



NEW YORK STATE  
DEPARTMENT *of*  
FINANCIAL SERVICES

June 15, 2018

To the Governor and Legislature:

I am pleased to submit the 2017 Annual Report of the New York State Department of Financial Services, as required by Article 2, Section 207 of the Financial Services Law. Throughout 2017, the Department carried out its mission to protect consumers and to promote the development of sound, fair financial services. The Department's varied work is detailed in the report.

As its charter instructs, the Department continues to work aggressively to foster the growth of a fair, robust financial services industry and to protect consumers.

I hope you find the report useful.

Respectfully submitted,

A handwritten signature in black ink, reading "Maria T. Vullo".

Maria T. Vullo  
Superintendent



**NEW YORK**  
STATE OF  
OPPORTUNITY™

Department of  
Financial Services

2017 Annual Report

**Maria T. Vullo, Superintendent**

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## INTRODUCTION

The Department of Financial Services (DFS) supervises and regulates the activities of more than 1,400 insurance companies with assets of more than \$4.3 trillion and approximately 1,500 banking and other financial institutions with assets totaling more than \$2.6 trillion. They include nearly 200 life insurance companies, 1,100 property/casualty insurance companies, about 100 health insurers and managed care organizations, and 300,000 individual insurance licensees, 90 state-chartered banks, 81 foreign branches, 10 foreign agencies, 16 credit unions, 380 licensed financial services companies, and more than 7,600 mortgage loan originators and servicers. The Department is organized into the following divisions:

The **Insurance Division** supervises all insurance companies that do business in New York. The Division includes the Property, Life and Health Bureaus.

The **Banking Division** supervises, through chartering, licensing, registering, and examining safety and soundness, banking and other financial institutions. The division is comprised of the following three bureaus: Foreign & Wholesale Banks, Community & Regional Banks and Licensed Financial Services.

The **Financial Frauds and Consumer Protection Division** (FFCPD) is responsible for protecting and educating consumers and fighting consumer fraud. The FFCPD encompasses the Civil Investigations Unit; the Consumer Assistance Unit; the Producers Unit; the Consumer Examinations Unit; the Student Protection Unit; and the Holocaust Claims Processing Office.

DFS's **Compliance Division**, established in 2016, ensures that our staff meets the high standards that our agency promotes by developing and delivering training for DFS employees, and streamlining and modernizing DFS procedures to ensure efficient and effective supervisory activities. The division also ensures that we have comprehensive and effective standards for the entities that we regulate.

DFS's new **Enforcement Division**, also established in 2016, has led to stronger coordination within the Department and consistency of approach, ensuring that regulated entities comply with New York and federal law in relation to their activities serving the public. In 2017, DFS created a new **Investigations and Intelligence Division** that will develop investigative leads and intelligence in furtherance of the Department's efforts to enforce the Banking, Insurance and Financial Services laws, with particular focus on the review and response to cybersecurity events and the development of supervisory, regulatory and enforcement policy and direction in the area of financial crimes.

The **Capital Markets/Research Trends Innovation Division** provides the Department's expertise in complex financial products (bonds, equities, credit, derivatives, and commodities), enterprise risk management, financial analysis, Information Technology, internal controls and audit, research, fiduciary controls, and regulatory accounting. The division works with the other DFS divisions in examinations and also conducts targeted examinations. The Division has the primary regulatory responsibility for the New York State-based public retirement systems and financial guaranty insurance companies. In addition, it leverages the business intelligence that DFS gathers with the aim of analyzing this data to identify emerging risks and macroeconomic trends that can be developed into topical reports and regular industry analysis.

The newly created **Office of Financial Innovation** is responsible for DFS's expanded specialty cyber and virtual currency examiner staffs; developing expanded examination and supervision protocols; and developing key

initiatives and compliance measures, including increasing challenges posed by the continued emergence of the virtual currency marketplace, as well as other innovations.

