

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Chapter: I Department of Financial Institutions

Part #: 100 Consumer Finance Act

( Repealed at 12 Ill. Reg. 10462, effective June 7, 1988 )

Chapter: I Department of Financial and Professional Regulation

Part #: 110 Consumer Installment Loan Act

Sub Part A General Provisions

Section: 1	Definitions
Section: 10	Minimum Requirements for Office Records
Section: 15	Application for License; Controlling Person
Section: 20	Loan Register
Section: 30	Individual Account Records
Section: 40	File of Original Papers
Section: 50	Cash Book
Section: 60	Alphabetical Record of Co-Makers, Obligors
Section: 70	Permanent File
Section: 80	Payments
Section: 90	Simple Interest Loans
Section: 100	Cancellation and Return of Documents
Section: 110	Finance Charges - Rebates and Delinquency Charges
Section: 120	Hypothecation at the Time of the Sale of Obligor's Notes
Section: 130	Judgments
Section: 140	Sale of Security
Section: 150	Trouble File
Section: 160	Lien Charges
Section: 170	Insurance
Section: 180	Office and Office Hours
Section: 190	Advertising
Section: 200	Other Business
Section: 210	Examination Remittances
Section: 215	Document Preparation Fee
Section: 216	Small Consumer Loans; Charges Permitted
Section: 220	Credit Practices
Section: 225	Verification of Amount Owed
Section: 230	General
Section: 235	Relocation
Section: 236	Name Change
Section: 240	Hearing Procedures
Section: 255	Limited Purpose Branch
Section: 260	Off-Site Records
Section: 265	Servicing of Accounts by Contract
Section: 270	Revocation or Suspension of License
Section: 280	Gross Monthly Income Verification Documentation
Section: 290	Consumer Reporting Service

Sub Part B Title Secured – Lending

Section: 300	Definitions
Section: 310	Applicability of Rule

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 320	Application for License
Section: 330	Renewal of License
Section: 340	Simple Interest and Replacement
Section: 350	Release of Lien
Section: 360	Availability of Debt Management Services
Section: 370	Lending Limits and Refinancing
Section: 380	Second Notice
Section: 390	Possession of Vehicle
Section: 400	Loan Proceeds
Section: 410	Security Interest
Section: 420	Approved Database
Section: 430	Gross Monthly Income Verification

Sub Part C Mortgage Lending

Section: 500	Definitions (Repealed)
Section: 505	Applicability of Rules (Repealed)
Section: 510	Good Faith Requirements (Repealed)
Section: 515	Fraudulent or Deceptive Practices (Repealed)
Section: 520	Prohibited Refinances (Repealed)
Section: 525	Negative Amortization (Repealed)
Section: 530	Negative Equity (Repealed)
Section: 535	Balloon Payments (Repealed)
Section: 540	Financing of Certain Points and Fees (Repealed)
Section: 545	Financing of Single Premium Insurance Products (Repealed)
Section: 550	Lending Without Due Regard to Ability to Repay (Repealed)
Section: 555	Verification of Ability to Repay (Repealed)
Section: 560	Payments to Contractors (Repealed)
Section: 565	Counseling Prior to Perfecting Foreclosure (Repealed)
Section: 570	Mortgage Awareness Program (Repealed)
Section: 575	Offer of Mortgage Awareness Program (Repealed)
Section: 580	Third Party Review (Repealed)
APPENDIX A	Estimated Monthly Income and Expenses Worksheet (Repealed)
APPENDIX B	Mortgage Ratio Worksheet (Repealed)
TABLE A	Illinois Rule of 78 Fractions for Rebating Charges According to Number of Months Originally Contracted For and Number of Months Prepaid in Full for Contracts of 2 to 120 Months (Repealed)
TABLE B	Rule of 78 Percentage Rebate Table (Repealed)

Part #: 120 Currency Exchange Act

Section: 5	Definitions
Section: 10	Minimum Requirements for Office Records-Community Currency Exchanges
Section: 20	Minimum Requirements for Office records-Ambulatory Currency Exchanges
Section: 30	Cash Sheet
Section: 40	Check Register
Section: 50	Money Order Register

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 60	Money Orders
Section: 70	Checks written by Exchange
Section: 80	"NSF" Checks and Items for Collection
Section: 90	Returned Items Record
Section: 100	Postdated Check (Repealed)
Section: 110	Timely Deposits
Section: 120	Food Stamps Account (Repealed)
Section: 125	Supplemental Nutrition Assistance Program
Section: 130	Reconciling Accounts
Section: 140	Reference Material
Section: 150	Annual Report Information
Section: 160	Retention of Records
Section: 170	Physical Condition of Exchange Premises (Repealed)
Section: 180	Display of Fee Schedules
Section: 190	Continuity of Operations
Section: 200	Out-of-Town Trips
Section: 210	Bribery and gratuities
Section: 220	Conviction of Crime
Section: 230	Ambulatory License Application
Section: 240	Ambulatory Office Records
Section: 250	Sale of Capital Stock
Section: 260	Corporate Officers and Directors
Section: 270	Fine, Suspension, or Revocation of License
Section: 280	Cease and Desist
Section: 290	Hearing Procedures

Part #: 125 The Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and the Writing of Money Orders of Community and Ambulatory Currency Exchanges

Section: 10	Authority
Section: 20	Purposes
Section: 30	Procedure and Criteria for Rate Making
Section: 40	Procedure for Submission, Consideration and Disposition of Petitions Seeking the Promulgation, Amendment or Repeal of Part 125
Section: 50	Form and Procedure for the Submission, Consideration and Disposition of Petitions Seeking an Increase of the rates Set Forth in the Maximum Rate Schedule
Section: 60	Prohibition Against and Sanctions for Charging More than Rates Set Forth in the Maximum Rate Schedule
Section: 70	Procedure for Charging Less than Applicable Maximum Rates
Section: 80	Prohibition Against Charging More than Posted fees
Section: 90	Construction of Rules
Section: 100	Hearing Procedure

Part #: 130 Schedules of Maximum Rates to be Charged for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges

Section: 10	Authority
Section: 20	Purposes

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 30	Maximum Rate-Check Cashing
Section: 40	Maximum Rate-Issuance of Money Orders
Section: 50	Disclosure Requirements-Check Cashing and Money Orders
Section: 60	Effective Date

Part #: 140 Debt Management Service Act

Section: 10	Office Records
Section: 20	Bank Account
Section: 30	Dual Business (Repealed)
Section: 40	License
Section: 50	General Operations
Section: 60	Fees
Section: 70	Prohibited Activities
Section: 80	Advertising
Section: 90	Availability of Act and Rules and Regulations
Section: 100	Examination
Section: 110	Revocation - Suspension - Surrender of License
Section: 120	Hearing Procedures
Section: 130	Proof of Payment
Section: 140	Penalties
Section: 150	Disposal of Records

Part #: 145 Debt Settlement Consumer Protection Act

Section: 5	Purpose and Definitions
Section: 10	Office Records
Section: 20	Disposal of Records
Section: 30	Bank Account, If Applicable
Section: 40	Application for License
Section: 45	Renewal
Section: 50	License
Section: 60	Examination
Section: 70	Prohibited Activities
Section: 80	Revocation – Suspension – Surrender of License
Section: 90	Annual Report
Section: 100	Proof of Payment
Section: 105	Trust Funds
Section: 110	Advertising and Marketing Practices
Section: 120	Receipts
Section: 125	Hearing Procedures
Section: 130	Name Change

Part #: 150 Reverse Mortgage Loans

(Repealed at 9 Ill. Reg. 4060, effective March 14, 1985)

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Part #: 160 Sales Finance Agency Act

