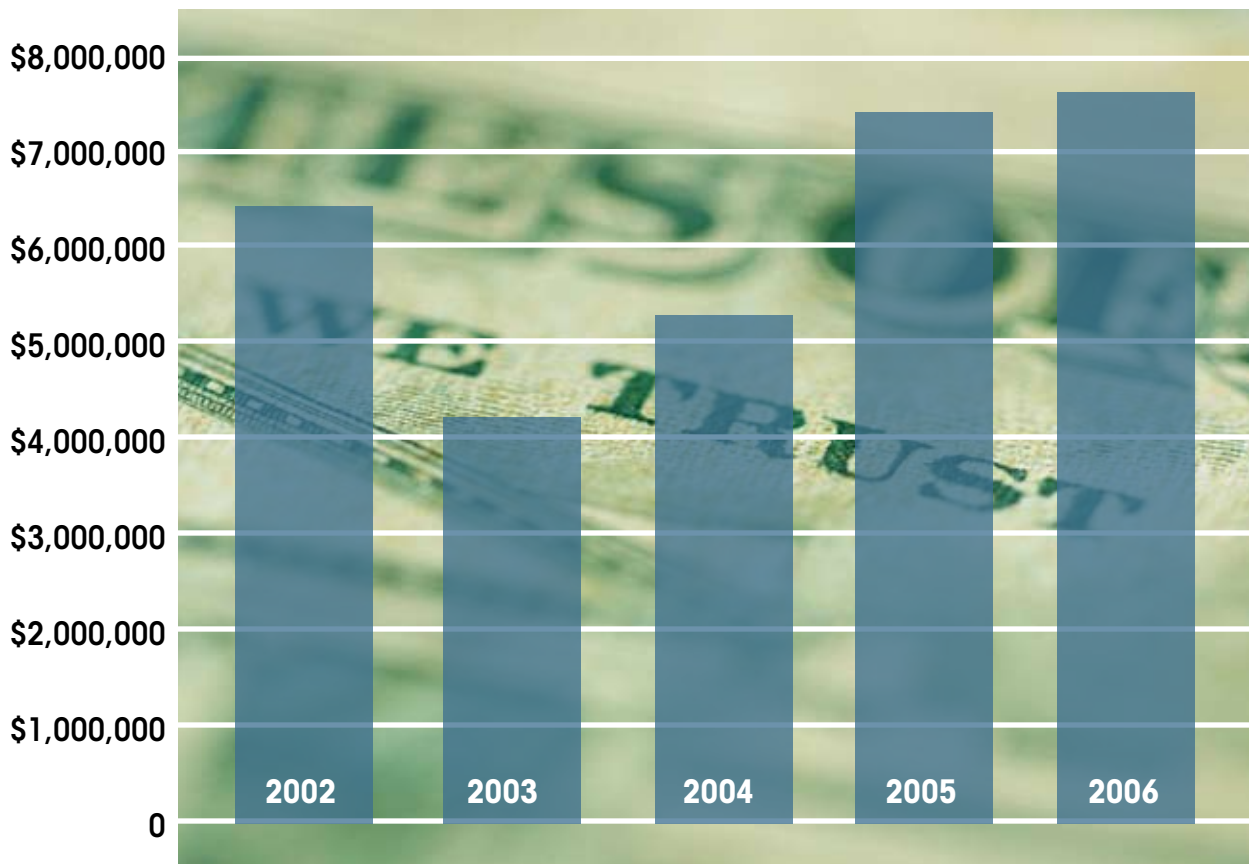
“At the end of the day, there’s a lot of satisfaction because the consumers appreciate the effort,” said Howard Greene, also a customer assistance specialist.

And just as the calls to CAG begin with the same words, most of them end with a similar valediction: “Glad we could assist you today.”

Handling Complaints

The best way to resolve a complaint is usually through direct talks between the customer and the bank—and that’s the first course of action CAG recommends. “Fair dealing with customers and prompt resolution of their problems is, first and foremost, the bank’s responsibility,” said Comptroller of the Currency John C. Dugan in a January 2007 speech. “The bank plainly has a strong interest in resolving complaints, and it typically has the resources and knowledge to do so, much more efficiently than we can. Moreover, in addition to the compliance, legal, and reputation

FIGURE 1
Estimated Compensation to Customers, 2002–2006



Note: Median amount of compensation per case in 2006 was \$145.00.



Comptroller Draws Attention to CAG's Skilled People and Effective Technology

Comptroller of the Currency John C. Dugan used his first speech of 2007 to highlight the mix of technology and skilled personnel that make the OCC's Customer Assistance Group effective in helping consumers with problems and complaints.

In his speech, the Comptroller noted that CAG handles an average of 70,000 contacts a year and returned nearly \$30 million to national bank customers over the last five years. His multimedia presentation also showed that CAG has assembled an "integrated system of skilled people and effective technology to address customer concerns."

By walking through the complaint process, Comptroller Dugan highlighted details of each step of the process: listening carefully to each caller, advising callers of their rights under the law, explaining how to work with a bank, and if warranted, how to file a formal complaint.

He also demonstrated different ways that the OCC uses complaint data to improve the system. For example, such data help examiners develop examination strategies and annual risk assessment plans, and help the OCC identify trends, in the industry or at an

individual bank, that suggest problems. The Comptroller also discussed how information from complaints contributes to the development of policy and guidance and supports enforcement actions against institutions participating in unfair or deceptive practices.

