



9575 Katy Freeway, Suite 300

Houston, TX 77024

Phone: 713-871-0005

Fax: 713-871-1358

Partners

Thomas E. Black, Jr., P. C.*

Calvin C. Mann, Jr., P. C.

Gregory S. Graham, P. C.

Shawn P. Black **

Regina M. Uhl

Senior Lawyers

David F. Dulock

Diane M. Gleason

Associates

Peter B. Idziak **

Daniel S. Engle**

Of Counsel

David M. Tritter

Benjamin R. Idziak **

* Also Licensed in Iowa, New York, Washington and West Virginia

** Also Licensed in New York

December 29, 2015

To: Clients and Friends

From: David F. Dulock

Subject: CRA Asset-size Thresholds Revised for 2016

In the December 29, 2015 issue of the *Federal Register* 80 FR 81162, [click here](#), the Office of the Comptroller of the Currency, Treasury (OCC), the Board of Governors of the Federal Reserve System (FRB), and the Federal Deposit Insurance Corporation (FDIC) published a joint final rule amending their respective Community Reinvestment Act (CRA) regulations to adjust the asset-size thresholds used to define “small bank,” “small savings association,” “intermediate small bank,” and “intermediate small savings association,” effective January 1, 2016.

As required by the CRA regulations, the adjustment to the threshold amount is based on the annual percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). During the adjustment period ending November 2015, the CPI-W decreased by 0.42% and, as a result, the OCC, FRB and FDIC decreased their respective CRA asset-size thresholds for small and intermediate banks and savings associations, as set out below:

Effective January 1, 2016, the OCC, the FRB and the FDIC have revised their CRA regulations in 12 CFR §§25.12(u)(1), 195.12(u)(1), 228.12(u)(1), and 345.12(u)(1), respectively, to **decrease** the asset-size thresholds used to define “small bank,” “intermediate small bank,” “small savings association,” and “intermediate small savings association.” Beginning January 1, 2016, banks and savings associations that, as of December 31 of either of the prior two calendar years, had assets of less than \$1.216 billion (a decrease from \$1.221 billion) are small banks or small savings associations. Small banks and small savings associations with assets of at least \$304 million (a decrease from \$305 million) as of December 31 of both of the prior two calendar years and less than \$1.216 billion (a decrease from \$1.221 billion) as of December 31 of either of the prior two calendar years are intermediate small banks or intermediate small savings associations. The current and historical asset-size thresholds also are published on the website of the Federal Financial Institutions Examination Council at <http://www.ffiec.gov/cra/>.

The joint final rule also amends the above agencies’ respective Community Reinvestment Act (CRA) regulations to make technical edits to remove obsolete references to the Office of Thrift Supervision (OTS) and update cross-references to regulations implementing certain Federal consumer financial laws.

This Memorandum is provided as general information in regard to the subject matter covered, but no representations or warranty of the accuracy or reliability of the content of this information are made or implied. Opinions expressed in this memorandum are those of the author alone. In publishing this information, neither the author nor the law firm of Black, Mann & Graham L.L.P. is engaged in rendering legal services. While this information concerns legal and regulatory matters, it is not legal advice and its use creates no attorney-client relationship or any other basis for reliance on the information. Readers should not place reliance on this information alone, but should seek independent legal advice regarding the law applicable to matters of interest or concern to them. The law firm of Black, Mann & Graham L.L.P. expressly disclaims any obligation to keep the content of this information current or free of errors.