Sub Part A General Provisions

Section: 1	Application for License/Controlling Peron
Section: 5	Definitions
Section: 10	Minimum Requirements for Office Records
Section: 20	Transaction Register
Section: 30	Individual Account Cards
Section: 40	File of Original Papers
Section: 50	Cash Book
Section: 55	Permanent File
Section: 60	Alphabetical Record of Buyers, Co-Purchasers and Obligors
Section: 70	Payments
Section: 80	Delinquency Charges (Default Charges)
Section: 90	Cancellation and Return of Documents
Section: 100	Extensions - Renewals - Rebates
Section: 110	Hypothecation of Security Instruments
Section: 120	Legal Forms
Section: 130	Judgments
Section: 140	Sale of Security
Section: 150	Trouble File
Section: 160	Lien Charges
Section: 170	Insurance
Section: 180	Office and Office Hours
Section: 190	Advertising
Section: 200	Business Source and Affiliates
Section: 210	Examination Remittances
Section: 220	Credit Practices
Section: 230	General
Section: 240	Hearing Procedures
Section: 250	Servicing of Accounts by Contract
Section: 260	Off-site Records
Section: 270	Revocation or Suspension of License

Sub Part B High Risk Home Loans

Section: 500	Definitions
Section: 505	Applicability of Rule
Section: 510	Good Faith Requirements
Section: 515	Fraudulent or Deceptive Practices
Section: 520	Prohibited Refinances
Section: 525	Negative Amortization
Section: 530	Negative Equity
Section: 535	Balloon Payments
Section: 540	Financing of Certain Points and Fees
Section: 545	Financing of Single Premium Insurance Products
Section: 550	Lending Without Due Regard to Ability to Repay
Section: 555	Verification of Ability to Repay
Section: 560	Payments to Contractors
Section: 565	Counseling Prior to Perfecting Foreclosure
Section: 570	Mortgage Awareness Program

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 575	Offer of Mortgage Awareness Program
Section: 580	Third Party Review
APPENDIX A	Estimated Monthly Income and Expenses Worksheet
APPENDIX B	Mortgage Ratio Worksheet

Part #: 170 Truth in Lending

(Repealed at 9 Ill. Reg. 4061, effective March 14, 1985)

Part #: 180 Uniform Disposition of Unclaimed Property Act

(Recodified to 74 Ill. Adm. Code 760 at 26 Ill. Reg. 8164)

Part #: 190 Illinois Credit Union Act

Sub Part A General Provisions

Section: 2	Definitions
Section: 5	Credit Union Service Organizations
Section: 10	Field of Membership Procedures
Section: 15	Civil Penalty
Section: 20	Hearings
Section: 30	Cease and Desist Procedures
Section: 40	Removal or Suspension Procedures
Section: 50	Fees
Section: 60	General accounting Procedures
Section: 70	Loan Loss accounting Procedures
Section: 80	Use of electronic Data Processing
Section: 90	Fixed asset Investments
Section: 100	Classes of Share and Special Purpose Share Accounts
Section: 110	Share Drafts
Section: 120	Bond and Insurance Requirements
Section: 130	Verification of Share and Loan Accounts
Section: 140	Real Estate Lending
Section: 150	Reverse Mortgage
Section: 160	Lending Limits- Consumer Loans
Section: 165	Business Loans
Section: 170	Group Purchasing
Section: 180	Investments
Section: 185	Investment in "Other Financial Institutions"
Section: 190	Liquidation
Section: 200	conversion of Charter
Section: 210	Reimbursement for Financial Records
Section: 220	Registration of Out of State Credit Unions

Sub Part B High Risk Home Loans

Section: 500	Definitions
Section: 505	Applicability of Rule
Section: 510	Good Faith Requirements
Section: 515	Fraudulent or Deceptive Practices

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 520	Prohibited Refinances
Section: 525	Negative Amortization
Section: 530	Negative Equity
Section: 535	Balloon Payments
Section: 540	Financing of Certain Points and Fees
Section: 545	Financing of Single Premium Insurance Products
Section: 550	Lending Without Due Regard to Ability to Repay
Section: 555	Verification of ability to Repay
Section: 560	Payments to Contractors
Section: 565	Counseling Prior to Perfecting Foreclosure
Section: 570	Mortgage Awareness Program
Section: 575	Offer of Mortgage Awareness Program
Section: 580	Third Party Review
Sub Part C	Payday Loans
Section: 600	Definitions
Section: 601	Purpose and Scope
Section: 605	Applicability of Rule
Section: 610	Issuance of Payday Loans by Credit Unions
APPENDIX A	Estimated Monthly Income and Expenses Worksheet
APPENDIX B	Mortgage Ratio Worksheet

Part #: 195 Illinois Development Credit Corporation Act

Section: 100	General
Section: 120	Articles of Incorporation
Section: 140	Member Obligations
Section: 160	State Funds
Section: 180	Reports and Examinations
Section: 200	Hearing Procedures

Part #: 200 Financial Institutions Code

Sub Part A	Definitions
Section: 100	Definition of terms Used in this Part
Sub Part B	Rules of General Application
Section: 200	Applicability
Section: 202	Notice of Summary Action
Section: 205	Notification of Noncompliance or Material Change
Section: 210	Display of Certificates or Registrations
Section: 215	Prohibition on Filing Application
Section: 220	Computation of Time
Section: 221	Requirements as to Proper Form
Section: 225	Place of Filing
Section: 230	Additional Information
Section: 235	Additional Exhibits
Section: 240	Information Unknown or Not Reasonably Available
Section: 245	Requirements as to Paper, Printing and Language
Section: 250	Number of Copies--Signatures
Section: 270	Extension of date for Filing

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 280	Non-Public Distribution of Information
Section: 290	Provisions for Granting of Variance from Rules
Sub Part C	Non-Binding Statements and Declaratory Rulings
Section: 310	Request for Non-Binding statements
Section: 320	Request for Declaratory Rulings
Sub Part D	Procedures for Administrative Hearings
Section: 400	Preamble
Section: 402	Qualifications and Duties of the Administrative Law Judge
Section: 404	Notice of Hearing
Section: 406	Institution of a Contested case by the Department
Section: 408	Requirement to File an Answer
Section: 410	Amendment or Withdrawal of the Notice of Hearing
Section: 412	Representation
Section: 414	Special Appearance
Section: 416	Substitution of Parties
Section: 418	Failure to Appear
Section: 420	Motions
Section: 422	Requirements Relating to Continuances
Section: 424	Rules of evidence
Section: 425	Standard of Proof
Section: 426	Form of Papers
Section: 438	Bill of Particulars
Section: 430	Discovery
Section: 432	Examination of Witnesses
Section: 434	Subpoenas
Section: 436	Pre-Hearing Conferences
Section: 438	Record of a Pre-Hearing Conference
Section: 440	Hearings
Section: 442	Record of Proceedings
Section: 444	Record of Hearing
Section: 446	Orders
Section: 448	Stipulations
Section: 450	Open Hearings
Section: 452	Corrections to the Transcript

Part #: 205 Transmitters of Money Act

Section: 10	Average Daily Balance
Section: 20	Authorized Sellers
Section: 30	Examinations
Section: 40	Revocation or Suspension of License
Section: 50	Reports/Documents

Part #: 210 Payday Loan Reform Act

Section: 1	Definitions
Section: 10	Minimum Requirements for Office Records
Section: 15	Application for License; Controlling Person
Section: 16	Dual Licensure Limitation