The **Real Estate Finance Division** is responsible for regulating all real estate and homeowner issues, as well as oversight and enforcement of New York's Vacant and Abandoned Properties Law. The division is also responsible for managing the DFS registry of "zombie" properties. The division also includes Mortgage Banking, the Mortgage Assistance Unit and the Mobile Command Center (MCC). The MCC has been an important tool to inform, engage and support communities throughout New York State, particularly during times of crisis, such as the flooding in the Lake Ontario region. In addition, DFS staff provide information and assist homeowners, business owners and residents with questions and concerns relating to mortgage loans, or refinancing of loans, as well as those relating to insurance issues.

All data in this report is for the year 2017, unless stated otherwise. Financial data for the Department is for the fiscal year 2016-2017.

## MAJOR ACCOMPLISHMENTS

The Department continues to work to protect consumers, safeguard markets and promote a thriving and sustainable financial services sector for the long term. The highlights of some of our work in 2017 are below.

### ENCOURAGING GROWTH, SAFEGUARDING MARKETS AND ENFORCING THE FINANCIAL SERVICES LAWS

#### Leading Efforts to Strengthen Cyber Security Across the Financial Sector

DFS's first-in-the-nation regulation to protect New York State's financial services industry from the ever-growing threat of cyber-attacks became effective March 1, 2017. The regulation requires banks, insurance companies, and other financial services institutions regulated by the Department to establish and maintain a cybersecurity program designed to protect personal data and ensure the safety and soundness of New York State's financial services industry. In addition, the regulation requires regulated institutions to provide notice of any breaches, and annually to submit a board resolution or senior officer compliance finding confirming steps taken to ascertain compliance with the regulation. As a result of DFS's leadership, in October 2017, the National Association of Insurance Commissioners (NAIC) adopted a model law modelled after DFS's regulation. In 2017, DFS also designed and launched a training program for examiners on the new cybersecurity regulation.

#### Preventing Terrorism Financing

DFS's landmark risk-based anti-terrorism and anti-money laundering regulation took effect January 5, 2017, requiring regulated institutions to maintain programs to monitor and filter transactions for potential Bank Secrecy Act (BSA) and anti-money laundering (AML) violations and prevent transactions with sanctioned entities. The regulation requires regulated institutions annually to submit a board resolution or senior officer compliance finding confirming steps taken to ascertain compliance with the regulation. In 2017, DFS trained its examiners in the new anti-money laundering and Bank Secrecy Act laws, and DFS's new transaction monitoring regulation.

#### Regulating and Licensing Virtual Currencies

The emergence of virtual currency, distributed ledger, and blockchain technologies present both opportunities and challenges for industry as well as regulators. Building innovative platforms for conducting commerce can help improve the efficiency of financial transactions, record-keeping and clearing. Easier facilitation of payments and anonymous movements of funds can present risks that can be mitigated by strong compliance systems and regulatory oversight designed to safeguard consumers, and to prevent money laundering and funding illegal activities. Like other regulated financial services entities, virtual currency companies are subject to periodic examinations by DFS.

DFS granted two new virtual currency licenses in 2017 in accordance with the Department's 2015 regulation requiring a license to engage in the virtual currency business. DFS authorized Bitflyer to offer an online digital currency exchange and trading platform, and to provide custodial wallet services for the Bitcoin digital currency. The Department also approved the application of Coinbase to offer Ethereum and Litecoin for New York customers, as well as to offer users in New York access to "Shift Card," a Coinbase-linked debit card service. As of the date of this report, DFS also has granted a new virtual currency license to Genesis Global Trading Inc. and granted the applications of Gemini Trust Company and Paxos Trust Company (formerly itBit) to provide additional services.

Earlier this year, DFS issued guidance reminding all virtual currency entities licensed by New York State, including those that hold a money transmitter license, that they are required to implement measures designed to effectively detect, prevent, and respond to fraud, attempted fraud, and similar wrongdoing. In addition, DFS reminded virtual currency companies that they must be especially vigilant against efforts at market manipulation.

