

Happy Monday morning, Bank Slaters!

I hope each of you had a fun, stress-free few days. I know it was very cold across much of the country this weekend. I, for one, am looking forward to warmer days.

Are you enjoying the newsletter? If so, please spread the word. It is easy to sign up. Just visit www.TheBankSlate.com and fill out the pop-up form. I can also sign your friends and colleagues up with a valid email address. I'm also interested in having some guest columnists to diversify our perspectives. Let me know if you're interested!

Let's talk about the CFPB.

I recently wrote a white paper on what to expect from the CFPB in 2023. The report, which can be accessed [here](#), proved timely when the agency issued [a proposed rule](#) that would cap most credit card late fees at \$8.

Here are five topics I believe banks and credit unions must track in the coming months.

Open Banking: The comment period recently closed for a proposed rule that would require financial services companies to make a consumer's financial data available to them or to a third party at the consumer's direction.

Credit Card Fees: As mentioned earlier, a proposed rule would significantly lower late fees. The comment period ends on April 3.

Overdraft/NSF Fees: The CFPB has labeled these charges as "junk" fees, recently ordered Regions Financial to pay \$191 million to address a policy it had eliminated.

Fintech Partnerships: While the CFPB is looking at ways to make it easier for challenger banks to enter the market, it has also asserted its rights to supervise nonbanks. It is also keeping an eye on BaaS partnerships.

Buy Now, Pay Later: The agency has said it will treat BNPL like credit cards in terms of terms and disclosures. It will be interesting to see how it treats BNPL platforms it believes aren't complying with those parameters.

What decisions from the CFPB have you most concerned? Let me know at info@thebankslate.com.

Here are the main headlines from the past week.

The Big Headline

Finger pointing tied to Silvergate Capital, its FTX ties and its liquidity maneuvers continues. The focus for several policy advocates is on the FDIC's [treatment of brokered deposits](#).

M&A

- LevelField Financial, a Houston fintech focused on digital assets, agreed to buy Burling Bank in Chicago for [an undisclosed amount](#).
- Vista Bancshares in Dallas [agreed to buy](#) Charis Holdings in Justin, Texas, for an undisclosed sum in a deal that is expected to close in the second quarter.

Arrivals | Departures

- Wintrust Financial in Illinois said CEO Ed Wehmer will [retire on April 30](#). He will serve as executive chairman until May 2024 and as a senior adviser until the end of 2026. Timothy Crane, Wintrust's president, will succeed Wehmer.
- Timberland Bancorp in Washington said Dean Brydon [became its CEO](#), succeeding Michael Sand, who retired. Brydon, who was president and CFO, also became a director, while Sand remains on the board.
- Northwest Community Bank in Connecticut said Maura O'Sullivan Malo will [become its president and CEO](#) in September. Malo, the bank's COO, will succeed Stephen Reilly, who is retiring.
- Century Savings Bank in New Jersey said David Hanrahan [succeeded David Hemple as CEO](#). Hanrahan was hired as the bank's president in early 2020.

(Fin)tech

- Upstart Holdings California will [cut a fifth of its staff](#), or roughly 365 jobs, by March 31 and suspend development of its small business loan product.
- BM Technologies in Pennsylvania will [lay off 25% of its workforce](#). It also said that Jamie Donahue, its chief technology officer, had become its president.
- Provident Bancorp in Massachusetts returned to profitability and [slashed its exposure to the crypto industry](#) during the fourth quarter.

Odds & Ends

- New York Community Bancorp will [close its out-of-market mortgage offices](#). The move will eliminate about 70% of its retail home lending offices.

- First Bank of Baldwin in Wisconsin [rebranded as Pillar Bank](#), reflecting expansion into nearby markets, while Clackamas Federal Credit Union in Oregon [rebranded as Embold Credit Union](#).
- The FDIC [gave conditional approval](#) for organizers to form Icon Business Bank in California. The group must raise at least \$22.7 million before they can open the proposed bank.
- Community Bank System in New York [sold \\$786 million of debt securities](#) at a \$39.6 million after-tax loss. It used the proceeds to pay off wholesale borrowings. It should recoup the loss from the sales in about two years.
- Comerica in Dallas formed a [national investment banking group](#) within its Comerica Securities unit.
- First Savings Financial Group in Indiana will [restate earnings](#) to address several accounting matters. The changes will lower fiscal 2022 net income by 6.4%, to \$15.4 million.
- First Waterloo Bancshares in Illinois [raised nearly \\$8.5 million](#) through a private placement.
- Heartland Financial USA [moved its corporate headquarters](#) from Dubuque, Iowa, to Denver.
- PacWest in California [shut down](#) its premium finance and multifamily lending groups. It also plans to retool a business that lends to real estate investors.

There you have it. Hope you all have a smooth and production week!