



Third Party Agency Manual



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Overview

The Compliance Department of JTM Capital Management, LLC (“JTM”) deems these policies as essential for ensuring compliance with state and federal consumer financial protection laws. The policies as listed within this manual are a statement of the goals, responsibilities and accepted behaviors necessary to maintain regulatory compliance. These policies set the direction, provide guidance and demonstrate the expectation JTM has for its third party agency. This policy applies to all employees of the third party agency.

JTM reserves the right to change, modify, add or remove portions of this policy at any time. Violation of policies located within this manual may result in disciplinary action, which may include suspension, or more severe penalties up to and including termination of the use of third party agency. Where illegal activities are suspected, the company may, at their discretion, report such activities to the applicable authorities.



Document Approval

Name	Andrea Rose
Title	Chief Compliance Officer
Effective Date	January 4, 2016
Last Review Date	July 5, 2017
Next Review Date	January 2018
Records Location	Compliance Drive

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Regulatory Compliance Training Policy

Purpose

It is JTM policy to ensure that every agency's employee that communicates with consumers be properly trained & tested on applicable consumer financial laws including, but not limited to FDCPA, FCRA, GLBA, EFTA, ECOA, SCRA, ADA & UDAAP

Scope

The scope of this policy includes the following areas as applied:

- FDCPA Training & Testing
- TCPA Training & Testing
- FCRA Training & Testing
- GLBA Training & Testing
- EFTA Training & Testing
- ECOA Training & Testing
- SCRA Training & Testing
- ADA Training & Testing
- UDAAP Training & Testing

Definitions

- FDCPA: The Fair Debt Collections Practices Act governs collection activities and prohibits deceptive, unfair, and abusive collection practices.
- TCPA: The Telephone Consumer Protection Act restricts telephone solicitations (i.e., telemarketing) and the use of automated telephone equipment. The TCPA limits the use of automatic dialing systems, artificial or prerecorded voice messages, SMS text messages, and fax machines.
- FCRA: The Fair Credit Reporting Act and its implementing regulation, Regulation V, require that furnishers of information to consumer reporting agencies follow reasonable policies and procedures regarding the accuracy and integrity of data they place in the consumer reporting system.
- GLBA: The Gramm-Leach-Bliley Act and its implementing regulation, Regulation P, impose limitations on when financial institutions can share nonpublic personal information with third parties.
- EFTA: The Electronic Fund Transfer Act and its implementing regulation, Regulation E, impose requirements if an entity within the statute's scope of coverage obtains electronic payment from a consumer.
- ECOA: The Equal Credit Opportunity Act (ECOA) and its implementing regulation, Regulation B, apply to all creditors and prohibit discrimination in any aspect of a credit transaction on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to contract), receipt of public



assistance income, or exercise in good faith of any right under the Consumer Credit Protection Act. (12 CFR 1002.2(z), 1002.4(a)). Credit transactions encompass “every aspect of an applicant’s dealings with a creditor regarding an application for credit or an existing extension of credit,” and include “revocation, alteration, or termination of credit” and “collection procedures.” (12 CFR 1002.2(m)).

- ADA: The Americans with Disabilities Act prohibits discrimination and guarantees that people with disabilities have the same opportunities to employment, to purchase goods and services, and to participate in State and local government programs and services.
- SCRA: Servicemembers Civil Relief Act was designed to protect active duty military service personnel from liabilities and obligations incurred before they entered active service.
- UDAAP: Other risks to consumers include Unfair, Deceptive & Abusive Acts or Practices.

Policy

Training administration and testing

- Agency employees must pass agency exam upon hire prior to performing activities involving consumer communications. Employee must score 90% or higher.
- Agency must administer exams at minimum annually to every employee to maintain understanding of compliance. Employee must score 90% or higher.
- Agency required to provide copies of training materials, exams and results log annually or upon request by JTM.
- Agency employees who do not pass the exams will be removed from duties requiring consumer communication and receiving additional training before re-testing.

Compliance Management Policy

Purpose

The purpose of this policy is to define the necessary controls required for ensuring all agency services are performed in accordance with applicable consumer financial protection laws.