DFS recently has established a new Office of Financial Innovation to address the increasing challenges posed by the continued emergence of the virtual currency marketplace, as well as other innovations.

### **Encouraging the Growth of the Banking Industry**

In 2017, DFS continued its disciplined effort to promote its state banking charter, and the results show that the New York State banking system is strong and growing. In 2017, there were 124 branch openings of New York State-chartered banking institutions, compared with 43 in 2016. This brought the total number of New York State-chartered banking institutions and branches to 1,498 in 2018, up from 1,485 in 2017. In addition, DFS granted one federal-to-state charter conversion in 2017. On November 20, 2017, DFS approved Bridgehampton National Bank's application to convert its charter to conduct business to a New York State banking charter, effective December 31, 2017. Bridgehampton, now known as BNP Bank, is the 13th federal bank to convert to a New York State charter since DFS was formed in October 2011.

### **Modernizing Operations and Enhancing Financial Services Regulation**

DFS modernized operations and enhanced regulation with the launch of a new online portal to securely transmit in real time all notifications required under New York's cybersecurity regulation, as well as a new online application process to speed the re-licensing of agents and brokers whose original licenses have been expired for more than two years. In addition, in 2017, DFS began the transition of its nondepository licenses to the Nationwide Multistate Licensing System and Registry, a secure, web-based, nationwide licensing system providing enhanced supervision of regulated entities by linking with other states to provide more efficient regulation.

### **Combatting Anti-Money Laundering and Foreign Exchange Violations**

Enforcement actions ensure that regulated entities comply with New York and federal law in relation to their activities serving the public. In 2017, DFS announced several consent orders with banks for violations of New York's anti-money laundering laws (AML), following the centralization of the Department's enforcement actions under a new Enforcement Division in 2016. In addition, a DFS investigation of foreign exchange trading by several global banks uncovered illegal, unsafe and unsound practices in violation of New York Banking Law. Monetary penalties for these violations totaled more than \$1.1 billion in 2017. They include:

- **Deutsche Bank:** On January 30, 2017, DFS fined Deutsche Bank \$425 million for violations of New York anti-money laundering laws involving a "mirror trading" scheme among the bank's Moscow, London and New York offices that laundered \$10 billion out of Russia. Under the scheme, certain companies that were clients of the Moscow equities desk issued orders to purchase Russian blue chip stocks, always paying in rubles. Shortly thereafter, sometimes on the same day, a related counterparty would sell the identical Russian blue chip stock in the same quantity and at the same price through Deutsche Bank's London branch. DFS's investigation found that the bank missed numerous opportunities to detect,

investigate and stop the scheme due to extensive compliance failures, allowing the scheme to continue for years.

- **BNP Paribas S.A.:** DFS fined BNP Paribas (BNPP) and its New York branch \$350 million on May 24, 2017, for violations of New York banking law arising out of the bank's global foreign-exchange business. The violations included major deficiencies in the bank's oversight that allowed nearly unfettered misconduct by more than a dozen BNPP traders and salespeople, including collusive activity to manipulate foreign exchange currency prices and foreign exchange benchmark rates; executing fake trades to influence the exchange rates of emerging market currencies; and improperly sharing confidential customer information with traders at other large banks.
- **Habib Bank:** On September 7, 2017, as part of a consent order with DFS, Habib Bank and its New York branch were fined \$225 million for failure to comply with New York laws and regulations designed to combat money laundering, terrorist financing, and other illicit financial transactions. This consent order followed a 2016 DFS examination that found serious weaknesses in the bank's risk management and compliance and the bank's failure to undertake extensive remedial actions required by a 2015 consent order. As a result, Habib Bank agreed to surrender its license to operate the New York branch upon fulfillment of conditions outlined in a separate surrender order to ensure the orderly wind down of the New York branch.
- **Credit Suisse AG:** On November 13, 2017, Credit Suisse agreed to pay a \$135 million fine as part of a consent order with DFS for improper efforts with other global banks, front-running client orders, and additional unlawful conduct that disadvantaged customers. DFS's investigation found that Credit Suisse foreign exchange traders participated in multi-party electronic chat rooms, where traders, sometimes using code names to discreetly share confidential customer information, discussed coordinating trading activity and attempted to manipulate currency prices or benchmark rates. The DFS consent order also required Credit Suisse to engage a consultant to review and report to the Department about the bank's remedial efforts with regards to its foreign exchange business.

