Consumer Services ANNUAL REPORT 2020 - 2021



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Message from Richard Vague

I am pleased to present this sixth annual report on the work of the Financial Services for Consumers and Business deputate and highlight some of the financial issues facing consumers throughout the commonwealth.

While we still see some of the financial impacts on citizens as we turn the corner on COVID-19, there are reasons to be optimistic about the financial well-being of Pennsylvanians.

As you'll learn from this report, after seeing an increase in complaints and inquiries in the prior fiscal year due to uncertainty from the pandemic and implementation of various relief programs, the number of complaints slightly decreased in this most recent year. Innovation and evolution of the financial services landscape presents consumers with even more control of their finances but must be moderated based on risk and full understanding of terms, conditions, and disclosures with emerging products, platforms, and mediums of delivery.

The staff of the deputate is comprised of our Consumer Services Office and Investor Education and Consumer Outreach Office. This past year staff responded to over 4,900 calls on a host of financial questions and complaints, and reached more than 14,000 residents with our presentations, often working closely with other state agencies and partner organizations.

Protecting senior citizens in Pennsylvania continues to be a priority of the department. We work alongside the Department of Aging to educate about the red flags of elder financial exploitation. This remains an important area to invest our time and resources, helping seniors avoid falling victim to financial predators and equipping professionals who interact with older adults the tools and resources to report suspected exploitation and safeguard their family, friends, clients, and constituency. This report contains a brief summation of the work of the deputate throughout this past year, as well as information about trends we are seeing. If you would like to learn more about the work of the deputate, I encourage you to:

- Follow us on Facebook and Twitter to learn tips about how to protect yourself and your money from the latest scams and threats;
- Visit the department's <u>calendar of events</u> to find an event near you or email us at <u>informed@pa.gov</u>
- Connect with the people and organizations who are forming a network of consumer protection across Pennsylvania, include the Pennsylvania State Agency Financial Exchange (PA \$AFE); and
- Contact us at 1.800.PA.BANKS and speak with a Consumer Services Specialist if you have questions or complaints about financial issues

Richard Vague

Pennsylvania Secretary of Banking and Securities



About the Department

The Pennsylvania Department of Banking and Securities was created by Act 86 of 2012, which merged the Pennsylvania Securities Commission and the Pennsylvania Department of Banking into one agency under the governor's jurisdiction. The department's mission is to regulate financial services and work to ensure consumers and businesses are well-informed about the marketplace.

Here are some of the ways the department balances its mission of ensuring financial institutions' safety and soundness and consumer protection with our concern for Pennsylvania's families:

- We regulate more than 170 state-chartered banks, trusts and credit unions to ensure that Pennsylvanians' deposits are safe and available when they need them.
- We license and register more than 30,000 non-bank lenders, including mortgage brokers, originators and lenders; auto sales finance companies; debt management and debt settlement companies; check cashers; pawnbrokers; and money transmitters. We also enforce compliance with state and federal laws so that consumer borrowers will have confidence in their transactions.
- We register more than 245,000 broker-dealers, investments agents, investment advisers and investment adviser representatives who conduct securities-related business in Pennsylvania, and review more than 9,000 securities offerings made to Pennsylvanians each year.

- Our Consumer Services Office staff provides free help to anyone with a question, concern, or complaint about Pennsylvania financial institutions or products. Simply call 1.800.
 PA.BANKS or visit dobs.pa.gov and a trained professional will respond within one business day.
- Our Investor Education and Consumer Outreach Office staff presents non-commercial, educational programs about investing and fraud prevention at senior citizen expos, community center functions, schools and other public events that teach consumers how to protect their money. Requests for presentations can be made at informed@pa.gov

The department is accredited by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, and the National Association of State Credit Union Supervisors. We are active members of the North American Securities Administrators Association, the National Association of Consumer Credit Administrators, and the Money Transmitter Regulators Association.

Our work is funded entirely by the assessments and fees paid by Pennsylvania's regulated financial community. No taxpayer dollars are used to support our work.

