



FREE COMPLIANCE ASSESSMENT FORM

NOTICE: This assessment provides business owners with a look at the issues and processes that compliance auditors would review if they visited your firm. Also, this assessment could be similar to what would be examined if you hired an outside compliance assessment firm to conduct a compliance examination at your place of business. The assessment is based on both original material by Compliance Umbrella and on the CFPB Examination Manual, a U.S. government publication available for use by the general public. It specifically uses the portion of the CFPB Exam Manual titled Consumer Risk Assessment, located at cfpb.gov > Law & Regulation > Examination Manual. This Assessment is presented at no cost to the taker.

Print the Assessment, then check the answer at the right of each question. The assessment should be taken by the business owner or an upper management person in order to have any value to the business; the intent is that the answers come from a decision maker/leader in the company who would know the answer to each question. Answer quickly and honestly for the most authentic result. The assessment should take less than 10 minutes to complete. Your answers will then be tabulated and a result and opinion will be given by us (Compliance Umbrella) at the bottom of the page. You may take notes on this but it too will disappear when the page closes. We do not hold ourselves out as experts nor guarantee or intend any level of accuracy in assessment results. Our opinion of the results is based on Best Practices in the industry and on the apparent intentions of the CFPB in the content of their Risk Assessment.

Circle your choice

Answers are:

SOMETIMES OR SOMEWHAT (the situation as posed does happen at least occasionally)

DON'T KNOW (you do not have sufficient knowledge or experience of the issue to answer)

YES (you know it to be true);

NO (you know it is not true);

SOMETIMES	DON'T KNOW	YES	NO
<input checked="" type="radio"/> S	<input checked="" type="radio"/> ?	<input type="radio"/> Y	<input type="radio"/> N

NOTE: In the area of regulatory compliance, it is not generally illegal to make a mistake; however, it may be an actionable violation if the mistake is repeated or continued, or affects many consumers, or is a condition built into the way you operate, or is not recognized and followed with steps to resolve it (and these steps are documented).


CFPB Quote from Exam Manual

NOTE - COMPLAINTS: Numerous complaints from consumers (may be) filed against an entity, or its third-party vendors that interact with consumers, relative to the size of the customer base or in comparison to other entities of similar size offering similar products. Complaints may allege or involve:

- Misleading or false statements;
- Lack of disclosure of information about material terms of a product or service;
- Unauthorized fees, fees for services not provided, or duplicative fees;
- Previously undisclosed charges;
- Customer service; or
- Collections or Loan servicing.

COMPLIANCE ASSESSMENT FORM

Does your business have a compliance program, that is a structured practice of ensuring that employees know the steps required to follow particular laws related to their duties?	S	?	Y	N
Did compliance efforts clearly originate with upper management or the board - and is there evidence of clear expectation (minutes of meetings) of the Board or owners about compliance by all employees?	S	?	Y	N
Have you designated which employees will coordinate your compliance program and discussed the program with all managers?	S	?	Y	N
Does your company use any outside vendors or service providers in its operations?	S	?	Y	N
Have you taken any steps to ensure these vendors/providers comply with legal obligations applicable to your company and to their own operations?	S	?	Y	N
Do you have written procedures that cover the steps your employees take so that various company processes, services or products are handled in agreement with consumer protection laws, AND you've ensured these are comprehensive and current with existing laws/regulations?	S	?	Y	N
Do your employees receive formal training on these operating procedures?	S	?	Y	N
Do you keep schedules and records of training completion for compliance-specific training of managers, staff and compliance coordinators?	S	?	Y	N