## PROTECTING CONSUMERS

### Filling the Federal Regulatory Void

DFS has stepped into the regulatory void created by the federal government's continued attempts to strip away important consumer protections and reverse regulatory reforms stemming from the financial crisis of 2008. In addition to protecting New York's health insurance markets from federal attacks, DFS opposed the rollback of protections by the new leadership of the Consumer Financial Protection Bureau; provided insights into these actions to consumers on its website; and protected consumers through targeted regulation, consumer outreach and enforcement actions.

### Safeguarding Homeowners and Communities

- **Addressing Zombie Properties:** In 2017, DFS launched a series of information sessions for local government officials about legislation signed by Governor Cuomo and effective in December 2016 to combat the blight of vacant and abandoned properties. DFS also issued new guidance to ensure that banks and mortgage servicers comply with their obligations to maintain vacant and abandoned properties. DFS's statewide outreach and education program is designed to provide local government

officials with a clear understanding of the new legislation so they can inform and support their constituents. Under the law, New Yorkers can report vacant and abandoned properties in their communities through the DFS hotline or online through the Department's website. To ensure broad coverage, information sessions were held in Western New York, the Capital Region, Central New York, the Finger Lakes, Mid-Hudson, the Southern Tier, the North Country, Mohawk Valley, and Long Island.

- **PHH Mortgage Corp.:** As part of DFS's aggressive strategy to combat the blight of "zombie" properties, on December 14, 2017, DFS fined PHH Mortgage \$119,000 for failing to maintain a vacant and abandoned property under DFS's Vacant and Abandoned Property Law, which took effect in 2016 and requires banks and mortgage servicers to fulfill certain maintenance obligations at such properties. In addition, DFS issued guidance to remind banks and mortgage servicers of their responsibilities to maintain vacant and abandoned properties across the state, which includes reporting applicable properties to the DFS registry within 30 days of any material change to the status of a registered property.
- **Mortgage Research Center LLC:** Under a consent order with DFS, Mortgage Research Center, LLC, doing business as VAMortgage Center and/or Veterans United Home Loans, agreed to pay approximately \$604,000 in restitution to New York consumers, primarily veterans. A DFS examination of Veterans United found that, in at least 322 cases, the company did not refund surplus "lender credits" to New York borrowers who had obtained from Veterans United a credit to cover estimated closing costs by agreeing to a higher interest rate (known as a "lender credit"), when the ultimate closing costs were lower than such estimated costs, (resulting in what is known as a "surplus lender credit"). Veterans United did not adjust down the interest rate, reduce the principal balance of the loan, reduce the down payment, provide a cash refund, or pursue any other means of refunding the surplus to the borrower. The DFS consent order rectifies these failures.
- **Lloyd's of London, Clements & Company, and United Federal Credit Union:** On November 28, 2017, DFS entered into a consent order with Clements & Company, Underwriters at Lloyd's of London, and the United Nations Federal Credit Union (UNFCU) for offering, marketing and underwriting an unlicensed credit and debit card-based life insurance program for UNFCU members. The order required the parties to pay a total of \$1.47 million in fines for unlicensed life insurance business and to establish an insurance program with a DFS-licensed insurer. The insurance program offered guaranteed-issue term life insurance to UNFCU's members in more than 210 countries and territories. A total of more than 4,300 policies were sold, including to 804 members listing New York as their primary location.