Consumer Services Office News

Consumer Services staff handled more than 4,900 complaints/inquiries in the past fiscal year.

The Consumer Services Office is staffed year-round by a team of trained professionals who are dedicated to helping Pennsylvanians with financial issues and questions.

The toll-free 800 number, 1.800.PA.BANKS, is staffed Monday-Friday from 8:00 AM-5:00 PM.

Our Consumer Services Office has been in service for more than 40 years and aims to assist consumers with their financial questions. Callers deal with one point of contact, rather than being passed from person to person within the department. This continuity results in faster resolution of issues.

The average time for Consumer Services to resolve complaints is under 4 days.¹

Continuing education for Consumer Services Office staff included participation in the Educational Committee for the National Association of Consumer Credit Administrators (NACCA) and participation in the American Association of Residential Mortgage Regulators.

Consumer Services Office Operations

Q: Must people provide their names?

A: Consumers are not required to provide their name to have a question answered. However, to process a complaint, information such as your name, address, contact information, and documentation related to your complaint, such as transaction details or statement, is necessary.

Q: Should I include my Social Security number in my complaints?

A: No, consumers should not include their Social Security number in their complaint or inquiry to the office. Consumers should take steps to safeguard and protect their personal information.

Q: How long does it take you to process and resolve a question or complaint?

A: About 85 percent of the time we resolve issues that same day. For those issues that do take longer, it is almost always because we are waiting on additional information from the individual consumer or a formal response from the institution (we typically allow for a 30-day response).

Q: What are the financial issues that most concern people?

A: Most questions come in about deposit accounts (checking/savings), online and mobile banking, money transmission services, mortgages, and scams.

Q: When you cannot help, where do you refer people?

A: Consumers sometimes find that trying to find the right government agency to help them can be difficult or frustrating. Our Consumer Services professionals understand this challenge and work frequently with other state, local and federal government agencies that can address complaints or questions not related to the department.

Q: Can you provide financial advice about a specific situation?

A: The office cannot provide individualized financial advice to consumers. Questions about whether or not you should engage with a specific entity, utilize a specific financial product or service, or recommendations about financial matters are beyond the scope of the office.

¹ Average time is not indicative of future resolutions for complaints. Complexity and specifics of each complaint can result in complaints taking up to or exceeding 30 business days.

Continuing Collaboration

In the past year, we have worked with the following agencies to help resolve consumer questions and complaints:

Federal Agencies

- Commodity Futures Trading Commission
- Consumer Financial Protection Bureau
- Federal Bureau of Investigation
- Federal Deposit Insurance Corporation
- Federal Emergency Management Agency
- Federal Financial Institutions Examination
 Council
- Federal Reserve Board of Governors
- Federal Trade Commission
- Financial Industry Regulatory Authority
- Internet Crime Complaint Center
- National Credit Union Administration
- Office of the Comptroller of the Currency
- Securities and Exchange Commission
- United States Department of Justice
- United States Department of Labor
- United States Postal Inspection Service

State Government Partners

- Department of Aging
- Department of Agriculture
- Department of Community and Economic Development (DCED)
- Department of Education
- Department of Human Services
- Department of Labor & Industry
- Department of Revenue
- Department of Transportation (PennDOT)
- Insurance Department
- Office of Administration
- PA Attorney General
- PA eHealth Partnership
- PA Emergency Management Agency (PEMA)
- PA Higher Education Assistance Agency (PHEAA)
- PA Housing Finance Agency (PHFA)
- PA State Police
- PA Treasury
- PA Commission on Crime and Delinquency
- Public School Employees Retirement System (PSERS)
- Public Utility Commission

Additionally, the State Agency Financial Exchange (\$AFE) is a group of several state agencies that meet bimonthly to discuss financial capability efforts. The group members share event information, helping each other promote activities and Financial Capability Month (April). Several collaborative efforts have also come out of \$AFE meetings, most recently financial education research with the Department of Corrections, the Pennsylvania Board of Probation and Parole, and a consumer facing guidance on cybersecurity best practices.