"When we see individual complaints or patterns of complaints that could indicate inappropriate or unfair or deceptive practices, OCC lawyers are called in," the Comptroller said. "We can, and we have, taken enforcement action to correct practices that we found to be unfair or deceptive."

In addition to putting CAG data directly to work in supervision, the OCC uses information it develops for another important purpose as well: to provide aggregate feedback to banks that helps them identify retail practices that need improvement. CAG's staff regularly meets with senior management at national banks to show how their institution stacks up against the competition with respect to consumer complaints, the Comptroller said.

"On occasion it has been CAG data provided by the OCC that first alerted a bank management team to an emerging issue," he added.

risks that complaints raise, banks understand that having unhappy customers is simply not good business.”

However, when it’s appropriate for customer assistance specialists to intervene with a bank, they do so with knowledge and training. Most senior CAG specialists are commissioned National Bank Examiners or have received a Certified Regulatory Compliance Manager (CRCM) designation from the American Bankers Association.

They are also backed by sophisticated technology that makes it possible for them to help more national bank customers each day. For example, CAG’s state-of-the-art case management application facilitates the process of opening cases and makes it easier for CAG specialists to manage a case every step of the way. The electronic case file includes records of every contact with the customer, including copies of faxes, letters, and e-mails.

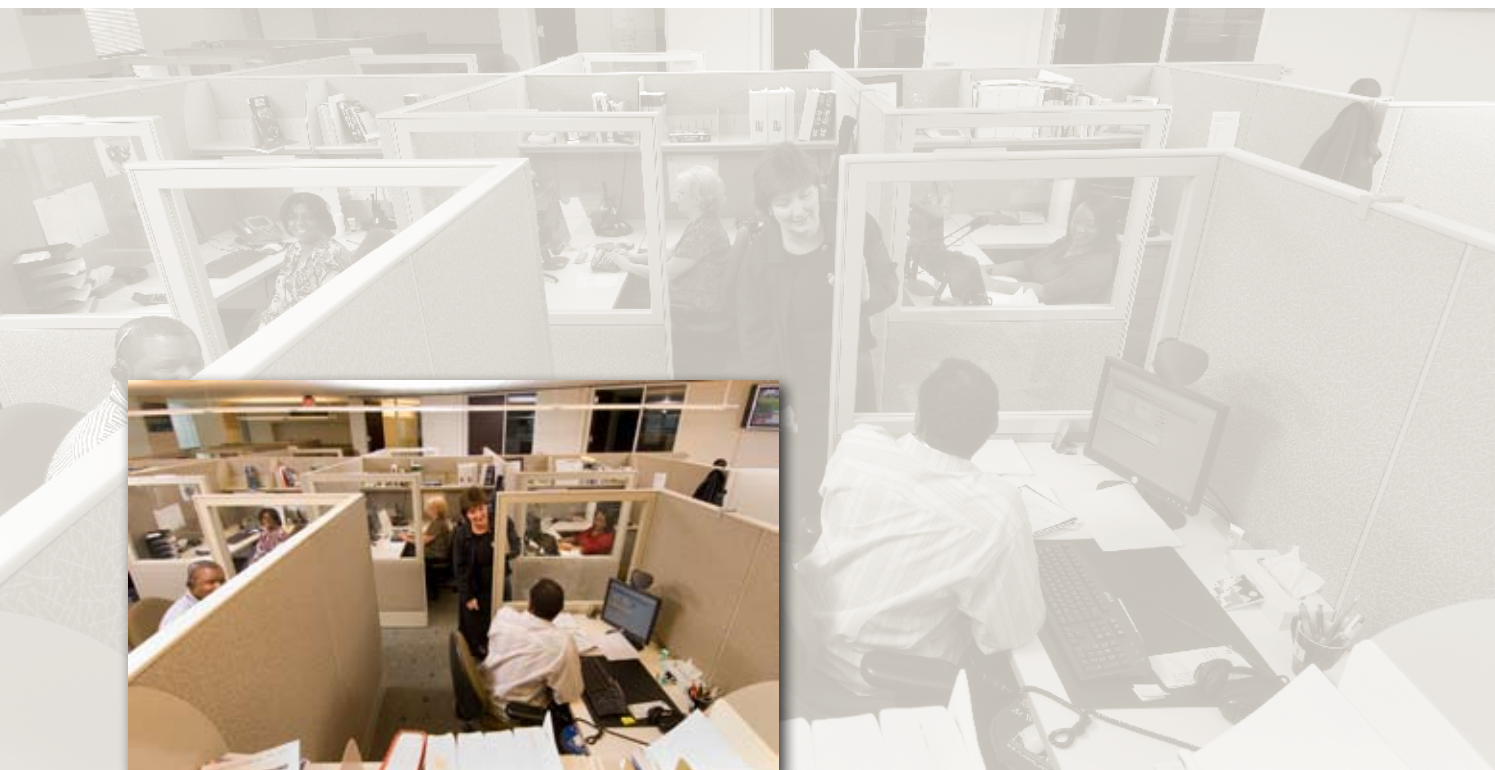
Likewise, contacts with banks have been streamlined through the use of CAGNet, a secure, Web-based system that allows the OCC and banks to communicate electronically. National banks can log in to CAGNet to see summaries of all pending complaints and provide responses to CAG on individual cases.