Scope

The scope of this policy shall cover the following areas;

- Risk Assessment
- Written contractual requirements outlining the rights and responsibilities of all parties
- Ongoing monitoring
- Remediation



- Contingency plans for terminating the relationship as needed

Policy

Risk Assessment

This includes the process of identifying the function(s) to be performed by agency along with the associated risk to JTM. The following must be evaluated prior to outsourcing the function(s), and at minimum annually:

- Initiate the Risk Assessment process
- Review the dependency of the function(s)
- Review of applicable federal and state law(s) associated with the function(s)
- Present completed Third Party Risk Assessment documentation back to Agency

Written Contractual Requirements

Documenting the rights and responsibilities of all parties is critical to the management of agency activity. Written contracts should detail the following expectations of JTM:

The following apply to all agencies receiving confidential consumer data:

- Clear expectations about compliance with applicable federal and state consumer financial protection laws.
- Clear definition of each party's responsibilities for information security and privacy of consumer data including maintaining fully documented information security policies and procedures.
- The agency's responsibility to conduct employee background checks for all employees maintaining contact with consumer data. These background checks should include the following but not limited to or unless prohibited by state or local laws:
 - Prior employment & References
 - Criminal
 - Credit
 - Academic
 - Drug Screening
- The agency's responsibility to conduct adequate employee training. Training on policies, procedures, applicable state and federal consumer financial laws and information security awareness training is required.
- The agency's responsibility to notify JTM upon any suspected data breach.
- The agency's responsibility to obtain permission from JTM prior to sharing confidential consumer data with any other entity.
- The right for JTM to terminate the contract upon reasonable notice and without penalty.



- JTM policy regarding the prohibited use of social media in a deceptive or abusive manner in connection with obtaining location information. Maintain logs or reports of system access and clean desk audits to be reviewed during annual audit or as requested by JTM

In addition to the above, the following apply to agency employee's communicating with consumers on behalf of JTM:

- The agency's responsibility to maintain a database of applicable local, state & federal consumer notices in the areas in which business is conducted on behalf of JTM to ensure that appropriate notices are added to consumer correspondence.
- The agency's responsibility to notify JTM, upon the receipt of consumer complaints and disputes. At minimum, it is required that the third party notify JTM within (1) business day of any lawsuit, attorney demand or the receipt of a consumer complaint through the Consumer Financial Protection Bureau consumer response system or any other regulatory body.
 - Regulatory, escalated complaints, lawsuits or attorney demands must be emailed and logged to ComplyArm
 - Disputes and other complaints must be logged to ComplyArm
- The agency's responsibility to cease collection efforts on any or all JTM's accounts, if applicable, upon written notice from JTM.
- The agency's responsibility to respond to all inquiries within a reasonable period of time consistent with the written contract to issues pursuant to the agreement between the parties.
- The agency's responsibility to return any or all confidential consumer data and/or accounts upon JTM's request within a reasonable period of time consistent with the written contract.
- The agency's agreement of a potential audit by an independent third party auditor.
- The agency's notification of JTM's right to audit and perform regular monitoring in relation the above items.
- Scope of work to include a detailed description of services performed fees, terms, type and frequency of reporting of the status of work involved, process for changing scope of work.

Ongoing Monitoring and Audit

Ongoing monitoring and audit requirements should be addressed based on the risk assessment performed related to the agency.

The following apply to all agencies receiving confidential consumer data and must be performed at minimum annually:

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- The agency must submit to JTM, a copy of their most recent review of information security by an independent audit firm. Audited compliance with ISO 27001, PCI DSS, SOC 1 (SSAE 16) Type II or a SOC 2 Type II report performed within the last 12 months is acceptable. If an audit report is unavailable, JTM must perform an information security assessment of similar scope.
- The agency must provide proof of Insurance maintain in ComplyArm:
 - \$1,000,000 General Liability
 - \$2,000,000 Errors and Omissions
 - Workers Compensation
- Review of the agency's licensing to ensure all applicable licenses are current and active, maintain in ComplyArm
- Review of the agency's financial condition.