Investor Education & Consumer Outreach Office News

Informed consumers are better able to protect themselves from frauds and scams and to make decisions that improve their financial well-being. Our department's outreach staff participates in hundreds of public events each year – legislative expos, seminars in community and senior centers, and large-scale events. We offer educational materials and presentations, outreach programs, professional development workshops, brochures and online tools on a wide range of topics. All of our resources and programs are free and available throughout the commonwealth.





Education Coordinator Presentation Topics:

CONSUMER PROTECTION

A series of presentations delivered in your community, customized to the audience. Topics include:

- Cybersecurity
- Avoiding Scams and Identity Theft
- Banking Basics
- Preparing for Big Purchases

INVESTING FOR FINANCIAL INDEPENDENCE



Start Today and Retire Tomorrow (STaRT) discusses retirement planning, with the goal of helping you determine your retirement goals and how to help you get there.



Investing 101 introduces saving and investing and covers: Why we need to save and invest, the difference between saving and investing, types of investment, the "power" of compound interest, investigating before you invest, technology and investing, and diversification.

PROTECTING SENIOR CITIZENS



Campaign for Wise and Safe Investing is a statewide outreach program in partnership with the Pennsylvania AARP Consumer Issues Task Force that provides retirees and senior citizens information on how to recognize, avoid, and report financial fraud and abuse. Community presentations are offered through a grant from the Investor Protection Trust.



Scam Jam is financial fraud prevention programming geared for retirees and seniors. Includes multiple guest speakers through contact and coordination with local, county, and state government agencies.



Fraud Bingo is a fun and interactive presentation that teaches consumers how to protect themselves from investment and financial fraud by playing a familiar game: Bingo! Players learn how to detect financial fraud by identifying scams affecting their own city or town.



Elder Financial Abuse Prevention is an innovative, research-based program that trains medical professionals, lawyers, social workers, senior service providers, and other partners to recognize and report financial abuse targeting their clients, especially those suffering from mild cognitive impairment.

STUDENTS



Save and Invest PA! We partner with schools and colleges to teach students to pursue financial goals and financial independence through this introduction to the basics of investing and avoiding investment fraud.

MILITARY



Making \$ense of Finance This conference style program is designed to address financial and investing challenges faced by members of the military, veterans and their families. This is made possible through the PA Military Finance Alliance, a multi-agency collaborative effort.

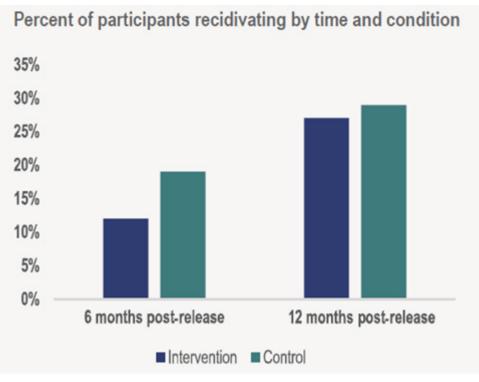
Our goal is to provide innovative programs to educate and protect Pennsylvanians.

Department Efforts Helping with Reentrant Recidivism

For the last five years, the department's outreach has included prisons and teaching inmates who are getting ready to reenter society about financial tools and resources. Due to incarceration, reentrants may not be up on the latest products, services, and technology in this fast-changing industry. It is our belief that teaching money skills will increase success outside of prison, since money plays a role in many decisions such as housing, employment, and economic mobility.

Through research with the PA Department of Corrections and BetaGov, we now have preliminary

data that suggests financial education helps those returning citizens with their success, at least in the short term, in making better money choices and not returning to our institutions. Actions taken in the short-term include opening accounts with banks and credit unions, checking their credit reports, and opening a line of credit. After 12 months, the effects of financial education on recidivism rates diminished. But we remain optimistic that having data to support that financial education helps reentrants and reduces recidivism, prisons will offer it more frequently.