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 20	Loan Register
Section: 30	Individual Account Records
Section: 40	File of Original Papers
Section: 50	Cash Book
Section: 60	Alphabetical Record of Co-Makers, Consumers or Guarantors
Section: 65	Permanent File
Section: 70	Payments
Section: 72	Loan Terms
Section: 75	Installment Payday Loans
Section: 80	Cancellation and Return of Documents
Section: 90	Hypothecation at the Time of the Sale of Consumer's Loan Agreement
Section: 100	Legal Forms
Section: 110	Judgments
Section: 120	Trouble File
Section: 130	Office and Office Hours
Section: 140	Advertising
Section: 150	Other Business
Section: 160	Examination Remittances
Section: 170	General
Section: 180	Relocation
Section: 190	Name Change
Section: 200	Hearing Procedures
Section: 210	Off-Site Records
Section: 220	Servicing of Accounts by Contract
Section: 230	Revocation or Suspension of License
Section: 240	Consumer Written Verification of Compliance with Act
Section: 250	Gross Monthly Income Verification
Section: 260	Certified Database/Commercially Reasonable Method of Verification
Section: 270	ViolatiOn of Federal Law – Section 670 of the John Warner National Defense Authorization Act

Chapter: II Office of Banks and Real Estate

Part #: 300 Reverse Mortgage Loans

Section: 10	Scope
Section: 20	Definitions
Section: 30	Requirements

Part #: 302 Blacklist Discrimination

Section: 10	Scope
Section: 20	Definitions
Section: 30	Guidelines
Section: 40	Implementation

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Part #: 305 Bank Branches and Subsidiaries

Sub Part A	General	
Section: 10		Definitions
Sub Part B	Branches	
Section: 20		Procedure to establish and Maintain a Bank Branch
Section: 30		Acknowledgment by the Office of Banks and Real Estate (Repealed)
Section: 40		Date a Branch is Established and Maintained (Repealed)
Sub Part C	Subsidiaries	
Section: 100		Procedure to Establish and Maintain a Subsidiary to Manage Real Estate Obtained in Satisfaction of Debt Previously Contracted

Part #: 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions

(Repealed at 21 Ill. Reg. 602, effective December 26, 1996)

Part #: 310 Minimum Organizational Capital Requirements for Banks and Trust Companies

Sub Part A	Scope and Authority	
Section: 100		Scope and Authority
Section: 110		Definitions
Sub Part B	Banks	
Section: 200		Minimum Organizational Capital Requirements for Banks
Section: 210		When Greater Capital Requirements may be Necessary
Section: 220		Exceptions to Minimum Organizational Capital Requirements for Banks
Sub Part C	Trust Companies	
Section: 300		Minimum Organizational Capital Requirements for Trust Companies
Section: 310		When Greater Capital Requirements may be Necessary
Section: 320		Exceptions to Minimum Organizational Capital Requirements for Trust Companies
Section: 330		Merger or Consolidation of Trust Companies
Section: 340		Adequacy of Capital Investments of Trust Companies

Chapter: II Department of Financial and Professional Regulation

Part #: 315 Electronic Fund Transfers

Sub Part A	Definitions	
Section: 110		Definitions
Sub Part B	Arbitration of Disputes	
Section: 210		Scope and Authority (Repealed)
Section: 220		Statement of Claim, Response and Reply (Repealed)
Section: 230		Motions (Repealed)
Section: 240		Appearances (Repealed)
Section: 250		Appointment of Hearing Officer (Repealed)
Section: 260		Service (Repealed)
Section: 270		Procedures (Repealed)
Sub Part C	Fees for the Examination of Networks and Switches	

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 310	Fees and Charges
Sub Part D Terminals	
Section: 410	Requirements for Surcharge Signage
Section: 420	Acceptance of Deposits
Section: 430	Reverse Order Personal Identification Number Programming

Chapter: II Department of Financial and Professional Regulation

Part #: 320 Powers Incidental and Germane to Carrying on a General Banking Business

Section: 10	Purpose
Section: 20	General Banking Business
Section: 30	Factors to be Considered
Section: 40	Procedure

Part #: 321 Illinois State Treasurer and Office of Banks and Real Estate Joint Rules Governing the Uniform Disposition of Unclaimed Property Act

(Adopted at 27 Ill. Reg. 8548, effective May 13, 2003)

(Agency Note: This Part is a Joint Rule of the Illinois State Treasurer and the Office of Banks and Real Estate. The Text of the Part appears at 74 Ill. Adm. Code 761.)

Part #: 325 Disclosure of Confidential Supervisory Information

Section: 10	Definitions
Section: 20	Purpose and Scope
Section: 30	Requests for Confidential Supervisory Information
Section: 40	Where to Submit a Request
Section: 50	Consideration of Requests
Section: 60	Disclosure of Confidential Supervisory Information
Section: 70	Retrieval and Destruction of Previously Disclosed Confidential Supervisory Information Used in Litigation
Section: 80	Fees for Services

Part #: 330 Lending Limits

Sub Part A General Lending Provisions

Section: 10	Definitions
Section: 20	Renewals

Sub Part B Aggregation of Loans

Section: 100	Purpose
Section: 110	combining Loans to Separate Persons
Section: 120	Good Faith Reliance

Sub Part C Derivative Transactions

Section: 200	Definitions
Section: 210	Lending Limits; Derivatives
Section: 220	Nonconforming Loans and Extensions of Credit
Section: 230	Credit Exposue Arising from Derivative Transactions

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Part #: 340 Loans to Bank Officers, Employees, Directors or to Corporations or Firms  
Controlled by Them

Section: 10	Scope and Authority
Section: 20	Definitions
Section: 30	Limits

Part #: 345 High Risk Home Loans

Section: 10	Definitions
Section: 20	Ability to Repay
Section: 30	Verification of Ability to Pay Loan
Section: 40	Fraudulent or Deceptive Practices
Section: 45	Prepayment Penalty
Section: 50	Pre-paid Insurance Products and Warranties
Section: 60	Refinancing Prohibited in Certain Cases
Section: 65	Balloon Payments
Section: 70	Financing of Certain Points and Fees
Section: 80	Payments to Contractors
Section: 90	Negative Amortization
Section: 100	Negative Equity
Section: 110	Counseling Prior to Perfecting Foreclosure Proceedings
Section: 120	Mortgage Awareness Program
Section: 130	Report of Default and Foreclosure Rates on Conventional Loans
Section: 140	Secretary Review and Analysis
Section: 150	Third Party Review of High Risk Home Loans
APPENDIX A	Estimated Monthly Income and Expenses Worksheet
APPENDIX B	Mortgage Ratio Worksheet

Chapter: II Department of Financial and Professional Regulation

Part #: 346 Predatory Lending Database

Section: 10	Definitions
Section: 15	Information Required
Section: 17	Database Procedures for Pilot Program
Section: 20	Standards for Credit Counseling
Section: 25	Disclosure of Information Prohibited
Section: 30	Credit Counselor Costs
Section: 35	Declaration of Inception Date
Section: 36	Inception Date of the Pilot Program
Section: 40	Exemption

Chapter: I Office of Banks and Real Estate

Part #: 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings

Section: 10	Purpose
Section: 20	Definitions
Section: 30	Permissible ADC Lending Transactions by State Banks

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 40	Characteristics of ADC Lending Transactions Implying Unauthorized Investments in Real Estate or a Joint Venture
Section: 50	Characteristics of ADC Lending Transactions Implying Loans
Section: 60	Procedure

Part #: 354 Administration of Assets Obtained in Collection of a Debt

Section: 10	Purpose
Section: 20	General Rule

Part #: 355 Statutory Bad Debts

Section: 10	Definitions
Section: 20	Purpose
Section: 30	Plan for Collection
Section: 40	Documentation

Part #: 356 Reimbursement to Banks and Corporate Fiduciaries for Financial Records

Section: 10	General Rule for Reimbursement of costs
Section: 20	Rates of Reimbursement
Section: 30	Documentation of Costs
Section: 40	Payment of Costs