In addition to the above, the following apply to agency's communicating with consumers on behalf of JTM at minimum annually:

- Account level audits are to be performed periodically measuring the overall risk of agency activities.
- Review of Agency information security policies and procedures as well as privacy of consumer data.
- A formalized regulatory compliance audit of applicable federal and state consumer financial law , including, but not limited to:
 - Review the agency's overall compliance management system. Verify a chief compliance officer has been assigned and that board of directors or senior management oversight is in place. Maintain an Escalation Policy
 - Verification of the agency's training and testing programs including, but not limited to:
 - FDCA, FCRA, GLBA, EFTA, ECOA, SCRA, ADA & UDAAP
 - Comply with JTM call monitoring program including the review of related policies and procedures. A random sampling of calls dictated by JTM, call calibration, and previously monitored and scored by the Agency.
 - Review of the agency's call monitoring program including the review of related policies and procedures and calls previously monitored and scored
 - Review of the agency's complaint and dispute resolution process including the review of related policies and procedures and ComplyArm.
 - Review of the agency's vendor management program which must adhere to the same standards set forth in this document by JTM.
 - Review of the agency's process for responding to a consumer's request for debt validation and cease and desist requests.
 - Review of the agency's process for obtaining and documenting consumer consent to contact cell phone numbers.



- Review of the agency's letters applicable to JTM accounts annually or as needed
 - All Agency letter's must be reviewed and approved by an Attorney
 - Require JTM approval prior to the implementation of new or changed letter formats or content revisions.
 - Upon JTM request, provide letter content as provided to the consumer.

Remediation

- If at any time it is determined that an agency is not in full compliance with any or all aspects of the JTM Third Party Business Review Questionnaire, JTM Third Party Compliance Questionnaire, JTM Third Party Information Security Questionnaire, JTM Third Party Monitoring Procedure and JTM Third Party Agency Manual; JTM shall issue a remediation plan to applicable party.
- Upon review of JTM Complaint Log requirements, if it is determined that an agency is not compliant based on the number or severity of complaints; JTM shall issue a remediation plan to applicable party detailing requirements and recommend a new audit or risk assessment to take place.
- When remediation is required, the "due date" guidelines by which time the pertinent remediation plan shall be reported and instituted by the agency are as follows:
 - **Major Violation** - any area receiving this mark must be remedied within 30 days of receipt of the remediation plan which includes providing JTM with any requested documentation to substantiate implementation and compliance
 - **Minor Violation** - any area receiving this mark must be remedied within 60 days of receipt of the remediation plan which includes providing JTM with any requested documentation to substantiate implementation and compliance
 - **Area of Concern or Opportunity for Improvement** - any area receiving this mark shall be analyzed on a case-by-case approach by which the agency takes into account the totality of the circumstances when deriving an appropriate remediation plan.

These factors for consideration include, but are not limited to, the following:

- History of non-conformance
- History of implementation of specified remedial action
- Conformance or non-conformance in other areas of review

A subsequent re-audit or follow up shall then be scheduled, allowing enough time for agency to implement the necessary remedial actions. If the agency does not adhere to the specified remediation requirements by the imposed due date, JTM retains full discretion as to whether it institutes a more aggressive remediation plan or subsequently ends the business relationship.

Relationship Termination

As applicable, a contingency plan for termination of an agency relationship should include the following criteria:



- Written notification requirements with time frames to allow for the orderly conversion to another agency or brought in-house.
- The agency requirement for timely return and/or destruction of JTM data.

Communications Policy

Purpose

The purpose of this policy is to define the necessary controls required to ensure compliance with consumer financial protection laws in all forms of communication with consumers in connection with debt collection. The policy as listed herein demonstrates JTM's expectations for agencies performing debt collection activities.

Scope

The scope of this policy shall cover the following areas;

- Communication Types;
- Communication Guidelines and Required Disclosures; and
- Telephone Call Restrictions; and
- Third Party Communications; and
- Cease Communications Request

Agencies contacting consumers on behalf of JTM are responsible for following this policy.

