

April 5, 2023

Regulations Coordinator
California Department of Financial Protection and Innovation
2101 Arena Boulevard
Sacramento, CA 95834

RE: PRO 03-21

Dear Sir or Madam:

The San Francisco Fire Credit Union is a state-chartered, privately insured credit union founded in 1951 by a group of San Francisco Firefighters. Since our founding, our field of membership expanded to include all people who live, work, attend school, or worship in San Francisco, San Mateo, or Marin Counties. We have three branches in the city of San Francisco and serve approximately 78,000 members and have assets nearing \$1.8 Billion.

We appreciate the opportunity to submit remarks on the DFPI's (the "Department") Second Modification to Proposed Rulemaking Under the California Consumer Financial Protection Law: Consumer Complaints and Inquiries (PRO 03-21) because we take member complaints very seriously and always have responded to Complaints within the stated time limits.

Section 1072: Improving Complaint Tracking

Section 1072 describes proposed Complaint Processes and Procedures for covered persons, which includes our credit union. It describes the requirements for policies and procedures, designation of an "officer," consumer disclosures, website and telephone number requirements, time limits and specific wording/font size requirements for acknowledgements and responses, recordkeeping, and an annual reporting requirement. We believe Section 1072 lacks a process for credit unions to track their complaints. Although the Department's website has a page¹ to check Complaint Status by entering the Complaint Number, it fails to provide an adequate response. Instead of stating that the case is "Resolved," the current tracking states the "Complaint Number is invalid." Nor does the Department send emails or letters stating they have closed the Complaint Case. This is unsatisfactory.

We would more fully support the rulemaking if it required the Department to update this tracking system so that it provides statuses such as "In Process," "Response Received and Under Review," and "Closed." Time limits for DFPI to respond to consumers and credit unions would also be helpful so that we can set

¹ <https://docqnet.dfpi.ca.gov/complaint/complaint-status/>



our own reminders to confirm cases are closed. By doing so, we would know that our “Final Decision” was complete, and our regulator is satisfied with the resolution.

Annual Reporting Requirement

Section 1072(j) states that each financial product or service offered or provided will require us to submit an annual report to the Department. Since covered persons such as our credit union have many assorted products and services, the rulemaking’s requirement to file one annual report on each of them will be extremely burdensome. It would be better for the Department to create a report template with sections for typical products and services, such as checking accounts, overdraft protection programs, credit life and disability, and so on. This will allow the Department to aggregate the report data so that it may better identify trends and set priorities, guidance, and enforcement. Additionally, we propose that the rulemaking require the Department to release an annual report that aggregates all of this complaint data so that financial institutions and other interested parties could identify and study trends.

Adding these enhancements to the final rule would improve the process and give it a better chance of fulfilling its intended purpose.

Again, San Francisco Fire Credit Union appreciates the Department’s willingness to consider our suggestions to improve this rulemaking.

Sincerely,

Emily J. Borowski
Vice President - Compliance