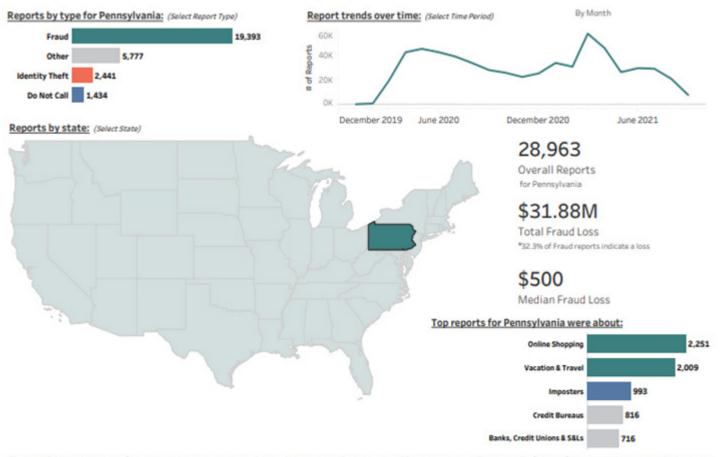


BetaGov - NYU 7-29-21

The research is also a work in progress. We still hope to cross-reference reentrants and collect data as to whether or not they are employed and/or collecting any state benefits, and determine whether financial education had an impact on those choices.

Scam Activity and Prevention Efforts

Scams continue to be prevalent as bad actors seek to exploit news headlines about COVID-19, natural disasters, and federal relief programs. A review of the Small Business Administration's Economic Impact Disaster Loan (EIDL) program found over 15,000 fraudulent EIDL loans amounting to over \$450 million in 2020. The department continues to educate consumers about protecting themselves from scams and reporting scams to the proper authorities for investigation. This includes information about unemployment scams, internet and telephone-based scams, imposter scams, and student loan scams. The staff of the Financial Services deputate remains committed to educating and empowering consumers to detect and stop scams in their community.



The Fraud, Other, and DNC data reflects reports in the Consumer Sentinel Network that mention COVID, stimulus, N95 and related terms. The Identity Theft data reflects reports that mention COVID, stimulus, or related terms, in the following ID theft subtypes: tax, employment and wage, government benefits, and government documents. The data may be updated with new terms as trends emerge. While the Vacation & Travel subcategory typically relates to the sale or advertising of these services, the Coronavirus-related reports in this category are primarily about refunds and cancellations. Top reports exclude unspecified reports. Some of the Fraud and Other subcategories were renamed on Oct. 22, 2020.

Lessons Learned

Each year, we take the opportunity to examine several of the often-complex financial issues we discuss with consumers. In this report, we will discuss mortgage forbearance resolution, cryptocurrency, and fintech.

Mortgage Forbearance Agreement Resolutions

The Coronavirus Aid, Relief, and Economic Security (CARES) Act provided homeowners with governmentbacked mortgages certain relief options for being directly or indirectly impacted by COVID-19. The duration of relief depended on several factors but now many homeowners are beginning the process of reconstituting their mortgage payments. Government agencies that back the mortgages have issued guidance to mortgage servicers about terms and conditions for loan modifications that emphasize affordable payments and homeowners remaining in their home.



What is the problem?

Early in the pandemic, there was concern that servicers would require any missed payments be paid in full at the conclusion of a forbearance agreement. Agencies acted to ensure other repayment options were available including: capitalizing arrears in loan balance, lowering interest rates, extending the maturity of the loan note, deferment of principal payments to end of term. Each of the above options represents a menu that servicers and homeowners should attempt to work towards, in accordance with permitted loan modifications based on the existing loan contract documents.

What you should know

An additional step taken by the Consumer Financial Protection Bureau, and in state regulations for the department, was the adoption of temporary rules for how servicers should treat homeowners coming out of forbearance.² Those rules became effective on August 31, 2021.