### **Protecting Consumers in an Era of Data Breaches**

DFS remains vigilant about the growing problem of data breaches, as demonstrated by our continued consumer outreach, industry guidance and strong regulation. DFS's consumer representatives partner with local organizations and visit local communities to educate consumers about identity theft and provide ways they can protect their sensitive information. DFS has also developed a brochure that is distributed throughout the State and is included on the DFS website, along with the number to the DFS Consumer Hotline.

In 2017, in response to the massive data breach at Equifax, DFS issued an alert advising consumers of steps to take to protect their data. DFS also issued guidance urging New York State-chartered and licensed financial institutions to take immediate steps to protect consumer data, as well as longer term precautions in light of the breach. These included ensuring that all information technology and information security patches are installed,

and that appropriate ID theft and fraud prevention programs are in place. Significantly, DFS also proposed a new regulation requiring credit reporting agencies to register with DFS and to comply with New York State's first-in-the-nation cybersecurity regulation.

### **Combatting Unscrupulous Practices in the Title Insurance Industry**

In 2017, DFS adopted two new regulations to protect New Yorkers and crack down on unscrupulous practices in the title insurance industry. These new final regulations followed a DFS investigation revealing that title insurance companies and agents have spent millions of dollars on inducements that the industry has charged back to consumers as "marketing costs."

The first regulation clarifies rules about marketing expenses including meals and entertainment, and ancillary fees that title agents or title insurers may charge the insured at closing. The second regulation requires title insurance companies or agents that generate a portion of their business from affiliates to function separately and independently from any affiliate and be open for business from other sources.

### **Monitoring Premium Increases and Protecting Consumers' Best Interests**

To protect senior citizens from rising insurance and annuity premiums, DFS adopted a new final regulation in 2017 that gives the Department the ability to review insurance and annuity premium increases at least 120 days before they are implemented. This important regulation protects seniors who have paid premiums for years and can least afford increased costs to maintain insurance coverage. The final regulation requires life insurers to notify DFS at least 120 days prior to an adverse change in non-guaranteed elements of an in-force life insurance policy.

On December 27, 2017, DFS also proposed new consumer protections including a "best interest" standard for those licensed to sell life insurance and annuity products — a new requirement that would require that the product recommended by the producer to the customer must be in the customer's best interest and not be impacted by the producer's compensation. This standard is similar to the U.S. Department of Labor's Fiduciary Rule adopted in the Obama Administration.

### **Prohibiting Illegal Online Payday Lending**

Payday loans are illegal short-term loans, typically an advance on a paycheck, with extremely high interest rates that violate New York's criminal and civil usury law, which limit interest to 25 and 16 percent respectively. Considering the fees on an annual basis, the interest rates for payday loans can be as high as 400 to 1,000 percent.

DFS has worked for years to enforce the State's prohibition on high-interest loans to protect consumers and promote a thriving, sustainable financial services sector. In 2017, DFS opposed the Protecting Consumers' Access to Credit Act of 2017, which would enable non-banks, including payday lenders, to evade state usury laws by partnering, briefly, with national banks. DFS also strongly opposed the resolution of disapproval of the CFPB's final rule entitled "Payday, Vehicle Title, and Certain High-Cost Installment Loans. The resolution proposed by the CFPB's new leadership would weaken the consumer safeguards provided by the rule. DFS supports the rule because it provides common sense protections for consumers in all states and seeks to curb abusive lending practices that trap borrowers in unsustainable cycles of debt.

The Department also continued to pursue illegal payday loan debt collectors and “lead generators” that market and collect applications for illegal payday loans. In September 2017, DFS announced a settlement with a payday loan debt collector, Total Account Recovery (TAR), and a payday loan servicer, E-Finance Call Center Support (E-Finance), under which TAR and E-Finance, which have both ceased to operate, forgave more than \$11.8 million in New York consumers’ payday loan debts and paid a \$45,000 penalty. A DFS investigation uncovered that TAR had attempted to collect on more than 20,000 payday loan debts of New York consumers and successfully collected payments on over 2,000 of those debts. The DFS investigation also found that TAR and E-Finance repeatedly called consumers at home and at work in attempts to collect on usurious payday loans, in violation of federal and state debt collection practices laws.