When called upon to help customers understand the applicable banking laws and advise them of their rights, CAG specialists have the background to provide reliable information. Moreover, CAG works closely with the OCC’s Law Department to address complaints that raise substantive legal questions.

CAG also addresses complaints about illegal discrimination. Complaints alleging violations of the Equal Credit Opportunity Act and Fair Housing Act usually involve applications for credit cards and mortgages, and a bank’s evaluation of those applications. Bank customers are typically unfamiliar not only with the provisions of these laws, but also with the standards that banks use to evaluate creditworthiness. If a CAG specialist has reason to believe discrimination may have occurred, the matter

CAG HAS EXPANDED
ITS HOURS, IMPROVED
THE EFFICIENCY
OF ITS OPERATIONS,
AND ENHANCED THE
TECHNOLOGY IT USES
TO TRANSMIT CONSUMER
COMPLAINTS TO BANKS





The Customer Assistance Group Expands Customer Access

The OCC's Customer Assistance Group (CAG) is open for business 12 hours a day, five days a week. As a result, from 7 a.m. to 7 p.m. Central Time, Monday through Friday, consumers with concerns or complaints can call and speak to a CAG representative.

The expanded hours were made possible through the use of telecommunications technology and a new relationship with an experienced vendor. Leveraging this technology with professional call center practices, CAG can better fulfill its mission. CAG also has the flexibility to extend its hours or add capacity during a natural disaster.

Deputy Ombudsman for Customer Assistance Craig Stone, who oversees CAG, said the expanded hours have proven important to many national bank customers.

"The issue isn't so much that we're able to field complaints that might not have gotten to us under the old system," said Mr. Stone, because "people

who reach us after hours leave messages or send e-mails. What's important, though, is that when something goes wrong with your credit card or mortgage loan, you want to talk to someone right away. You don't want to have to wait until the next business day. And if that problem crops up at 6:30 p.m. Central Time, we have customer assistance specialists available to help."

"We are proud of what we have accomplished to date in building an integrated system of skilled people and effective technology to address customer concerns," said Comptroller of the Currency John C. Dugan.

"We think we've done a good job in developing the technology and the people we need to serve national bank customers with questions and complaints, but that job never stops," said Mr. Stone. "We're always looking for ways to improve, and expanding our call hours is only one example of that."

is referred to the appropriate OCC supervisory office as well as the agency's Community and Consumer Law Division. Under a Memorandum of Understanding, CAG also refers certain mortgage loan discrimination complaints to the Departments of Justice and Housing and Urban Development.

Sometimes bank customers present problems that do not lend themselves to resolution by CAG, such as issues involving contract disputes. In these cases, CAG specialists may advise the customer to consider retaining legal counsel, but that's always a last resort. CAG specialists are often able to resolve differences in a way agreeable to both the customer and the bank.

CAG Improves Customer Service

In the last two years, CAG has expanded its hours, improved the efficiency of its operations, enhanced the technology it uses to transmit consumer complaints to banks, developed a process to ensure that complaints sent to the wrong agency are directed to the right one, and launched a special Web site for customers of national banks (www.HelpWithMyBank.gov).

New Call Center Improves CAG's Coverage, Efficiency

Perhaps the most significant improvement in recent years was the establishment in 2006 of a satellite call center and the expansion of CAG hours. As a result, consumers who have problems with their banks can now reach a CAG representative 12 hours a day, five days a week (7:00 a.m. to 7:00 p.m., CT, Monday through Friday). (See "The Customer Assistance Group Expands Customer Access" for more about the move to expanded hours.)

The satellite call center uses time-saving tiered service. At the first tier, the customer service representatives provide information on basic banking questions. More complex questions, unique issues, and foreign-language calls are

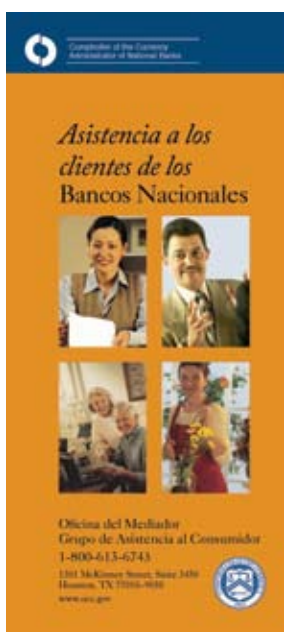
“The bank removed the questionable file from my credit reports. OCC has helped me tremendously. My credit report looks great. Last month my husband and I were able to purchase our home.”



transferred to the second tier, where they are handled by more experienced or bilingual customer assistance specialists.

CAG also enhanced its self-service telephone menu in early 2006. Without having to speak with a specialist, consumers can obtain basic information such as CAG's address, instructions for filing a complaint, and contact information for other bank regulatory agencies.

**"Gracias por llamar a la Oficina del Contralor de la Moneda.
Mi nombre es Eloisa. ¿Qué es su nombre, por favor?"**



This is what you might hear when you reach one of our Spanish-speaking customer assistance specialists. Between 2005 and 2006, the CAG office handled more than 1,900 calls from Spanish-speaking national bank customers trying to resolve problems or file complaints.

In 2006 the OCC published the "Assistance for Customers of National Banks" brochure in Spanish: "Asistencia a los clientes de los Bancos Nacionales." From the brochure, customers with problems and complaints about national banks learn how best to resolve them. CAG also has specialists who speak French as well as Russian.