Policy

Communication Types

It is JTM policy to limit communication with consumers in connection with debt collection to the following communication types:

- Telephone Communication
- Written Communication

Communication Guidelines

The following guidelines constitute the JTM policy regarding required disclosures to consumers in connection with debt collection:

- Meaningful disclosure to the consumer is required during all telephone communication.
- All telephone conversations subject to call recording must first disclose to the consumer that the call may be monitored or recorded.
- In any form of communication, the use of profanity, threats to physical harm, abusive or deceptive language or general rudeness is strictly prohibited.



- In any form of communication, misrepresentation, acting as an attorney including government offices, service of process agency or providing legal advice is strictly prohibited.
- All third parties are required to implement a dialer policy in line with state and federal regulations and compliant with TCPA.
- Use of postcard as written communication is strictly prohibited. In addition envelopes used in mailing written communication must be void of any language or symbol indicating debt collection.
- Call scripts or standards should be documented and reviewed annually

Telephone Call Restrictions

It is JTM policy to abide by the following telephone call restrictions:

- Telephone calls between 8:00 AM and 9:00 PM are allowable within the consumer's local time zone. Calls out side of these calling times are strictly prohibited. There are state laws that permit only certain amount of calls per week as well as including Prime time hours (evening hours). See each state law for restrictions.
- Telephone calls made to consumer's place of employment can only occur once unless permission is granted by consumer or applicable state law. If it is known or has reason to know by agency or JTM that the consumer's employer prohibits the consumer from receiving calls at their place of employment future contact is strictly prohibited.
- **Telephone calls made to a consumer's cell phone using an automatic dialer system is strictly prohibited. If a dialer is being used in conjunction with unverified numbers, the Agency must properly follow cell phone consent process and identify the number on the account as cell.**
- Telephone calls made to the consumer after agency or JTM has been made aware that the consumer was represented by an attorney with respect to the debt is strictly prohibited unless:
 - Agency or JTM did not know the attorney's name and address and could not readily ascertain that information; or
 - The consumers attorney had failed to respond within a reasonable period of time (ten business days) to communication from agency or JTM; or
 - The consumer's attorney has consented to agency or JTM direct communication with the consumer.



- Placing telephone calls, causing a consumers telephone to ring or engaging in conversations repeatedly or continuously with the intent to annoy, abuse, or harass is strictly prohibited.
- When using a dialer the following restrictions apply:
 - Cell phones are strictly prohibited
 - No more than 1 dials should be directed to any particular consumer on one day
 - No more than 2 contacts should be made via telephone with any particular consumer during one calendar week.

Contacted Third Party Communications

It is JTM policy to avoid disclosure of the existence of a debt to “Contacted Third Parties” in connection with debt collections.

Contacted Third Parties: Anyone other than the consumer, a consumer reporting agency, the creditor, the originating creditor’s attorney, JTM attorney, the consumers attorney, spouse, parent (if the consumer is a minor), guardian, executor or administrator.

- After a number has been verified to belong to a third party; agency cannot contact them again.
- After a number has been verified to belong to a wrong party; agency cannot contact them again and the number must be removed from the account and dialer systems.
- Document policies, procedures and controls

Telephone Call Monitoring Policy

Purpose

The purpose of this policy is to define the necessary telephone call monitoring controls required to ensure compliance with consumer financial protection laws in all forms of communication with consumers in connection with debt collection.

Scope

The scope of this policy shall cover the following areas;

- Telephone Call Monitoring;

Policy

It is JTM policy to monitor telephone communication to ensure agency employees maintain compliance with Federal Consumer Financial Law. The following will be performed:

- Each month JTM has the option to choose between call calibration, review of Agency monitored and scored calls or a random sampling dictated by JTM.



- JTM will request the agency to provide a log of all calls that occurred on a randomly selected group of three (3) consecutive dates.
- After review of the call log JTM will request calls for review and the agency will provide the call recording along with the corresponding account notes and initial demand letter.
- The calls will be listened to and scored by JTM and the results will be submitted back to the agency, which may include remediation based on findings.
- Please refer to additional guidelines as provided in JTM Call Monitoring Procedure, JTM Call Compliance Standards, and JTM Sample Call Log.
- Will retain all call recordings for a minimum period of 24 calendar months

Privacy and Information Sharing Policy

Purpose

The purpose of this policy is to define the necessary controls required to ensure protection of consumer financial protection and to maintain active military protection as defined by the Service Members Civil Relief Act (SCRA).