Part #: 357 Reduction in the Number of Required Directors

Section: 10	Factors to be Considered
Section: 20	Annual Review

Chapter II Department of Financial and Professional Regulation

Part #: 360 Licensing and Regulation of Pawnbrokers

Sub Part A Definitions and Fees

Section: 10	Definitions
Section: 20	Fees

Sub Part B Pawnshop License

Section: 100	Purpose
Section: 110	Application for License
Section: 120	Processing of Application
Section: 130	Standards for Licensure
Section: 135	Licensing Requirements for Pawnbroker Managers
Section: 140	Initial Applications for License from Persons Operating or Who Have Operated a Pawnshop for the Two Years Preceding July 1, 1998
Section: 150	Change in Control or Form of Ownership, Change in Location, Change in Name of Pawnshop, Voluntary Surrender of License; Fee
Section: 160	Expiration and Renewal of Licenses; Fees
Section: 170	Display of License; Duplicate License

Sub Part C Forms

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 200	Purpose and Scope
Section: 210	Forms
Sub Part D	Uniform Rules for Hearings Before the Secretary
Section: 300	Scope
Section: 310	Procedure for Hearings before the Secretary
Sub Part E	Rules and Procedures Applicable to Proceedings Relating to Orders
Section: 400	Scope
Section: 410	Grounds for an Order
Section: 420	Effective Date of Order; Service
Sub Part F	Rules and Procedures Applicable to Proceedings Relating to Assessment and Collection of Civil Money Penalties
Section: 500	Scope
Section: 510	Assessment of Penalties
Section: 520	Effective Date of, Payment under, and Service of an Order to Pay
Sub Part G	Rules and Procedures Applicable to Proceedings for Revocation or Suspension of License
Section: 600	Scope
Section: 610	Grounds for Suspension of License
Section: 620	Grounds for Revocation of License
Section: 630	Notice to Customers
Section: 640	Effective Date of Revocation or Suspension; Service
Sub Part H	Fee Schedule for Unregistered Buyers
Section: 700	Definitions
Section: 710	Temporary Buying Location Registration Fees
Part #: 365 Banks Engaging in Payday Lending	
Section: 10	Purpose and Scope
Section: 20	Definitions
Section: 30	Applicability of Rule
Section: 40	Issuance of Payday Loans by Banks
Part #: 370 Corporate Applications for Banks and Corporate Fiduciaries	
Section: 10	Purpose and Scope
Section: 20	Definitions
Section: 30	Fee Schedule; Administration of Corporate Application Fees
Section: 40	Special Examinations or Investigations
Section: 50	Forms
Section: 60	Request for Confidential Treatment
Section: 70	Processing of Applications or Notices; Acceptance; Abandonment
Part #: 371 Quarterly Statement of Affairs	
(Emergency Rules Adopted at 19 Ill. Reg. 9194, effective June 30, 1995, for Maximum of 150 Days, Emergency Expired November 27, 1995)	
Part #: 375 Calculation, Assessment and Collection of Periodic Fees	
Section: 10	Purpose

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 20	Definitions
Section: 30	Call Report Fees
Section: 31	Electronic Data Processing Fee
Section: 32	Assessment of 3, 4, 5 Rated State Banks
Section: 33	Foreign Banking Office Minimum Quarterly Fee
Section: 34	Corporated Fiduciary Regulatory Fees
Section: 36	Foreign Bank Representative Office Regulatory Fees
Section: 40	Calculation of Call Report and Electronic Data Processing Fees for Resulting State Bank
Section: 41	Calculation of Corporated Fiduciary Regulatory Fees for Resulting Corporate Fiduciaries
Section: 50	Assessment of Accrued Fees Against a Converting or Merging State Bank
Section: 51	Assessment of Accrued Fees Against a Cooperate Fiduciary
Section: 60	Credits and Additional Assessments Not Applicable to Resulting National Banks
Section: 70	Payment by Electronic Transfer or Automatic Debit

Part #: 380 Eligible State Bank (Amended at 40 Ill. Reg. 16747, effective January 1, 2017)

Section: 10	Purpose
Section: 20	Definitions
Section: 30	General Rule (Repealed)

Part #: 385 Rules Governing the Request for Reconsideration of Examination Findings

Section: 10	Applicability
Section: 20	Definitions
Section: 30	Request for Reconsideration
Section: 40	Form of Request
Section: 50	Initial Reconsideration Review
Section: 60	Final Review
Section: 70	Effect of Filing a Request

Part #: 390 Public Hearings on Acquisitions of Illinois Banks or Illinois Bank Holding Companies by Midwest Bank Holding Companies

(Repealed at 22 Ill. Reg. 6705, effective March 30, 1998)

Chapter: II Commissioner of Banks and Trust Companies

Part #: 391 Hearings for Removal or Prohibition of Directors, Officers, Employees or Agents of a State Bank (Transferred)

(Transferred to 38 Ill. Adm. Code 900 (Chapter VII – State Banking of Illinois) at 10 Ill. Reg. 20328)

Part #: 392 Hearings Before the Office of Banks and Real Estate

Section: 10	Applicability
-------------	---------------

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 20	Definitions
Section: 30	Request for a Hearing
Section: 40	Form of Request for a Hearing
Section: 50	Hearing Officer
Section: 60	Notice of Hearing
Section: 70	Motions
Section: 80	Answer
Section: 90	Form of Pleadings
Section: 100	Service
Section: 110	Appearances
Section: 120	Consolidation of Hearing Proceedings
Section: 130	Authority of Hearing Officer
Section: 140	Prehearing Conferences
Section: 150	Subpoenas
Section: 160	Discovery
Section: 170	Evidence Depositions
Section: 180	Conduct of a Hearing
Section: 190	Evidence
Section: 200	Record of Hearing Proceedings
Section: 210	Briefs
Section: 220	Hearing Officer's Recommendation
Section: 230	Commissioner's Determination
Section: 240	Construction of Rules

**Part #: 396 Corporate Fiduciary Applications and Notices**

**Sub Part A General Provisions**

Section: 5	Purpose
Section: 10	Definitions
Section: 20	Purpose (Renumbered)
Section: 30	Factors to be considered by the Commissioner (Renumbered)

**Sub Part B Corporate Fiduciary Subsidiaries**

Section: 110	Purpose
Section: 120	Factors to be Considered by the Commissioner

**Sub Part C Corporate Fiduciary Branch Offices - Approval**

Section: 210	Purpose
Section: 220	Terms and Conditions for Approval
Section: 230	Application Procedures

**Sub Part D Corporate Fiduciary Branch Offices - Notice**

Section: 310	Purpose
Section: 320	Notice Requirements
Section: 330	Notice Procedures

**Part #: 397 Corporate Fiduciary Receivership Account**

Section: 10	Purpose
Section: 20	Definitions
Section: 30	Quarterly Fee to Fund the account
Section: 40	Restoring the Account

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 50                      Alternate Fee Assessment to avoid Excess accumulation in Account

Part #: 398   Corporate Fiduciary Receivership Account

Section: 5                                      Definitions  
Section: 10                                  Pledging Requirements for Illinois Trust Companies

Part #: 399   Stands for Operation and Conduct of Affairs of Corporate Fiduciaries

Sub Part A   General Provisions

Section: 10                      Purpose  
Section: 20                      Definitions

Sub Part B   Trust Company Investments

Section: 110                    Purpose  
Section: 120                    Investments

Chapter: III   Commissioner of Savings and Loan Associations

Part #: 400   Illinois Savings and Loan Act of 1985 (Transferred)

(Transferred to Chapter VIII, 38 Ill. Adm. Code 1000, (Commissioner of Savings and Residential Finance) Pursuant to Savings Bank Act (Ill. Rev. Stat. 1991, ch. 17 par. 7301-3) (205 ILCS 205 1003), at 17 Ill Reg. 4464)