The OCC also provides a variety of information in Spanish on its Web site, www.occ.gov.



Financial Regulators Forge a Formal Agreement To Share Complaint Data

Even the most financially literate Americans sometimes have trouble determining who regulates their depository institution. Is it a bank? A thrift? Is the institution chartered by a state agency or by the federal Office of the Comptroller of the Currency?

The OCC and the Conference of State Bank Supervisors (CSBS) believe consumers shouldn't have to know the answer to those questions. Any banking agency they deal with ought to answer it for them.

That simple concept was embodied in a template for information-sharing agreements. This template was designed to be used as the basis for individual agreements between the OCC and state banking departments.

On November 30, 2006, Comptroller of the Currency John C. Dugan and then New York Banking Superintendent Diana L. Taylor inked the first such agreement. It was quickly followed by many others, with over a majority of states entering into such agreements by the fall of 2007.

"We are pleased to be the first state to sign an MOU with the OCC to ensure consumer complaints are addressed by the appropriate supervisory agency," said Superintendent Taylor at the signing ceremony. "This agreement is an important first step between the New York State Banking Department and a federal bank regulator to enhance cooperation in the area of consumer protection."

Recognizing that consumers do not always know which regulatory agency—state or federal—supervises their bank, the OCC-CSBS template provides model procedures to ensure that misdirected complaints are sent to the appropriate agency. The agreement provides for an exchange of data, protects the privacy of customers, and allows the state officials to receive status reports about the complaints they refer.

"The real winners here are consumers, who should not be expected to know which regulatory agency to send a complaint to when they run into problems," Comptroller Dugan said.

Each year the OCC refers thousands of complaints to other state and federal regulators and receives thousands more from other agencies about national banks.

Handling this volume of referrals requires collaboration that goes beyond a simple formal agreement, and the OCC began work in 2006 on the technology to electronically route misdirected complaints. The enhanced capabilities will allow the OCC and participating states to exchange information electronically, cutting down on paper mail and faxes, and speeding service to bank customers. The new system, dubbed "Complaint Referral Express," continued in development, with testing early in 2007 and full implementation planned by mid-year 2008.

“I wish to express my gratitude for all the help I have received from [you]. With your help, we received [a refund of \$7,100 incorrectly deducted from] our account. What a nice surprise to come into on Monday morning! [This] would not have happened without your office’s help.”

Enhanced Complaint-Sharing Technology

Recently, CAG has undertaken two initiatives to improve the consumer complaint process, not just for national banks and their customers, but for customers of other banks as well.

The first of these initiatives is an improvement to our Web-based system known as CAGNet—a system that manages and delivers information about consumer complaints to national banks—all electronically. In January 2006, CAG enhanced CAGNet to deliver complaint data to bank managers in near real-time. Today, 91 percent of bank customer complaints to CAG are transmitted to banks by CAGNet. Using CAGNet, bankers send CAG a written explanation of how each complaint was resolved. The OCC is the only bank regulatory agency to apply technology in this way.

The other initiative involves our working with state and other federal regulators. One of the most common difficulties that bank customers face when seeking help with a problem is identifying the regulatory agency that oversees their institution. As mentioned earlier, complaints about national banks are often filed with state banking authorities, and complaints about state-chartered banks are often lodged with the OCC. Although state agencies and the OCC voluntarily forward misdirected complaints, delays often result.

Working together, the OCC and the Conference of State Bank Supervisors developed a model Memorandum of Understanding (MOU) that streamlines the way states and the OCC exchange customer complaint information. The model MOU provides a template for agreements between the OCC and individual states. (See “Financial Regulators Forge a Formal Agreement To Share Complaint Data.”)

A Web Site Just for Consumers

In 2006 the Ombudsman’s Office developed a new Web site for bank customers: www.HelpWithMyBank.gov, (launched in July 2007). This site provides a wealth of information for consumers,

including frequently asked questions that deal with problems consumers have with banks, and also provides an electronic complaint form. In addition, the site includes resources to help individuals determine which agency supervises their bank and provides contact information for other regulators.

While the site is intended to serve customers of national banks, it provides answers to questions of interest to all bank consumers. The information provided by the site comes from OCC experts based on answering nearly 70,000 consumer questions each year.

The OCC will continue to enhance the site while working with other agencies to create a one-stop source of help for customers

Update—Just Launched! HelpWithMyBank.gov Serves Bank Customers



In July 2007, the Office of the Comptroller of the Currency launched the www.HelpWithMyBank.gov Web site to assist customers of national banks with questions and concerns.

“We created HelpWithMyBank.gov with national bank customers in mind,” Comptroller of the Currency John C. Dugan said. “Our goal was to build a site that makes it easier for people to get answers and submit concerns about their bank because we are committed to ensuring fair access to financial services and equal treatment for bank customers.”

“HelpWithMyBank.gov answers common questions that appeal to all bank consumers, not just customers of national banks,” said OCC Ombudsman Samuel P. Golden. “The information provided by the site comes from OCC experts based on answering nearly 70,000 consumer questions each year.”

HelpWithMyBank.gov covers topics that include credit cards, interest rates, check cashing, late payments, mortgages, and many others.

In addition to answering banking questions, HelpWithMyBank.gov provides useful information about how to determine whether a bank is a national bank and how to contact regulators of institutions other than national banks.

