

## AMC Regulation FAQ

**Example #1: Jurisdiction A opts out and the CFPB receives a complaint for an AMC that is owned by a federal financial institution located in Jurisdiction A. Are we required to investigate (assuming the complaint is forwarded to us by the CFPB)?**

States, whether they opt in or out, have no authority over federally-regulated AMCs. The regulation of those AMCs is entirely at the federal level. States receiving any complaints concerning those AMCs would refer to the appropriate federal regulator of the financial institution to whom the AMC belongs.

**Example #2: Jurisdiction A opts out and a complaint is received for an AMC that is located in Jurisdiction A and Jurisdiction B; it is registered in Jurisdiction B. Its panel consists of 44 appraisers – are we required to investigate?**

A State that opts out cannot register or supervise those AMCs that meet the federal definition unless they shift and opt in, thereby following minimum requirements as set forth in the AMC Rule. However, Jurisdiction A could consider any and all information, depending on Jurisdiction A's rules/regs, as a factor to consider when determining whether to extend (or revoke) a corporate or business license.

**Example #3: Jurisdiction A opts out and a complaint is received for an AMC that is only located in Jurisdiction A and has a panel of 10 appraisers – are we required to investigate?**

**It seems to me that on #3, at the very least, we wouldn't have any authority to do so UNLESS we had a registration program that was more strict than the fed rules.**

Yes, in the example you have given, the entity referred to as an AMC does not meet the federal definition. Therefore, regulation of this entity is totally dependent on State rules/regs.

Concerning your general question on a State that opts out and whether there would be any obligation pursuant to reporting requirements and registry fees for federally-regulated AMCs operating in the State, ASC staff recognizes that collection of information and registry fees for federally-regulated AMCs is problematic when no AMC program exists in a State. Discussion is ongoing, and a supplement to Bulletin 2015-01 will instruct the States on this issue.