Important aspects of the rule include:

- Providing homeowners with additional time to agree to loan modification terms.
- Allowing a servicer to process an incomplete loan modification agreement, saving time and reaching an amicable resolution in a more expedient manner.
- Permitting a servicer to extend the terms of a loan by not more than 480 months from the date of modification.
- Enhanced communication requirements on the servicers for homeowners exiting forbearance agreements.

What do we do to help?

Call the Consumer Services Office to discuss your concerns if you feel that your servicer is not responsive to you. We can contact your servicer and present your situation requesting a resolution as well as asking for any other options that may be available. In some cases, it may be necessary to pursue a permanent change to the loan terms and conditions by completing a loan modification application with your lender. Of course, the borrower must meet requirements as indicated by the lender and in some cases the lender may not be in a position to offer this option. The Consumer Services Office will assist the borrower with their concerns to reach an amicable solution.

² https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol51/51-39/1615.html

Cryptocurrency / Digital Assets

Digital assets, commonly referred to as cryptocurrency, virtual currency, or convertible virtual currency, have grown in popularity over the past year. A University of Chicago survey found that 13% of Americans bought or traded digital assets in the 12 months preceding June 2021.³ Worldwide, it is estimated 300 million individuals have bought or traded cryptocurrency.

According to the Internal Revenue Service (IRS), "Cryptocurrency is a type of virtual currency that uses cryptography to secure transactions that are digitally recorded on a distributed ledger, such as a blockchain. A transaction involving cryptocurrency that is recorded on a distributed ledger is referred to as an 'on-chain' transaction; a transaction that is not recorded on the distributed ledger is referred to as an 'off-chain' transaction."⁴



Cryptocurrency is digital and does not have physical attributes. Digital wallets are used to store value and require a unique key to access. Wallets linked to a server or cloud-based storage are termed "hot," whereas wallets that do not have an internet connection, such as a wallet stored on a thumb drive, are considered "cold."

While still limited in commercial application, familiarity with cryptocurrency has steadily been increasing over the past five years. The treatment and value of any given cryptocurrency is complex, though the IRS has issued guidance about its classification as an asset, and tax implications for any valuation increase or decrease. The Securities and Exchange Commission and state securities regulators are also increasing scrutiny of the emerging asset.⁵ Bitcoin remains the most familiar type of cryptocurrency among the general public.

What is the problem?

While the department does not define cryptocurrency as money,⁶ consumers may experience issues with platforms that are used to buy, sell, or transmit cryptocurrency. Additionally, there are numerous open-source reports of consumers having difficulty accessing funds stored on wallets hosted by these platforms and being unable to reach customer support or service.

What you should know

The adoption of cryptocurrency continues to evolve at a rapid pace. Consumers and retail investors should understand the attributes of cryptocurrency and their own risk tolerance. Additionally, there has been a rise in ransomware attacks and scam activity that request payment in cryptocurrency over the past year.⁷

Consumers and investors should take precautions and weigh several factors including:

- Who is hosting my wallet? Is it "hot" or "cold"? Does anyone have access to my account?
- Am I comfortable with volatility and price drops/ rises with a cryptocurrency?
- · Does this offer sound too good to be true?
- What is the security of the platform I'm using?

What do we do to help?

The department regulates entities engaged in money transmission and cryptocurrency is not legal tender. However, some platforms conduct fiat money transfers in addition to crypto services. If a consumer has a dispute about a cryptocurrency transaction with a licensed entity, we can act as a mediator in an attempt to resolve your dispute. Consumers should know that cryptocurrency is not federally insured and may increase or decrease in value over time.

- 5 https://www.nasaa.org/57021/nasaa-announces-top-investor-threats-for-2021/
- 6 https://bit.ly/3rR15P7

^{3 &}lt;u>https://www.norc.org/NewsEventsPublications/PressReleases/Pages/more-than-one-in-ten-americans-surveyed-invest-in-</u> <u>cryptocurrencies.aspx</u>

⁴ Q3 What is cryptocurrency? <u>https://www.irs.gov/individuals/international-taxpayers/frequently-asked-questions-on-virtual-currency-transactions</u>

⁷ https://www.wsj.com/articles/u-s-to-target-crypto-ransomware-payments-with-sanctions-11631885336

Fintech

Technological advances have made financial services more accessible than ever before. Consumers have many avenues available when it comes to accessing credit, making payments, or doing a host of other financial activities based on their preference for virtual or in-person transaction.