“The OCC will continue to enhance HelpWithMyBank.gov with information and more helpful features,” said Comptroller Dugan. “It is my hope that we can work with other banking regulators to expand this effort to support all bank customers.”

of all banks, thrifts, and credit unions. (See “Update—Just Launched! HelpWithMyBank.gov Serves Bank Customers.”)

Customer Survey

The CAG conducted its first customer satisfaction survey in late 2006 and the response was positive. Although we are still reviewing the comments and suggestions in detail, the public rated the initial point of contact at CAG higher than the government average. Also, as one would expect, those consumers who received the relief they requested reported high overall satisfaction with their CAG experience, while those who did not obtain their requested relief were less satisfied—and of course, CAG cannot always provide the relief requested by the consumer.

THE CAG CONDUCTED
ITS FIRST CUSTOMER
SATISFACTION SURVEY
IN LATE 2006 AND THE
RESPONSE WAS POSITIVE

CAG Services Affect People’s Lives

Even before the advent of deposit insurance, the OCC protected national bank customers by examining institutions for safety and soundness. As important as that work is to bank customers, it takes place out of the view of consumers.

By contrast, CAG specialists touch the lives of bank customers in a much more visible way. They talk to thousands of customers each year, hearing their problems, dispensing advice, discussing directly with banks where necessary, and facilitating resolutions that benefit both banks and their customers, when possible.

“Each question or complaint that comes into CAG is important to us, whether it involves \$5 or \$5,000,” said Mr. Golden.

Among the national bank customers CAG helped last year was an American citizen living overseas who learned during a visit home in March 2006 that her money market deposit account had been emptied out.

Her bank said it could find no record of an account in her name. When she presented evidence of her account information, the bank investigated and notified her a week later that the account had been closed in December because of a negative balance. Account statements showed that over a seven-month period,

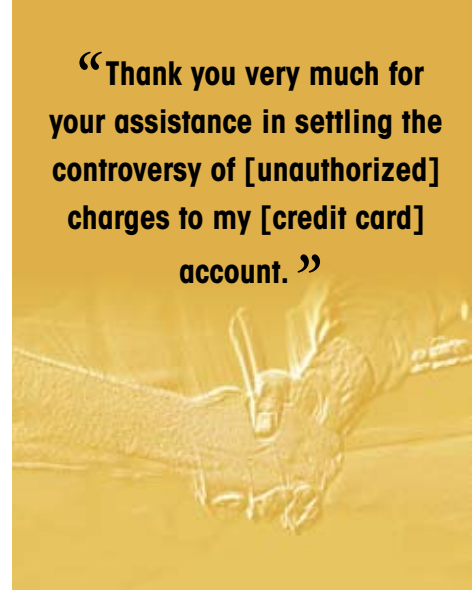
the account was depleted through numerous debit card/ATM withdrawals and telephone transfers. The withdrawals, totaling more than \$290,000, represented her entire life savings.

Initially, her bank denied her claim for restitution, contending that under law she had only 60 days to file a claim. The customer filed a written complaint with the OCC, and CAG asked the bank to explain how it had complied with Regulation E in determining the amount of the customer's liability. More specifically, CAG asked the bank to consider the length of time during which the transactions occurred, along with the timing of the customer's notification to the bank. In June, the bank wrote to its customer and the OCC stating they had reconsidered their earlier denial of her fraud claim. The result: the customer received reimbursement totaling more than \$291,000, including interest and fees. Obviously, not every complaint we receive is resolved with such a positive outcome for the consumer, but this is one example where our facilitation role helped persuade the bank of the merits of the consumer's complaint, regardless of the applicable legal standard.

In another such case, a New Orleans resident contacted OCC about a \$500 prepayment penalty he was charged for paying off a mortgage on a house destroyed by Hurricane Katrina. The bank contended that his mortgage contract called for a prepayment penalty if the loan was paid in full within 30 months of its origination. Since his papers were destroyed in the hurricane, he could not verify this statement, and he asked for CAG's help in getting a copy of the mortgage contract and a waiver of the prepayment penalty.

CAG forwarded the complaint to the bank on behalf of the consumer. The bank researched the account and concluded that the assessment of the prepayment penalty was legitimate, since it was specifically provided for in the contract. However, after the CAG pointed out the circumstances that led to the consumer prepaying the loan, the bank refunded the \$500 as a gesture of goodwill.

“Thank you very much for your assistance in settling the controversy of [unauthorized] charges to my [credit card] account.”



Again, not all complaints reach such resolutions, and indeed, most turn on an understanding of the fundamental legal rights and responsibilities of the bank and the customer. Nevertheless, as these examples show, there are instances in which CAG's attention to an issue has made the bank aware of other issues involved—including the bank's reputation—that have led to a favorable resolution for the consumer.

Complaint Case Load and Trends

The number of bank customers who contact the CAG fluctuates, but typically totals between 60,000 and 70,000 per year. (See Figure 2: Total Case Volume, Inquiries and Complaints, 2002–2006.)

The contacts come from all 50 states, Puerto Rico, and U.S. territories by telephone, e-mail, and letter. In 2006, the CAG handled almost 62,000 calls, of which about 28,000 were complaints. Figure 3 illustrates the percentage of complaints arising from each state or U.S. territory in 2006.