Do you have similar documents demonstrating that service providers who have contact with consumers or have compliance responsibilities have been appropriately trained?	S	?	Y	N
Do you have a formal complaint system or process to collect and control complaints received, stored, worked on, resolved and reports on these steps that are available for the CFPB to review?	S	?	Y	N
Can you determine whether complaints involving service providers are similarly handled and resolved by them?	S	?	Y	N
Do you have a process to contact complaining customers before the 15th day of the complaint and resolve it no later than 60 days?	S	?	Y	N
Have you ever had a complaint forwarded to you by the CFPB?	S	?	Y	N
Do you have a separate Vendor Management Program?	S	?	Y	N
Have you received an inquiry from any client/business customer asking about your compliance program?	S	?	Y	N
Do you REGULARLY communicate with employees on compliance or conduct repeat training?	S	?	Y	N
Do you have any reports that summarize any compliance information on your business?	S	?	Y	N
Do you charge any kind of penalty fees to customers, such as late chg or added serv chg if invoice not paid in a certain time and are such fees a recognizable part of your revenue?	S	?	Y	N
Is your pricing structure (w/features, terms) complicated enough to make total cost hard to understand?	S	?	Y	N
Do customers have to pay a penalty to terminate a relationship, return a product, etc.?	S	?	Y	N
Is it easy for customers to find info re their account and you do not receive complaints on this?	S	?	Y	N
Do you take any steps to protect customer data?	S	?	Y	N
Is access to customer data limited to certain employees or specific computers?	S	?	Y	N
Do you have any regular maintenance or checks by computer specialists on your systems, computers or networks?	S	?	Y	N
Is there any network activity that connects your computers or system to the Internet or is any data stored on the Cloud?	S	?	Y	N
Is there any ongoing protection against cyberattacks such as use of firewalls, penetration testing or other?	S	?	Y	N
Is advertising reviewed for deceptive issues such as a loss leader headline with exclusion/limiting wording in fine print at the bottom of the ad? If you do not review ad finals prior to publication for compliance, choose "Don't Know."	S	?	Y	N
Do you check ads for (1) reading level understandable by target audience,(2) teaser/loss leader ad without importnt conditions,(3) targeting that may be discriminatory,(4) media placement that targets specific populations only to advertise higher-cost products?	S	?	Y	N
Do employees in sales or cust service receive any kind of compensation based on numbers (of sales, total sales, contacts completed, etc.)? IT IS NOT ILLEGAL TO PAY COMMISSIONS. IT IS ILLEGAL TO CREATE OR REWARD DECEPTION OR CONSUMER HARM IN THIS REGARD. SUCH PROGRAMS MUST BE FAIRLY PLANNED AND CONDUCTED.	S	?	Y	N
Do employee performance reviews include a section on responsibility for compliance?	S	?	Y	N
Do you conduct periodic compliance testing and produce reports on such internal audits that are available for review?	S	?	Y	N
Are possible unfair, deceptive, abusive, or discriminatory effects considered and resolved at any early stage for (1) products chosen to sell, (2) delivery, (3) advertising, (4) customer support, (5) returns, (6) complaint handling, (7)in-store environment, design, accommadations?	S	?	Y	N
END OF ASSESSMENT. READ BELOW / THEN COUNT THE NUMBER OF MARKS IN EACH COLUMN AND ENTER THAT NUMBER HERE				
There are 32 questions.				
 Do not count the answers in grey boxes (Questions 4, 12, 14, 24, 28)				
Count the number of No and enter at right (minus any No on Quest 18, 19, 20)				
Count the number of Yes and enter at right, above				
Count the number of Sometimes and enter at right, above				
Count the number of Don't Know and enter at right, above				

Now consider the following:

1. "Yes" answers are obviously a good sign, except for Quest 18, 19, 20. On these, a Yes answer may not be a violation but should be reviewed for any injury to consumers that could result in some cases.

2. "No" answers could indicate compliance concerns and should be reviewed. A CMS is considered mandatory in a successful compliance program. Do you have one? Are you using it effectively? And if you have Vendors, you need a Vendor Risk Program to be in compliance.

3. "Sometimes" answers point out a need for review and correction. These may indicate issues that can be resolved if the issue or process is sometimes handled correctly. Identify how to change that "Sometimes" into "Always." If the condition happens often or to a large number of consumers then the risk is greater. Make sure the occurrence is not built into your business methods - if it is, make a change. With any actions resulting from this assessment, put these on a management agenda to document concern and the steps taken to resolve it.

4. "Don't Know" answers indicate a management weakness that should be corrected ASAP. Why don't you know? What steps will be taken to correct this. As above, put this into management meetings and minutes and document corrective steps taken.

IF YOU COMPLETED ALL OF THIS, CONGRATULATIONS - YOU'VE IMPROVED YOUR COMPLIANCE PROFILE WITH MINIMAL COST AND TIME. IF YOU DON'T HAVE YOUR CMS, WE INVITE YOU TO CONTACT US !

<END>



(Better yet, we invite you to enroll)