Part #: 450   Residential Mortgage License Act of 1987 (Transferred)

Transferred to Chapter VIII, 38 Ill. Adm. Code 1000, (Commissioner of Savings and Residential Finance) Pursuant to Savings Bank Act (Ill. Rev. Stat. 1991, ch. 17 par. 7301-3) (205 ILCS 205 1003), at 17 Ill Reg. 4475

Part #: 500   Board of Savings Institutions

(Repealed at 39 Ill. Reg. 6875, effective May 15, 2015)

Part #: 600   Cemetery Care

Section: 10                      Definitions  
Section: 20                      Agreement to be Entered into by an Investment Company Under Section 2 of the act to be in Form Prescribed by the Comptroller  
Section: 30                      Number of Copies-Signatures  
Section: 40                      Requirements as to Paper, Printing, and Language

Part #: 610   Illinois Funeral or Burial Funds Act

Section: 10                      Statutory Authority  
Section: 20                      Application  
Section: 30                      Definitions  
Section: 40                      Classification of Pre-Need Contract by Funding Methods  
Section: 50                      Requirements for all Pre-Need Contracts  
Section: 60                      Trust Investment in Life Insurance or Annuities

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 70	Requirments for Pre-Need Booklet
Section: 80	Licensing of Sellers of Pre-Need Contracts Funded by Life Insurance or Tax-Deferred Annuity
Section: 90	Schedule of Charges for Examinations for Licensee of Pre-Need Contracts Funded by Life Insurance or Tax-Deferred annuity
EXHIBIT A	Illinois Consumer Guide to Pre-Need Funeral and Burial Purchases

Part #: 650 Direct Deposit

Section: 100	Scope
Section: 110	Definitions
Section: 120	Recipients
Section: 130	Paying State Agencies
Section: 140	Direct Deposit - - System Test
Section: 150	Recurring Direct Deposits
Section: 160	Treasurer

Part #: 800 Discrimination Involving Credit

Section: 10	Scope and Purpose (Repealed)
Section: 20	Coverage (Repealed)
Section: 30	Definitions
Section: 40	Inquiries of Credit Applicants
Section: 50	Empirically Derived Credit Systems
Section: 60	Special Credit Programs

Part #: 900 Hearings for Removal or Prohibition of Directors, Officers, Employees or Agents of a State Bank or a Branch of an Out-of-State Bank, Subsidiary or Holding Company of a State Bank or a Branch of an Out-of-State Bank, or Corporate Fiduciary, Subsidiary or Parent Company of a Corporate Fiduciary

(Repealed at 35 Ill. Reg. 16084, effective September 20, 2011)

Chapter: II Department of Financial and Professional and Regulation

Part #: 1000 Illinois Savings and Loan Act

(Repealed at 39 Ill. Reg. 6878, effective May 15, 2015)

Part #: 1050 Residential Mortgage License Act of 1987

Sub Part A Definitions

Section: 100	High Risk Home Loan Definitions; Applicability
Section: 110	Definitions
Section: 115	Administrative Decision (Repealed)
Section: 120	Assisting (Repealed)
Section: 125	Commissioner (Repealed)
Section: 130	Control (Repealed)
Section: 132	Conviction or convicted (Repealed)

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 135	Document (Repealed)
Section: 140	Employee (Repealed)
Section: 145	First Tier Subsidiary (Repealed)
Section: 150	Hearing Officer (Repealed)
Section: 155	High Risk Home Loan (Repealed)
Section: 157	Licensee (Repealed)
Section: 160	Material (Repealed)
Section: 165	Other Regulatory Agencies (Repealed)
Section: 170	Party (Repealed)
Section: 175	Principal Place of Business (Repealed)
Section: 180	Repurchase a Loan (Repealed)
Section: 185	State (Repealed)
Section: 190	Service (Repealed)
Section: 195	Points and Fees (Repealed)
Section: 197	Total Loan amount (Repealed)
Section: 198	Approved credit Counselor (Repealed)
Section: 199	Home Equity loan (Repealed)
Sub Part B	Fees
Section: 210	Fees
Section: 220	License Fees (Repealed)
Section: 230	Amended License Fees-Corporate Changes (Repealed)
Section: 240	Duplicate Original License Fees (Repealed)
Section: 245	Loan Originator Registration Application Fee (Repealed)
Section: 246	Loan Originator Registration Transfer Fee (Repealed)
Section: 247	Loan Originator Registration Reactivation Fee (Repealed)
Section: 248	Duplicate Loan Originator Certificate of Registration or Pocket Card Fee (Repealed)
Section: 250	Examination Fees (Repealed)
Section: 255	Direct Expenses of Out-of-State examinations (Repealed)
Section: 260	Additional Full-Service Office Fees (Repealed)
Section: 270	Hearing Fees
Section: 280	Late Fees
Section: 290	Manner of Payment
Sub Part C	Licensing
Section: 310	Application for an Illinois Residential Mortgage license
Section: 320	Application for Renewal of an Illinois Residential Mortgage License
Section: 330	Waiver of License Fee
Section: 340	Full-Service Office
Section: 350	Additional Full-Service Office
Section: 360	Continuing Education Requirements for Certain Employees (Repealed)
Section: 370	Licensing of Mortgage Loan Originators
Sub Part D	Operations and Supervision
Section: 410	Net worth
Section: 420	Line of Credit (Repealed)
Section: 425	Examination
Section: 430	Late Audit Reports
Section: 440	Escrow
Section: 450	Audit Workpapers
Section: 460	Selection of Independent Auditor (Repealed)

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 470	Proceeding Affecting a License
Section: 475	Change in Business Activities
Section: 480	Change of Ownership, Control or Name or Address of licensee
Section: 490	Bonding Requirements
Sub Part E	Annual Report of Mortgage Activity, Mortgage Brokerage Activity and Mortgage Service Activity
Section: 610	Filing Requirements
Section: 620	Reporting Forms
Section: 630	Annual Report of Mortgage Activity
Section: 640	Annual Report of Brokerage Activity
Section: 650	Annual Report of servicing Activity
Section: 655	Annual Report of Purchasing Activity
Section: 660	Verification
Sub Part F	Foreclosure Rate
Section: 710	Computation of National Residential Mortgage Foreclosure Rate
Section: 720	Computation of Illinois Residential Mortgage Foreclosure Rate
Section: 730	Excess Foreclosure Rate
Section: 740	Foreclosure Rate Hearing
Section: 750	Director's authority-Unusually High rate
Sub Part G	Servicing
Section: 810	new Loans
Section: 820	Transfer of Servicing
Section: 830	Real Property Tax and Hazard Insurance Payments
Section: 840	Payment Processing
Section: 850	Toll-Free Telephone arrangement
Section: 860	Payoff of Outstanding Mortgage Loan
Section: 870	Compliance with Other Laws
Sub Part H	Advertising
Section: 910	General Prohibition
Section: 920	Definition of Advertisement
Section: 930	Compliance with Other Laws
Section: 940	Requirements
Section: 950	Misleading and Deceptive advertising Prohibition
Sub Part I	Loan Brokerage Practices
Section: 1010	Loan Brokerage Agreement
Section: 1020	Loan Brokerage Disclosure Statement
Section: 1030	Prohibited Practice
Sub Part J	Loan Application Practices
Section: 1100	High Risk Home Loan Application Practices; Applicability
Section: 1110	Borrower Information Document
Section: 1120	Description of Required Documentation
Section: 1130	Maintenance of Records (Repealed)
Section: 1140	Loan Application Procedures
Section: 1150	Copies of Signed Documents
Section: 1160	Confirmation of statements
Section: 1170	Cancellation of Application
Section: 1175	Loan Log
Section: 1176	Record Retention
Section: 1177	Required Loan Application File Documents