Each contact with CAG is recorded as a case. Some cases are simple inquiries; others are formal complaints. An inquiry is a question that can be related to a bank product or service. Complaints, which must be signed, are written expressions of dissatisfaction with bank products, services, or actions.

FIGURE 2

Percent of Total Complaints, by State or Territory, 2006

Shows distribution across nearly every state and territory

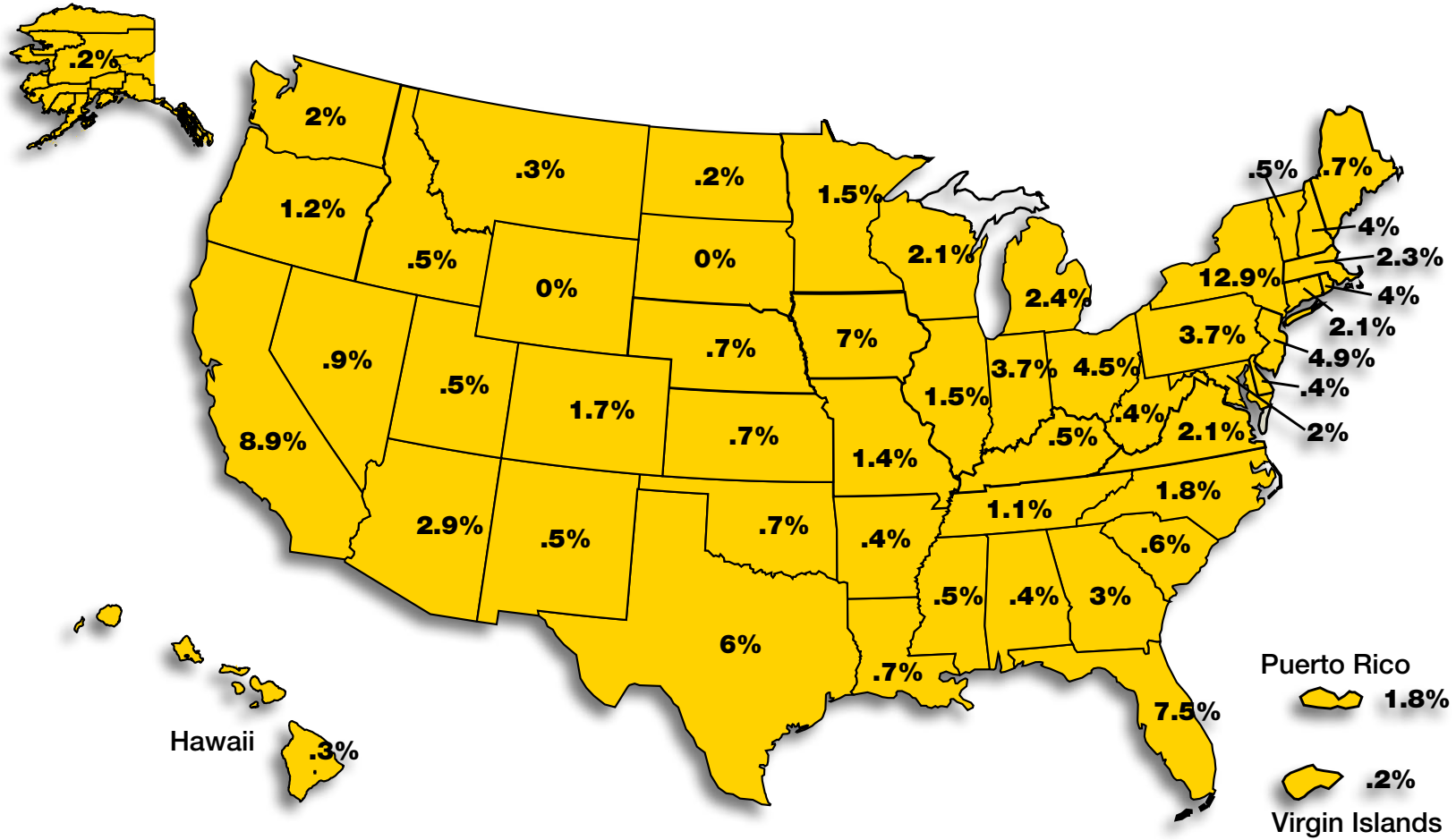
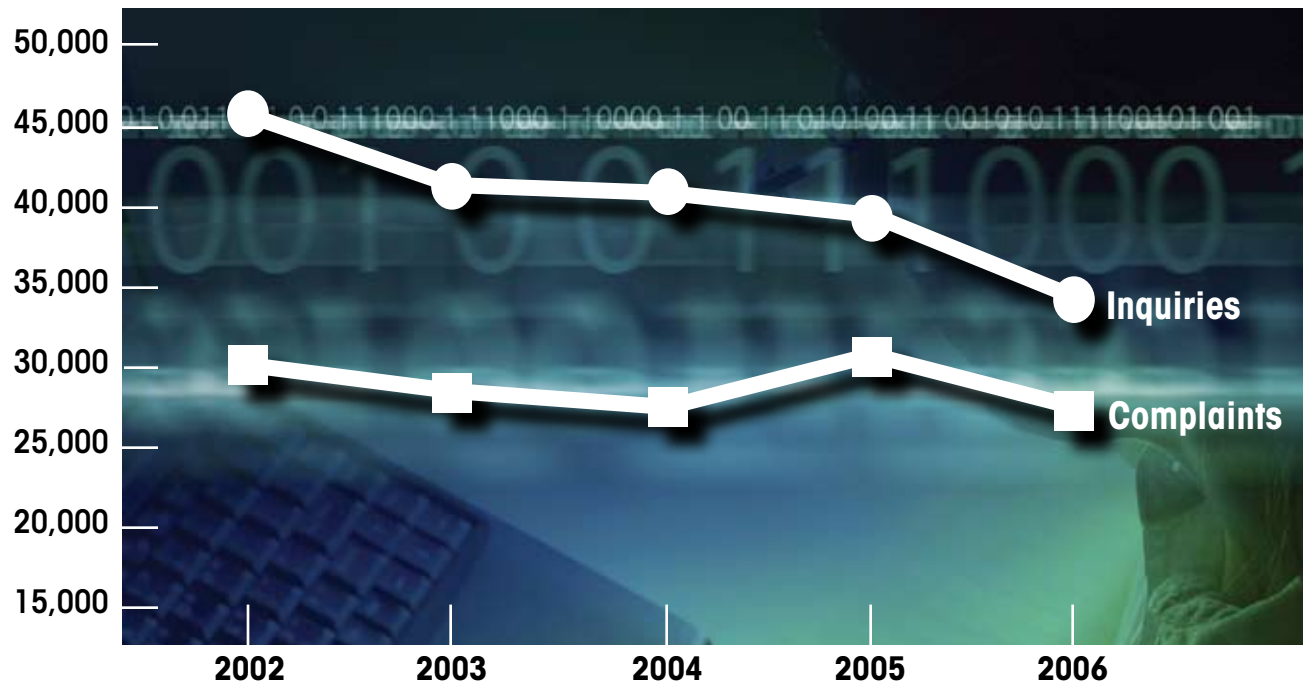