Scope

The scope of this policy shall cover the following areas;

- GLBA
- SCRA

Policy

GLBA

It is JTM's policy to maintain compliance with the Gramm–Leach–Bliley Act (GLBA); it's implementing regulation, Regulation P and the Safeguards Rule. The following controls must be followed in order to remain in compliance:

- GLBA & Regulation P:
 - Establish and maintain a list of applicable local, state, and federal consumer notices in the areas in which JTM conducts business and maintains procedures to ensure that appropriate notices are added to consumer correspondence.
- GLBA Safeguards Rule:
 - Annual training for all agency employees on security awareness and Information Security policies and procedures.

Service Member Civil Relief Act (SCRA)

It is JTM policy to ensure that verification of the active military status of consumers engaged in debt collection is to be performed.



- An SCRA scrub will be performed to identify active military personnel.
- A notice informing agencies to cease collection activity on any account identified as active military personnel will be produced within 24 hours of notification.

Debt Validation Policy

Purpose

The purpose of this policy is to define the necessary controls required to ensure compliance with consumer financial protection laws in performing Debt Validation according to FDCPA guidelines.

Scope

The scope of this policy shall cover the following areas;

- Validation Notices;
- Disputed Debts

Policy

Validation Notices

It is JTM policy to ensure that agencies performing debt collection activities on behalf of JTM provide the consumer with notice of the debt within five (5) days after the initial communication with the consumer in connection with the collection of a debt. JTM shall, unless the following information is contained in the initial communication or the consumer has paid the debt, ensure the consumer is sent a written notice containing the following:

- The amount of the debt; and
- The name of the creditor to whom the debt is owed; and
- Notice that unless the consumer, within 30 days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid; and
- Notice that if the consumer disputes the debt, or any portion of the debt, in writing within the 30-day period, JTM will obtain verification of the debt or a copy of any judgment against the consumer and shall mail such documentation to the consumer; and
- Notice that upon the consumer's written request within the 30-day period, JTM will provide the consumer with the name and address of the original creditor, if different from the current creditor.



Disputed Debts

It is JTM policy to ensure that debt collection activity cease if the consumer notifies either JTM or the agency in writing within the thirty-day period as provided in the notice of debt that the debt, or any portion thereof, is disputed, or that the consumer requests the name and address of the original creditor until JTM is able to provide verification by mail of the debt or any copy of a judgment, or the name and address of the original creditor. Exceptions to this as follows:

- Communication with the consumer advises that further collection efforts are being terminated.
- Communication with the consumer indicates, where applicable, that JTM or the creditor wishes to invoke a specified remedy.

Cease and Desist

If Agency receives verbal or written cease and desist notice from Consumer, JTM requires the account to be coded and notated as such at the Agency level. The Agency is required to immediately close and return the account with the proper cease and desist code to JTM so the account can be properly coded within the JTM system. At a minimum, accounts should be returned on a monthly basis.

Consumer Complaint Management Policy

Purpose

The purpose of this policy is to define the necessary controls required to maintain an effective complaint management system in order to capture and resolve consumer complaints in a timely manner.

Scope

The scope of this policy shall cover the following areas;

- Capturing Consumer Complaints; A Consumer Complaint is defined as, *Any (a) written expression of dissatisfaction, or (b) a verbal request to speak to a collector's supervisor or management regarding either (i) the quality of the collector's call or (ii) the validity of the account about which the Company has communicated with the consumer, or (c) verbal indication that the consumer may want to complain to any state or government agency, examples Attorney General, FTC or CFPB.*
- Resolution of Consumer Complaints; and
- Monitoring of the Complaint Management Process

Policy

Capturing Consumer Complaints

It is JTM policy to maintain sufficient methods for capturing of consumer complaints including:

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- Verbal
- Written
- CFPB Compliant Portal
- Better Business Bureau
- Attorney Demand and/or Law suit

Agencies must notify JTM within (1) business day of receipt of any regulatory complaint or law suit and have it logged into ComplyArm.