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 1180	Ability to Repay
Section: 1185	Verification of Ability to Pay Loan
Section: 1186	Fraudulent or Deceptive Practices
Section: 1187	Prepayment Penalty
Sub Part K	General Lending Practices
Section: 1200	High Risk Home Loan Lending Practices; Applicability
Section: 1210	Notice to Joint Borrowers
Section: 1220	Inaccuracy of Disclosed Information
Section: 1230	Changes Affecting Loans in Process
Section: 1240	Prohibition of Unauthorized Lenders
Section: 1250	Good Faith Requirements
Section: 1260	Pre-paid Insurance Products and Warranties
Section: 1270	Refinancing Prohibited in Certain Cases
Section: 1272	Balloon payments
Section: 1275	Financing of Certain Points
Section: 1276	Payments to Contractors
Section: 1277	Negative Amortization
Section: 1278	Negative Equity
Section: 1280	Counseling Prior to Perfecting Foreclosure Proceedings
Sub Part L	Commitment and Closing Practices
Section: 1305	Approval Notice
Section: 1310	Inconsistent Conditions Prohibited
Section: 1315	Avoidance of Commitment
Section: 1320	Charges to Seller
Section: 1325	Intentional Delay
Section: 1330	No Duplication to Borrower of Seller's Costs
Section: 1335	Fees and Charges
Section: 1340	Refunds on Failure to Close
Section: 1345	Representative at Closing
Section: 1350	Compliance with Other Laws
Section: 1355	Failure to Close-Disclosure
Section: 1360	Escrow account Agreements at Closing
Sub Part M	Exemption Guidelines
Section: 1410	General
Section: 1420	Interpretative Guidelines
Sub Part N	Administrative Hearing Procedures
Section: 1510	Applicability
Section: 1520	Definitions (Repealed)
Section: 1530	Filing
Section: 1540	Form of Documents
Section: 1550	Computation of Time
Section: 1560	Appearances
Section: 1570	Request for Hearing
Section: 1580	Notice of Hearing
Section: 1590	Service of the Notice of Hearing
Section: 1595	Bill of Particulars or Motion for More Definite Statement
Section: 1600	Motion and Answer
Section: 1610	Consolidation and Severance of Matters-Additional Parties
Section: 1620	Intervention

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 1630	Postponement of Continuance of Hearing
Section: 1640	Authority of Hearing Officer
Section: 1650	Bias or Disqualification of Hearing Officer
Section: 1660	Prehearing Conferences
Section: 1670	Discovery
Section: 1680	Subpoenas
Section: 1690	Conduct of Hearing
Section: 1700	Default
Section: 1710	Evidence
Section: 1720	Hostile Witnesses
Section: 1730	Record of Proceedings
Section: 1740	Briefs
Section: 1750	Hearing Officer's Recommendation
Section: 1760	Order of the Director
Section: 1770	Rehearings and Reopening of Hearings
Section: 1790	Costs of Hearing
Sub Part O	Mortgage Awareness Program
Section: 1800	Applicability
Section: 1810	General
Section: 1820	Guidelines
Section: 1830	Offer of Mortgage Awareness Program
Sub Part P	Default and Foreclosure Rates on Conventional Loans
Section: 1900	Applicability
Section: 1910	Report of Default and Foreclosure Rates on Conventional Loans
Section: 1920	Director's Review and Analysis
Sub Part Q	Third Party Review of High Risk Home Loans
Section: 2000	Applicability
Section: 2010	Third Party Review of High Risk Home Loans
Sub Part R	Registration of Loan Originators
Section: 2100	Mortgage Loan Originators: Applicability
Section: 2110	Application for Registration
Section: 2112	Evaluation of Applications
Section: 2115	Examination
Section: 2120	Continuing Education Requirements for Loan Originators
Section: 2125	Certificate of Registration Issuance
Section: 2130	Roster of Registered Loan Originators
Section: 2135	Pocket Card
Section: 2140	Certificate of Registration Renewal
Section: 2145	Certificate of Registration Transfer Application or Inactive Notice
Section: 2150	Inactive Registration Status; Reactivation
Section: 2155	Temporary Permits
Section: 2160	Confidential Information
Section: 2165	Averments
Section: 2170	Suspension or Revocation of Registration, Refusal to Renew, Fines
Section: 2175	Loan Originator Hearings; Fees and Costs
Section: 2180	Criminal Proceedings
Section: 2185	Violations of Tax Acts
Section: 2190	Disciplinary Action for Educational Loan Defaults
Section: 2195	Nonpayment of Child Support

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Sub Part S	Provisional Registration of Loan Originators
Section: 2200	Purpose
Section: 2210	Definitions
Section: 2220	Registration Required
Section: 2230	Exemptions
Section: 2240	Application for Provisional Certificate of Registration; Contents; Amendment
Section: 2250	Issuance of Provisional Certificate of Registration; Effective Date; Conditions
Section: 2260	Loan Origination Practices
Section: 2270	Enforcement
APPENDIX A	Estimated Monthly Income and Expenses Worksheet
APPENDIX B	Mortgage Ration Worksheet

Part #: 1075 Savings Bank Act

Sub Part A	Filings
Section: 100	Filings
Section: 110	Conditions
Section: 120	Examination Fees
Section: 130	Supervisory Fees
Section: 140	Adjusted Supervisory Fees
Section: 141	Special Credit (Repealed)
Section: 150	Withdrawal of Applications or Other Filings
Sub Part B	Definitions
Section: 200	Definitions
Sub Part C	Reports
Section: 300	Contracts
Section: 310	Financial Reports
Sub Part D	Operations
Section: 400	Capital Stock (Repealed)
Section: 410	Minimum Capital Requirement
Section: 415	Conflicting Federal Powers, Law and Regulations
Section: 420	Advertising
Section: 430	Maintenance of Records
Section: 440	Business Plan
Section: 450	Excess Insurance
Section: 455	Vacancies in the Board of Directors
Section: 460	Bond of Officers, Directors, Employees and Agents
Section: 465	Indemnification of Officers, Directors, Employees and Agents
Section: 470	Deceptively Similar Names
Section: 480	Manner of Display of Annual Meeting Notice
Section: 490	Procedures for Exercise of Dissenters Rights
Sub Part E	Investments
Section: 500	Prudent Person Rule
Section: 505	Investment Underwriting Practice
Section: 510	Discrimination and Redlining
Section: 515	Loans Secured by Real Estate
Section: 520	Construction Loans

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 525	Mobile Home Financing (Repealed)
Section: 530	Overdraft Loans
Section: 535	Education Loans
Section: 540	Vehicle/Automobile Loans
Section: 545	Home Equity Loans
Section: 550	Letter of Credit
Section: 555	Other Investments
Section: 560	Commercial Paper
Section: 565	Financial Futures
Section: 570	Financial Options
Section: 575	Finance Leasing
Section: 580	Suretyship
Section: 585	Asset Reserves
Section: 590	Asset Composition Test
Sub Part F	Service Corporation and Operating Subsidiaries
Section: 600	Requirements
Section: 610	Approval by the Commissioner
Section: 620	Investment Limitations
Section: 630	Investments by Service Corporations
Section: 640	Ownership of Capital Stock of Service Corporation
Section: 650	Prohibited Transactions
Section: 660	Disclosure to Service Corporation
Section: 670	Reporting Requirements
Section: 680	Audit Requirements
Sub Part G	Relocations and Branching
Section: 700	General
Section: 705	Application
Section: 710	Request for Preliminary Determination
Section: 715	Public Notice and Inspection
Section: 720	Protest
Section: 725	Oral Argument
Section: 730	Application for the Maintenance of Branch Office after Conversion, Consolidation, Purchase of Assets or Merger
Section: 735	Redesignation of Offices
Section: 740	Termination of Operation and/or Closing of a Branch Office
Section: 745	Agency Offices
Section: 750	Remote Drive-In and/or Remote Pedestrian Facilities
Sub Part H	Capital Notes and Debentures
Section: 800	Approval
Section: 810	Conversion to Stock
Section: 820	Priority of Claim
Sub Part I	Administrative Hearing Procedures
Section: 900	Applicability
Section: 905	Definitions
Section: 910	Early Neutral Evaluation
Section: 915	Conference Adjudicative Hearing
Section: 920	Filing
Section: 925	Form of Documents
Section: 930	Computation of Time