FIGURE 3

Total Case Volume, Inquiries and Complaints, 2002–2006



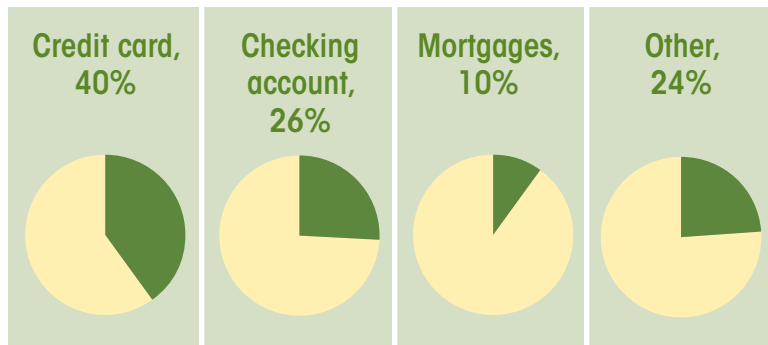
Trends

Historically, credit card issues top the list of complaints received by CAG, with disputes about checking accounts ranking second. The third largest category of complaints relate to mortgages. Together, these three categories account for more than three-fourths of all complaints. (See Figure 4: Complaints by Major Product, 2002–2006.)

Credit Cards. More than half of credit card complaints relate to the Truth in Lending Act, which requires disclosure to customers of specific credit card terms, such as fees and conditions that can result in interest rate increases. Disputes also arise about billing errors, poor customer service, debt collection practices, equal credit opportunities, credit reporting, changes in bank policies on

FIGURE 4

Complaints by Major Product, 2002–2006



Note: Total number of complaints for 2002–2006 is 147,440.

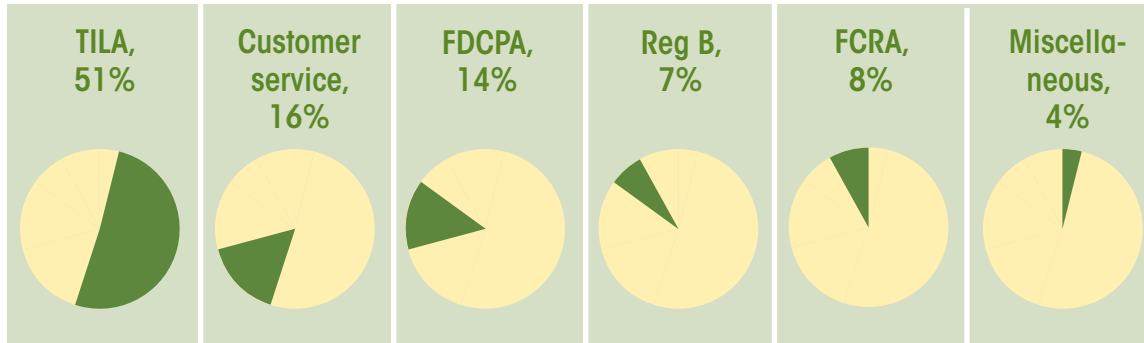
grace periods, late payments, and minimum monthly payments. (See Figure 5: Credit Card Complaints, 2002–2006.)

Consistent with the mission of the Ombudsman’s Office, CAG specialists provide informal education to bank customers about truth-in-lending rules on account disclosures, finance charges, and other credit terms. CAG specialists review account disclosures with bank customers, explain the terms clearly, and answer questions. In addition, our experience suggests that poor customer service often involves a breakdown in communication between customers and bank employees.