The intersection of traditional finance and technology, commonly referred to as fintech, has become much more mainstream amid the pandemic. A decline in foot traffic at traditional brick and mortar branches has helped spur the exponential growth of online and internet enabled transactions.

Consumers are growing increasingly comfortable with the ability to make payments, pay bills, deposit checks, and send money to friends all through the convenience of their phone. However, that can create risks for consumers as well.

Fintech is also seen as a more equitable medium for helping achieve equality and equity in financial services. Early research suggests lending by nonbank fintech companies is less discriminatory than traditional lenders.⁸

What is the problem?

The ability to transact at your fingertips has enormous benefits that allow consumers even more control over their financial lives. Scam artists can exploit this through nefarious means because of how easy it is to transmit money, but difficult to recover. Large scale data breaches also mean it can be easier for bad actors to conduct identity theft – using a consumer's personal information for fraudulent purposes – and open new accounts in their name.

Additionally, there has been an increase in scam activity that involves accessing accounts on someone's phone and fraudulently obtaining sensitive financial information or sending funds out of country. Another common complaint with instant money transmission features is that once the funds are sent, it can be extremely difficult to recover in the event of a scam or error.

Traditional financial institutions will typically have robust complaint management processes and systems in place. However, newer platforms that promote simplicity and streamlined service often dedicate minimal resources to enabling consumers to resolve problems through a dedicated team or contact method.⁹

What you should know

- Always verify information is correct before sending money.
- Monitor your credit report and ChexSystem Report on a frequent basis to detect any accounts you are not familiar with.
- Confirm that an entity is licensed to do certain financial activity before engaging in services.
- Fully understand the terms and conditions associated with any product or service you obtain, or any account you maintain, before signing any contract.

What do we do to help?

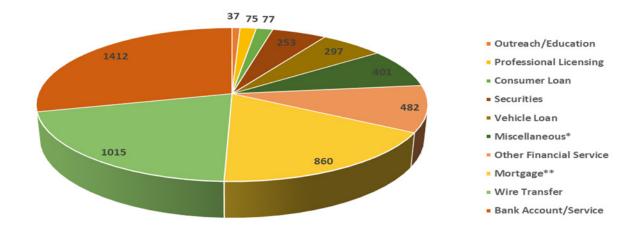
If you think you have been scammed or you have questions about your transaction, contact our Consumer Services Office. You can talk with a Consumer Services Specialist about your concerns or you may choose to file an online complaint. We will contact the licensee for answers about your transaction.

Unfortunately, many times we cannot obtain a refund. It is important that you know who you are sending money to and if the service provides buyer protection. Call our office if you are unsure whether to proceed with a transaction. Don't allow the scammer to pressure you into becoming their next victim.



8 <u>https://faculty.haas.berkeley.edu/morse/research/papers/discrim.pdf</u>

9 https://www.consumerreports.org/online-banks/the-big-problem-with-online-banks-customer-service-a5640545842/

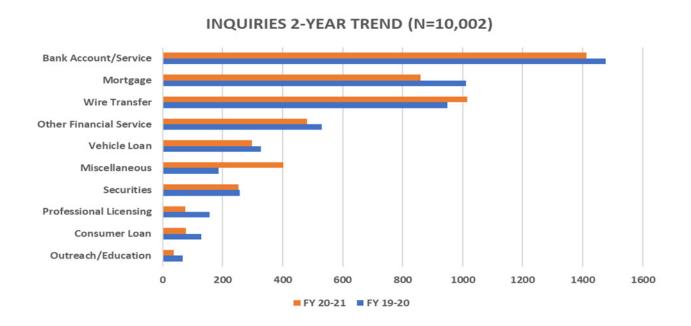


Product/Service Inquiry Types FY 20-21 (N=4909)

Overall inquiries decreased from FY 19-20. Bank account services continues to have the greatest number of inquiries followed by wire transfers and mortgages. The number of mortgage complaints decreased while wire transfers increased during FY 20-21.