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 935	Appearances
Section: 940	Notice of Hearing
Section: 945	Service of the Notice of Hearing
Section: 950	Motion and Answer
Section: 955	Consolidation and Severance of Matters-Additional Parties
Section: 960	Intervention
Section: 965	Postponement of Continuance of Hearing
Section: 970	Authority of Hearing Officer
Section: 975	Bias or Disqualification of Hearing Officer
Section: 980	Prehearing Conferences
Section: 985	Discovery
Section: 990	Subpoenas
Section: 995	Conduct of the Hearing
Section: 1000	Default
Section: 1005	Evidence
Section: 1010	Official Notice
Section: 1015	Hostile Witnesses
Section: 1020	Transcription of Proceedings
Section: 1025	Briefs
Section: 1030	Hearing Officer's Findings, Opinions and Recommendations
Section: 1035	Order of the Commissioner
Section: 1040	Rehearings
Section: 1045	Existing Statutory or Agency Procedures and Practices
Section: 1050	Costs of Hearing
Section: 1055	Emergency Adjudication
Sub Part J	Savings Bank Holding Companies
Section: 1100	Applicability
Section: 1105	Definitions
Section: 1110	Mutual Holding Company Reorganizations
Section: 1111	Subsidiary Holding Company
Section: 1115	Prohibition Against Approval of Certain Applications for Reorganization
Section: 1120	Contents of Reorganization Plans
Section: 1125	Capital Stock (Repealed)
Section: 1130	Charter (Repealed)
Section: 1135	Control (Repealed)
Section: 1140	Eligible (Repealed)
Section: 1145	Eligibility Record Date (Repealed)
Section: 1150	Employee (Repealed)
Section: 1155	Equity Security (Repealed)
Section: 1160	Insured Institution (Repealed)
Section: 1165	Member (Repealed)
Section: 1170	Net Worth (Repealed)
Section: 1175	Officer (Repealed)
Section: 1180	Person (Repealed)
Section: 1185	Qualifying Deposit (Repealed)
Section: 1190	Sale (Repealed)
Section: 1195	Security (Repealed)
Section: 1200	Source Documents (Repealed)

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 1205	Subsidiary (Repealed)
Section: 1210	Liquidation Account and Proxies
Section: 1215	Mutual Holding Company Ceasing to be a Depository Institution
Section: 1220	Directors of a Mutual Holding Company
Section: 1225	Stock Issuance Plan
Section: 1230	Stock of a Subsidiary of a Mutual Holding Company
Section: 1235	Stock Subsidiary Formation
Section: 1240	Net Worth Maintenance Agreement (Repealed)
Section: 1245	Members, Rights
Section: 1250	Investment
Section: 1255	Notice Requirement/Corrective Action
Section: 1260	Insider Abuses
Section: 1265	Determination of the Qualification and Condition of an Out-of-State Acquisition
Section: 1270	Acquisition and Disposal of Subsidiaries
Section: 1275	Dividend Limitations and Waivers
Section: 1280	Officers and Directors List
Section: 1285	Access to Books and Records
Section: 1290	Annual Audit Requirements
Section: 1295	Maintenance of Records
Section: 1300	Notice of Appointment of Independent Accountants
Section: 1305	Holding Company Filing Fees (Repealed)
Section: 1310	Holding Company Supervisory Fees
Section: 1315	Examination Fees
Section: 1320	Conditions
Section: 1325	Manner of Payment
Section: 1330	Conversion of Mutual Holding Companies
Sub Part K	Conversion of an Existing Depository Institution into an Illinois Savings Bank
Section: 1400	Scope of Rules
Section: 1405	Definitions
Section: 1410	General Rules for Conversion Plan
Section: 1415	Adopting and filing of a Conversion Plan (Repealed)
Section: 1420	Conversion Plan Requirements (Repealed)
Section: 1425	Vote by Shareholders and Members (Repealed)
Section: 1430	Issuance of Certificate of Approval
Section: 1435	Final Approval of the Conversion
Section: 1440	Powers of Resulting Savings Bank
Section: 1445	Obligations of Resulting Savings Bank
Section: 1450	Directors of Resulting Savings Bank
Sub Part L	Supervision
Section: 1500	Sale of Offices, Facilities and Equipment
Section: 1510	Purchase of Offices (Repealed)
Section: 1520	Bridge Charters
Section: 1530	Unsafe and Unsound Practices
Section: 1540	Failure to Comply with Report of Examination
Section: 1550	Publication
Sub Part M	Removals, Suspensions and Industry wide Prohibition
Section: 1600	Scope
Section: 1610	Notice of Intention and Answer

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 1620	Removal and Prohibition by Order
Section: 1630	Suspension by Notice
Section: 1640	Industry wide Prohibition
Section: 1650	Unauthorized Participation of Convicted Individual
Sub Part N	Acquisition of Control of a Savings Bank
Section: 1700	Acquisition of Control of a Savings Bank
Section: 1710	Anti-Takeover Provisions
Sub Part O	Conversion of Mutual Savings Bank to Capital Stock Savings Bank
Section: 1800	Subpart Exclusive -- Prohibition on Conversion Without Approval – Waiver of Requirements
Section: 1805	Forms
Section: 1810	Request of Noncompliance Requirements (Repealed)
Section: 1815	Definitions
Section: 1820	Prohibition on Approval of Certain Applications for Conversion
Section: 1825	Requirements of Plan of Conversion
Section: 1830	Issuance of Capital Stock -- Price
Section: 1835	Stock Purchase Subscription Rights -- Eligible Account Holders
Section: 1840	Stock Purchase Subscription Rights Received by Officers, Directors, and their Associates -- Subordination
Section: 1845	Supplemental Share Purchase Subscription Rights -- Supplemental Eligible Account Holder -- Conditions
Section: 1850	Voting Members Who Are Not Eligible Account Holders
Section: 1855	Sale of Shares Not Sold in Subscription Offering -- Methods – Conditions
Section: 1860	Uniform Sales Price of Shares Required -- Application to Specify Arrangements on Sale of Shares Not Sold in Subscription Offering
Section: 1865	Savings Account Holder to Receive Withdrawable Savings Account(s) -- Amount
Section: 1870	Liquidation Account -- Establishment and Maintenance Required
Section: 1875	Establishment of Eligibility Record Date Required
Section: 1880	Voting Rights
Section: 1885	Amendment and Termination of Plan of Conversion
Section: 1890	Restriction on Sale of Shares of Stock by Directors and Officers
Section: 1895	Conditions on Shares of Stock Subject to Restriction on Sale
Section: 1900	Registration of Securities -- Marketing of Securities -- Listing of Shares on Securities Exchange or NASDAQ Quotation System
Section: 1905	Reasonable Expenses Required
Section: 1910	Employee Stock Benefit Plan -- Priority
Section: 1915	Employee Stock Benefit Plan -- Contributions
Section: 1920	Plan of Conversion -- Prohibited Provisions
Section: 1925	Optional Provisions in Plan of Conversion
Section: 1930	Approval of Other Provisions
Section: 1935	Amount of Qualifying Deposit of Eligible Account Holder or Supplemental Eligible Account Holder
Section: 1940	Liquidation Account -- Establishment Required -- Amount -- Function
Section: 1945	Liquidation Account -- Maintenance Required -- Subaccounts
Section: 1950	Liquidation Account -- Distribution Upon Complete Liquidation
Section: 1955	Liquidation Account -- Determination of Subaccount Balances
Section: 1960	Reduction of Subaccount Balance