Debt collection practices are an increasing source of complaints. The most common grievances include excessive phone calls, debts that are not owed, and attempts to collect more than is due. CAG specialists inform bank customers of their rights under the Fair Debt Collection Practices Act. They also foster exchanges of information between customers and banks about the validity and propriety of collection efforts.

FIGURE 5

Credit Card Complaints, 2002–2006



Note: Total number of credit card complaints for 2002–2006 is 58,919.

TILA = Truth in Lending Act

FDCPA = Fair Debt Collection Practices Act

Reg B = implements Equal Credit Opportunity Act

FCRA = Fair Credit Reporting Act

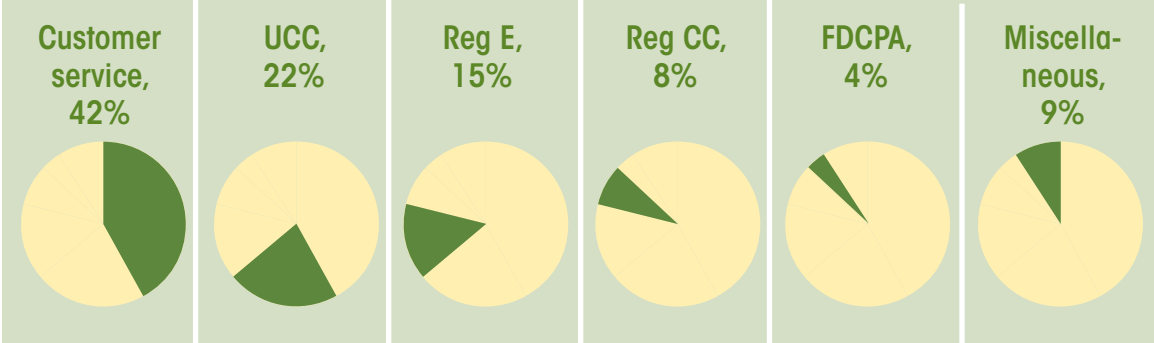
Checking Accounts. Checking accounts are also a major source of customer complaints or concerns, which is not surprising given the high number of transactions associated with this banking product. Poor customer service ranks first among such complaints, usually related to bank charges, check processing, and poor communication. (See Figure 6: Checking Account Complaints, 2002–2006.)

To resolve misunderstandings about deposit processing and check clearing, CAG specialists explain to customers that these issues may not be covered by laws or regulations, but by the Uniform Commercial Code (UCC) and bank policies.

CAG specialists also work to resolve complaints about unauthorized transfers or fraudulent transactions using customers’ automated teller machine (ATM) cards, issues that are governed by the Electronic Funds Transfer Act.

In the past two years, the CAG has noted a significant increase in complaints about counterfeit checks, which have caused significant losses to banks and their customers. Both the Availability of Funds Act (Regulation CC) and the UCC govern complaints about the negotiation and collection of checks and drafts in commercial business transactions, sales contracts, and agreements. Other common disputes involve lost and forged instruments, stop payment orders, and contractual disputes. The UCC is not widely understood by the general public, so CAG acts as liaison between bank customers and their banks to address these issues. In some instances, CAG advises customers to seek legal assistance in resolving complaints.

FIGURE 6
Checking Account Complaints, 2002–2006



Note: Total number of checking account complaints for 2002–2006 is 38,741.

UCC = Uniform Commercial Code

Reg E = implements the Electronic Fund Transfer Act

Reg CC = Part 229—Availability of Funds and Collection of Checks

FD CPA = Fair Debt Collection Practices Act

“I received a full credit of \$5,292.61 from my bank. Your services are imperative to hard-working consumers who trust establishments to abide by simple rules of integrity and the law. Thank you again for your concern, prompt attention, and professionalism.”

CAG Supports Bank Supervision

From analyses of complaint data, CAG identifies trends and lessons that are valuable to the OCC’s supervision of the national banking industry. Data derived from the CAG process plays an important role in identifying problems—at a particular bank or in a particular segment of the industry—that may warrant further investigation by examination teams, supervisory guidance to address emerging problems, or enforcement action.

Through an internal, Web-based system called CAGWizard, CAG analysts extract complaint data, sort and analyze the information, and generate custom reports that bank examiners use regularly in their examinations of individual banks.

The CAG also identifies complaint trends for individual products such as home mortgages and credit cards. Senior OCC leaders review these trends when forging the agency’s supervisory strategies. When complaints about specific products and practices increase or when complaints about a particular bank multiply, this information can be used to focus the OCC’s supervisory activities. This increased supervisory attention helps ensure fair treatment of bank customers and, in extreme cases, can lead to enforcement actions against the bank.

Analysis of CAG complaint data is also important to the development of OCC guidance on consumer compliance issues. For example, CAG data has contributed to the following guidance:

- OCC Bulletin 2005-9, “Overdraft Protection Programs: Interagency Guidance” (April 6, 2005).
- OCC Consumer Advisory “Gift Cards: OCC Provides Holiday Tips for Consumers,” attached to News Release 2004-108 (December 7, 2004).
- OCC Advisory Letter 2004-8, “Servicemembers Civil Relief Act” (June 18, 2004).

CAG Outreach

The CAG management team hosts formal and informal meetings with banking associations, consumer advocacy groups, and state regulatory authorities to promote strong working relationships, to share best practices, and to strengthen risk identification measures. The team also participates in external conferences to provide educational material on the CAG and increase awareness of its activities.