- Source of the complaint (BBB, State Attorney General, CFPB, FTC)
- Original Creditor
- File Number (Internal Reference)
- Date Received
- Nature of Complaint (To include information, if known, regarding a potential violation of law)
- Consumer Name
- State Complaint was Filed
- Attorney Representation
- Compliance Department member assigned to resolve complaint
- Portfolio
- Date Reviewed
- Action Taken (Resolution)

Agency must respond to consumer complaints within five (5) business days. JTM may inquire from agency, system notes and recorded calls related to the account. Compliance will be scored on JTM tracking and agency tracking of complaints to determine if a violation has occurred and remediation is required.

Monitoring of the Consumer Complaint Process

It is JTM policy to continually monitor the Complaint process in order to seek out areas for improvement in the overall debt collection process. An overall audit of the program is to be performed at minimum annually by JTM audit staff to ensure the policies set forth herein are being accomplished.



Payment Processing Policy

Purpose

The purpose of this policy is to define the necessary controls required to maintain an effective payment processing controls in order to ensure fair and accurate payments are processed in compliance with consumer financial protection laws.

Scope

The scope of this policy shall cover the following areas;

- Payment Processing

Policy

Third Party Payment Processing Guidelines

The following is a representation of JTM policy and is communicated with third parties performing debt collection activities on behalf of JTM.

- All payment transactions must be consistent with consumer instructions at the time the payment was accepted;
 - If the consumer owes multiple debts and makes any single payment, such payment shall apply only to undisputed debt upon lack of instruction from the consumer.
- Debt Collectors are prevented from:
 - The collection of any amount (including any interest, fee, charge, or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the debt or permitted by law;
 - The acceptance by a debt collector from any person of a check or other payment instrument postdated by more than 5 days unless such person is notified in



- writing of the debt collector's intent to deposit such check or instrument not more than ten or less than three business days prior to such deposit; and
- The solicitation by a debt collector of any postdated check or other postdated payment instrument for the purpose of threatening or instituting criminal prosecution; and
 - Overstating the balance of the debt; and
 - Misrepresent the services it has rendered or the compensation to which it is unlawfully titled.
- All payment transactions must be promptly posted to the consumers account; and
 - The processing of refunds must be applied to a consumers account within a reasonable amount of time without delay

Auditing and Monitoring of Third Party Payment Processing

JTM will perform payment processing auditing annually as well as monitoring efforts monthly and quarterly as part of the monthly remit process and quarterly inventory reconciliatio as indicated herein.



Electronic Funds Transfer Act (EFTA) Policy

Purpose

The purpose of this policy is to define the necessary controls required to maintain compliance with the Electronic Funds Transfer Act and its implementing regulation, Regulation E.

Scope

The scope of this policy shall cover the following areas;

- Electronic Payments received from a consumer in connection with debt collection activities.
- Payments created as “remotely-created checks” are not subject to this policy.

Electronic Payment Processing Guidelines

The following is a representation of JTM policy and is communicated with agencies utilizing electronic payment methods in performing debt collection actives on behalf of JTM.

- For pre-authorized EFT’s (transfer is one that is authorized in advance to recur at least once every 60 days), issue required notification to consumers as per 12 CFR 1005.10
 - Agencies have to provide written notice of the transfer within 2 business days after the transfer occurs or provide written notice within 2 business days after the date on which the transfer was scheduled to occur, but did not occur.
- For single EFT’s using information from a check, issue required notification to consumers as per 12 CFR 1005.3(b)(2)(ii)
 - Agencies must provide notice that a transaction will or may be processed as an EFT. A consumer authorizes this by providing a check (routing and account number). A notice like the below needs to be posted in a prominent and conspicuous location on the receipt of payment or negative notice.
“When you provide a check as a payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.”
- For EFT’s utilized to collect a fee for the return of an EFT or a check that is unpaid, comply with notification requirements as per 12 CFR 1005.3(b)(3)
 - Agencies must provide notice that you will collect a fee for the return of an EFT or a check that is unpaid. The notice must state the dollar amount of the fee (if the fee may vary in amount than an explanation of how the fee will be determined must be provide) and that the fee will be collected by means of an EFT.