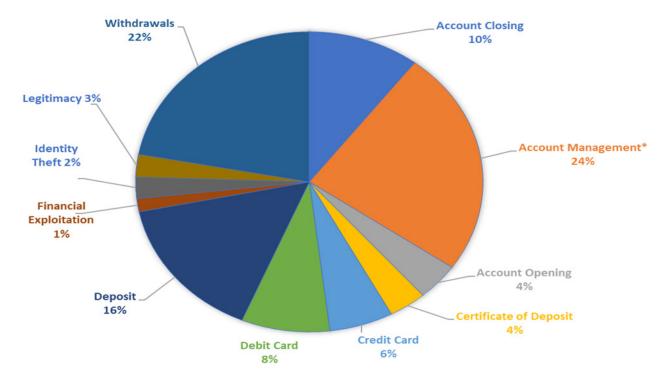
*Miscellaneous total includes debt collection, check cashing, liens, employer complaints, online loan, and other inquiries.

**Mortgage total includes reverse mortgages.

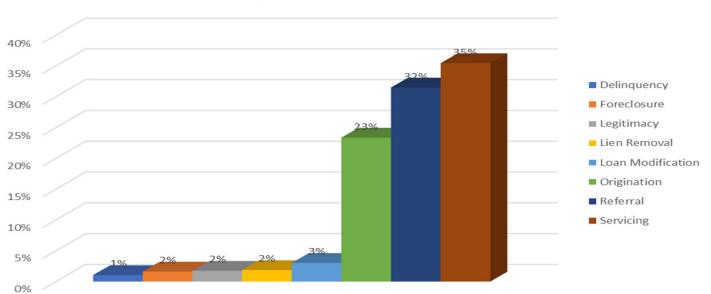


*FY 19-20 Total difference of 123 are inquiries that were omitted from the miscellaneous category.

BANK ACCOUNT/SERVICE INQUIRIES FY 20-21 (N=1397)

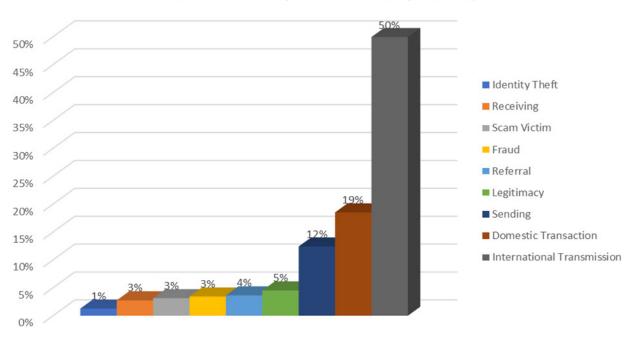


Account withdrawals and deposits show as the largest number of inquiries by consumers. The main reason for the inquiries is unauthorized withdrawals and availability of funds for deposits. Although account management reveals a higher percent, this category is made up of various bank products and services such as escheat, estate, ATM, non-sufficient funds, check cashing, service fees, and statements. *Account Management includes various other miscellaneous account services such as statements, wire transfers, estates, escheat, check cashing, referrals, etc.



Mortgage Inquiries FY 20-21 (N=860)

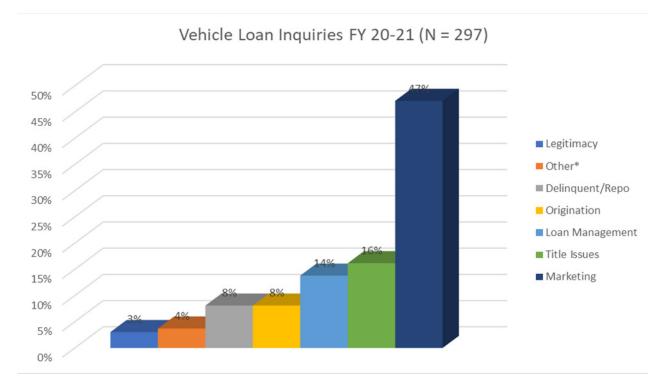
Mortgage servicing has the greatest number of inquiries followed by originations. Mortgage servicing includes activities directed towards monthly payments and escrow while origination include activities associated with applications, marketing, rates, closing, disclosures, and appraisals.