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 1965	Converted Savings Bank Prohibited from Repurchasing its Stock Without Approval
Section: 1970	Limitation on Cash Dividends
Section: 1975	Dividends on Preferred Stock
Section: 1980	Prohibitions on Offer, Sale, or Purchase of Securities
Section: 1985	Acquisitions of Control of a Converted Savings Bank
Section: 1990	Articles of Incorporation - Restrictions Permitted
Section: 1995	Confidentiality of Consideration to Convert -- Remedial Measures for Breach
Section: 2000	Public Statement Authorized
Section: 2005	Adoption of Plan of Conversion -- Notice to and Inspection by Account Holders -- Statement and Letter -- Press Release Authorized
Section: 2010	Statement, Letter and Press Release -- Content Permitted
Section: 2015	Statement, Letter and Press Release - Contents Prohibited -- Inquiries
Section: 2020	Notices of Filing of Application -- Requests for Subscription Offering Circular
Section: 2025	Filing of Notice and Affidavit of Publication Required
Section: 2030	Application Available for Public Inspection -- Confidential Information
Section: 2035	Solicitation of Proxies; Proxy Statements
Section: 2040	Vote by Members
Section: 2045	Offers and Sales of Securities -- Prohibitions
Section: 2050	Distribution of Offering Circulars Authorized
Section: 2055	Preliminary Offering Circular for Subscription Offering -- Estimated Subscription Price Range Required
Section: 2060	Review of Price Information by Commissioner
Section: 2065	Underwriting Commission
Section: 2070	Consideration of Pricing Information by Commissioner -- Guidelines
Section: 2075	Submission of Information by Applicant
Section: 2080	Subscription Offering -- Distribution of Order Forms for the Purchase of Shares
Section: 2085	Order Forms -- Final Offering Circular and Detailed Instructions
Section: 2090	Subscription Price
Section: 2095	Order Form -- Contents
Section: 2100	Order Form -- Additional Provision Authorized -- Payment by Withdrawal
Section: 2105	Time Period for Completion of Sale of all Shares of Capital Stock
Section: 2110	Continuity of Corporate Existence
Section: 2115	Application to Furnish Information
Section: 2120	Additional Filing Requirements
Section: 2125	Availability for Conferences in Advance of Filing of Application -- Refusal of Prefiling Review
Section: 2130	Appeal from Refusal to Approve Application
Section: 2135	Postconversion Reports
Section: 2140	Certain Agreement to Transfer and Transfers of Ownership in Rights or Securities Prohibited
Section: 2145	Certain Offers and Announcements on Securities Prohibited
Section: 2150	Certain Offers and Acquisitions Prohibited
Section: 2155	Definitions -- Certain Transfers, Offers and Acquisitions Prohibited
Section: 2160	Amendments to Charter Required in Application -- Articles of

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

	Incorporation -- Filing of Certificate Required -- Contents -- Issuance and Filing of Authorization Certificate
Section: 2165	Conversion Incident to Acquisition by Savings Bank Holding Company or Merger or Consolidation with Savings Bank Holding Company Subsidiary -- Restriction on Sale of Shares of Stock by Directors and Officers
Section: 2170	Sale of Control in connection with the Conversion of a Mutual Savings Bank to Capital Stock Savings Bank - Undercapitalized Mutual Savings Bank
Section: 2175	Conversion of a Savings Bank in Connection with the Formation of a Holding Company
Section: 2200	Application -- Application Requirements
Section: 2210	Application -- Filing the Application and Fees
Section: 2220	Application -- Preparing the Application
Section: 2230	Application -- Application Contents
Section: 2240	Application -- Application Exhibits
Section: 2300	Proxy Statement -- Information Required in conversion Proxy Statement
Section: 2310	Proxy Statement -- Notice of Meeting
Section: 2320	Proxy Statement -- Revocability of Proxy
Section: 2330	Proxy Statement --Persons Making the Solicitations
Section: 2340	Proxy Statement -- Voting Rights and Vote Required for Approval
Section: 2350	Proxy Statement -- Directors and Executive Officers
Section: 2360	Proxy Statement -- Management Remuneration
Section: 2370	Proxy Statement -- Business of the Applicant
Section: 2380	Proxy Statement -- Description of the Plan of Conversion
Section: 2390	Proxy Statement -- Description of the Capital Stock
Section: 2400	Proxy Statement -- Capitalization
Section: 2410	Proxy Statement -- Use of New Capital
Section: 2420	Proxy Statement -- New Charter, Bylaws, or Other Documents
Section: 2430	Proxy Statement -- Other Matters
Section: 2440	Proxy Statement -- Financial Statements
Section: 2450	Proxy Statement -- Consents of Experts and Reports
Section: 2460	Proxy Statement -- Attachments
Section: 2500	Offering Circular
Section: 2510	Offering Circular -- Certain Manner of Presentation of Required Information Prohibited
Section: 2520	Offering Circular -- Certain named Persons -- Filing of Written Consent Required
Section: 2530	Offering Circular -- Information Required
Section: 2540	Offering Circular -- Additional Current Information Required
Section: 2550	Offering Circular -- Statement Required in Offering Circulars
Section: 2560	Offering Circular -- Preliminary Offering Circular
Section: 2570	Offering Circular -- Information with Respect to Exercise of Subscription Rights
Section: 2580	Offering Circular -- Information with Respect to Public Offering or Direct Community Offering
Sub Part P	High Risk Home Loans
Section: 3000	Definitions

**TABLE OF CONTENTS**  
**ILLINOIS ADMINISTRATIVE CODE**

**Last Updated: December 30, 2016**

**TITLE 38 FINANCIAL INSTITUTIONS**

Section: 3100	Ability to Repay
Section: 3150	Verification of Ability to Pay Loan
Section: 3200	Fraudulent or Deceptive Practices
Section: 3225	Prepayment Penalty
Section: 3250	Pre-paid Insurance Products and Warranties
Section: 3300	Refinancing Prohibited in Certain Cases
Section: 3325	Balloon Payments
Section: 3350	Financing of Certain Points and Fees
Section: 3400	Payments to Contractors
Section: 3450	Negative Amortization
Section: 3500	Negative Equity
Section: 3550	Counseling Prior to Perfecting Foreclosure Proceedings
Section: 3600	Mortgage Awareness Program
Section: 3650	Report Default and Foreclosure Rates on Conventional Loans
Section: 3700	Commissioner's Review and Analysis
Section: 3750	Third Party Review of High Risk Home Loans
Sub Part Q	Disclosure of Confidential Supervisory Information
Section: 4010	Definitions
Section: 4020	Purpose and Scope
Section: 4030	Requests for Confidential Supervisory Information
Section: 4040	Where to Submit a Request
Section: 4050	Consideration of Requests
Section: 4060	Disclosure of Confidential Supervisory Information
Section: 4070	Retrieval and Destruction of Previously Disclosed Confidential Supervisory Information Used in Litigation
Section: 4080	Fees for Services
Sub Part R	Payday Loans
Section: 5000	Purpose and Scope
Section: 5010	Definitions
Section: 5020	Applicability of Rule
Section: 5030	Issuance of Payday Loans by Savings Banks
APPENDIX A	Mortgage Ration Worksheet
APPENDIX B	Estimated Monthly Income and Expenses Worksheet