Auditing and Monitoring of Electronic Payment Processing

JTM will perform electronic payment processing auditing annually as well as monitoring efforts periodically as part of the Third Party Management Program as indicated herein.

- Provide JTM with a listing of all accounts receiving payment activity on a monthly basis compliant with servicing agreement terms.
- All direct payments will be posted with the date the issuer or seller received payment from consumer.
- Accounts returned on monthly close and return reports as paid in full or settled in full are audited to ensure account is at a zero balance or within settlement guidelines as dictated by JTM.

Time-Barred Debt Policy

Purpose

The purpose of this policy is to define the necessary controls required to address collection actions on time barred debt.

Scope

The scope of this policy shall cover the following areas;

- Time-Barred Debt

Definitions:

Time-Barred Debt: Shall mean any account calculated to exceed the statute of limitations based on the requirements of the laws of the state in which the consumer owing the accounts resides, unless the contract underlying the account specifies that some of law applies, in which case the account may be defined according to this term if it is calculated to exceed the applicable statute of limitations.

Policy

JTM does not bring forth legal action in connection with debt collection activities.



Equal Credit Opportunity Act (ECOA) Policy

Purpose

The purpose of this policy is to define the necessary controls required to maintain compliance with the Equal Credit Opportunity Act (ECOA). The Equal Credit Opportunity Act (ECOA) protects applicants from discrimination in any credit transaction. ECOA makes it illegal for a creditor to discriminate in any credit transaction against an applicant because of race, color, religion, national origin, sex, marital status, age, receipt of public assistance income, or exercise in good faith a right under the Consumer Credit Protection Act.

Scope

The scope of this policy shall cover the following areas;

- Payment Plans
- Settlement Agreements

Policy

Prohibited Behavior

JTM strictly prohibits discrimination in any credit transaction based on race, color, religion, national origin, sex (gender), marital status, age (if the applicant is old enough to enter into a contract), receipt of income from any public assistance program, or exercising in good faith a right under the Consumer Credit Protection Act. Protected classes cannot be used in the selection of whether or not to pursue an account, nor can the protected classes be used in the decision to enter into payment plans or settlement agreements.



Suspicious Activity Reporting

Purpose

The purpose of this policy is to define the necessary controls required to report suspicious activity as related to Bank Security Act / Anti-Money Laundering laws.

Scope

The scope of this policy shall cover all agency employees

Policy

Suspicious Activity Reporting

It is the Policy of JTM to report any suspicious activity to management either in written or verbal format upon discovery. Examples of suspicious activity include, but are not limited to;

- A consumer uses unusual or suspicious identification that cannot be readily verified.
- A business or consumer asks to be exempted from reporting or recordkeeping requirements.
- Large, incoming funds transfers are received on behalf of a foreign client, with little or no explicit reason.
- Payments or receipts with no apparent links to legitimate contracts, goods, or services are received.
- Funds transfers contain limited content and lack related party information.
- Transactions involving foreign currency exchanges are followed within a short time by funds transfers to higher-risk locations.



Additional Agency Requirements

- Agency Licensing and Insurance must be logged and maintained in ComplyArm
- Monthly Close and Return Report
- Quarterly inventory reconciliation
- Call Monitoring and Scorecard
- Agency letter review
 - Approved by an Attorney and reviewed annually by JTM.
 - Letters must be approved by JTM prior to implementing
- GLBA review, training and testing
- Payment Processing-Remits sent in accordance with servicing agreement guidelines
- Media Review



Agency Acknowledgement

By my signature below, I acknowledge that I have received my copy of the JTM Third Party Agency Manual, and that I have read and understand the information contained therein and _____ [AGENCY NAME] agrees to abide by the polices & procedures it contains and references.

I also acknowledge that I have been informed that violation of policies located within the JTM Third Party Agency Manual may result in remediation, which may include suspension of placements, or more severe penalties up to and including termination of use of third party agency. Where illegal activities are suspected, the company may, at their discretion, report such activities to the applicable authorities.

Signature

Name/Title

Date