

1 TITLE 38: FINANCIAL INSTITUTIONS
2 CHAPTER II: DEPARTMENT OF FINANCIAL AND PROFESSIONAL
3 REGULATION~~OFFICE OF BANKS AND REAL ESTATE~~

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5 PART 385
6 RULES GOVERNING THE REQUEST FOR
7 RECONSIDERATION OF EXAMINATION FINDINGS
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10	Section
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18
19 AUTHORITY: Implementing and authorized by Section 48(2) and (6)(a) of the Illinois Banking
20 Act [205 ILCS 5/48(2) and 6(a)]; Section 9004 of the Savings Bank Act [205 ILCS 205/9004];
21 Section 0.05 of the Pawnbroker Regulation Act [205 ILCS 510/0.05]; Sections 20 and 25 of the
22 Electronic Fund Transfer Act [205 ILCS 616/20 and 25]; Sections 5-1 and 5-2 of the Corporate
23 Fiduciary Act [205 ILCS 620/5-1 and 5-2]; Sections 17 and 18 of the Foreign Banking Office
24 Act [205 ILCS 645/17 and 18]; and Section 8 of the Foreign Bank Representative Office Act
25 [205 ILCS 650/8].

26
27 SOURCE: Adopted at 28 Ill. Reg. 1062, effective January 5, 2004; amended at 48 Ill. Reg.
28 _____, effective _____.

29
30 **Section 385.20 Definitions**

31
32 "Assistant Commissioner" means the Assistant Commissioner of Banks and Real
33 Estate, Bureau of Banks and Trust Companies.

34
35 "Commissioner" means the Commissioner of Banks and Real Estate or a person
36 authorized by the Commissioner, the Office of Banks and Real Estate Act [20
37 ILCS 3205], or the Illinois Banking Act [205 ILCS 5].

38
39 "Chief Counsel" means the individual appointed by the Commissioner to serve as
40 the Chief Counsel to the Office of Banks and Real Estate, Bureau of Banks and
41 Trust Companies, or his or her delegated representative.
42

43 "Division Director" means the individual appointed by the Commissioner to
 44 directly manage and supervise the examination and regulation of specific
 45 Regulated Financial Institutions. Division Directors include, but are not limited
 46 to, the Administrator of Pawnbroker Regulation; the Director of Commercial
 47 Bank Supervision-Springfield; the Director of Commercial Bank Supervision-
 48 Chicago; the Director of International Bank Supervision; and the Director of
 49 Specialized Activities Supervision.

50
 51 "Material Supervisory Determinations" include, but are not limited to, material
 52 determinations related to UFIRS Ratings assigned to a State bank, ROCA/ROC
 53 Ratings assigned to a Foreign Banking Office or Foreign Banking Representative
 54 Office, UITRS Ratings assigned to a corporate fiduciary, and URSIT Ratings
 55 assigned to Information Technology; [rating assigned to a State bank or savings](#)
 56 [bank pursuant to the Illinois Community Reinvestment Act \[205 ILCS 735\]](#) the
 57 adequacy of loan reserve provisions; loan classifications; and findings resulting
 58 from an examination of a pawnshop.

59
 60 "ROCA/ROC Rating" means the rating assigned to a Foreign Banking Office and
 61 a Foreign Bank Representative Office, respectively, by the Commissioner based
 62 upon a composite evaluation of the following performance components: Risk
 63 Management; Operational Controls; Compliance; and Asset Quality. The rating
 64 assigned to each individual performance component will be assigned a range of 1
 65 through 5, with 1 being the highest possible rating and 5 being the lowest possible
 66 rating.

67
 68 "Regulated Financial Institution" means a pawnshop, bank, [savings bank](#),
 69 corporate fiduciary, foreign banking office, foreign bank representative office, or
 70 a subsidiary, affiliate, parent company, or contractual service provider of the
 71 bank, [savings bank](#), corporate fiduciary, foreign banking office, or foreign bank
 72 representative office, subject to examination by the Commissioner.

73
 74 "UFIRS Rating" means the rating assigned to a State bank by the Commissioner
 75 based upon a composite evaluation of the following six individual performance
 76 components of the Uniform Financial Institutions Rating System: Capital; Asset
 77 Quality; Management; Earnings; Liquidity; and Sensitivity to Market Risk. The
 78 UFIRS Rating and the rating assigned to each individual performance component
 79 will be assigned a range of 1 through 5, with 1 being the highest possible rating
 80 and 5 being the lowest possible rating.

81
 82 "UITRS Rating" means the rating assigned to a corporate fiduciary by the
 83 Commissioner based upon a composite evaluation of the following performance
 84 components of the Uniform Interagency Trust Rating System: Management;
 85 Operations, Internal Controls and Auditing; Earnings; Compliance; and Asset

86 Management. The rating assigned to each individual performance component
87 will be assigned a range of 1 through 5, with 1 being the highest possible rating
88 and 5 being the lowest possible rating.
89

90 "URSIT Rating" means the rating assigned to a Regulated Financial Institution's
91 information systems by the Commissioner based upon a risk evaluation of the
92 following components of the Uniform Rating System for Information
93 Technology: Audit; Management; Development and Acquisition; and Support
94 and Delivery. The rating assigned to each individual performance component will
95 be assigned a range of 1 through 5, with 1 being the highest possible rating and 5
96 being the lowest possible rating.
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98 (Source: Amended at 48 Ill. Reg. _____, effective _____)