Wire Transfer Inquiries FY 20-21 (N=1015)

International transmission shows as the number one inquiry by consumers. Incorrect or missing information

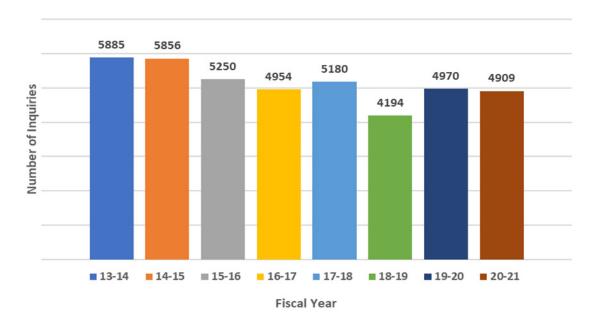
appears to be the main reason why the international wire failed.



Marketing shows as the number one inquiry consumers have followed by title issues.

*Other reflects all inquiries not reflecting the available categories listed above





Year over year, inquiries have been consistent except for FY 18-19. FY 13-14 and 14-15 show the highest number of inquiries, before falling over the next two years, followed by a rise and fall again. FY 19-20 and 20-21 inquiries reveal a return to normal levels.



This monthly trend shows inquiries are consistent from a month-to-month perspective. Higher volumes are received July through October, dropping slightly November through January, then trending higher again from February through June.

Act today to stay informed, educate yourself and others, and contact us for help. At the Department of Banking and Securities, we encourage Pennsylvanians to:

Connect

- · Like PA Banking and Securities on Facebook https://www.facebook.com/PABankingAndSecurities/
- Follow PA Banking and Securities on LinkedIn
 https://www.linkedin.com/company/pa-banking-and-securities/
- Follow @PABankingDept on Twitter <u>https://twitter.com/PABankingDept</u>
- Subscribe to the department's newsletter "The Quarter"

Learn

- About the department at <u>https://www.dobs.pa.gov/Pages/default.aspx</u>
- About our programs and presentations at <u>https://bit.ly/3cy2ZM1</u>
- Schedule outreach today: <u>informed@pa.gov</u>
- Attend an outreach event. Online Calendar at <u>http://bit.ly/1KIscBZ</u>.

Contact

- File a complaint https://www.dobs.pa.gov/Consumers/Pages/File-a-Complaint.aspx
- 1.800.PA.BANKS (800.722.2657 or 800.600.0007) with your questions about financial transactions
- Out of state 717.787.1854 | Media Inquiries 717.214.6036
- PA Department of Banking and Securities | 17 N. Second Street, Suite 1300 | Harrisburg, PA 17101

Publications

The department offers FREE brochures and handouts on various financial topics that are available to the public through request or by download as (PDF) at <u>https://www.dobs.pa.gov/Pages/default.aspx</u>.

If you are interested in receiving these publications, please contact us at: informed@pa.gov

1.800.PA.BANKS (or 1.800.600.0007)

Topics

Each topic below may have several different publications. Please inform us of the topic you would like more information on. We will provide a list of publications associated with those topics so you can choose which titles work for your specific initiative.

- Investing for Adults
- Protection for Seniors
- Investing for Military and Veterans

- Investing for Students and Young Adults
- Investors: Protect Your Money
- Consumers: Protect Your Money

Information

If you are ordering publications, please provide us with the following information by phone or email:

- Contact Name
- Organization
- Shipping Address

- Phone Number
- Email Address
- Topics