In 2017, DFS also continued its opposition to the Office of the Comptroller of the Currency’s (OCC) proposal of special-purpose national bank charters to a boundless class of undefined financial technology companies. This opposition, outlined in a various comment letters and letters to federal officials, culminated in May 2017 with the filing of a lawsuit by the DFS Superintendent challenging the OCC’s decision. DFS, which has experience in regulating emerging financial services technology firms, took this action to protect the interests of consumers and to ensure the stability of New York’s financial service market. DFS remains watchful of the OCC’s decision-making and will pursue litigation where necessary.

### **Prohibiting Unfairly Discriminatory Auto Insurance Rates**

In December 2017, DFS finalized a regulation that protects New York drivers from unfairly discriminatory auto insurance rates. The new regulation prohibits insurers from using an individual’s occupational status or educational level as factors in setting rates, unless the insurer demonstrates to the satisfaction of the Superintendent that the use of these factors does not result in rates that are unfairly discriminatory. Since issuing the regulation, DFS has reached agreements with major auto insurers representing nearly 90% of New York’s auto insurance market to comply with the regulation; the insurers already have taken steps to eliminate any continuing impact of their prior use of education level attained and/or occupational status in initial tier placement.

### **Protecting Students from Misleading and Improper Practices**

The DFS Student Protection Unit (SPU) is dedicated to investigating potential consumer protection violations and distributing clear information that students and their families can use to help them make informed, long-term financial choices.

In 2017, SPU conducted 72 workshops at schools, libraries, and community centers across the state. The workshops provided vital information to students, parents, and student loan borrowers about the best way to finance an education and available student loan repayment options. In addition, together with other DFS units, SPU attended the New York State Fair in August and answered questions and distributed brochures to help New York consumers better understand student loans.

SPU also maintains and regularly updates a comprehensive “[Student Lending Resource Center](#)” on the Department’s webpage. The Student Lending Resource Center includes tips for prospective college students, their families, and graduates already in repayment to help them navigate decisions relating to financing college education.

SPU reviews and successfully resolves complaints regarding student financial products and services, including student loans, student banking products, student debt relief services, and student health insurance. SPU accepts complaints through DFS's [online complaint portal](#) and by mail.

DFS has also proposed bills that would allow the Department to license and regulate student loan servicers, and to prohibit predatory practices of student debt consultants. DFS also opposed the U.S. Department of Education's attempt to preempt states from regulating student loan servicers and debt collectors. DFS will continue to advocate for students in the face of weakened federal protections.

### **Protecting Consumers from Deceptive Loan Practices Targeting Pensions**

Pension loan companies solicit pensioners over the internet, seeking pensioners who will "sell" their pensions for a set period of time -- anywhere from three to 10 years -- in exchange for lump sum amounts. Such companies recruit investors to provide the lump sum amounts and pensioners to provide the monthly payments out of their pensions. While these transactions are marketed as "pension advances" or "sales" of pension income, under New York law they are in actuality high-interest loans that can cost pensioners hard-earned income that was intended to sustain them in their later years. DFS combatted this issue in 2017 to protect consumers, with the following results:

- **Future Income Payments, LLC:** On May 15, 2017, refund checks totaling \$541,835, as well as loan forgiveness information, were issued to 115 retirees deceived by pension advance company Future Income Payments (FIP), as required by DFS's 2016 consent order with FIP and its owner Scott Kohn. FIP also agreed to revise the total amount owed by New York pensioners to the actual value of the lump sum they were loaned and to forgive amounts due over that amount. The amount of loan forgiveness obtained through the settlement totaled more than \$6.3 million. FIP agreed to refund pensioners who paid more than the lump sums they originally borrowed or who paid late fees or insufficient fund fees. A third-party administrator, selected by DFS, oversaw administration of this settlement.

The consent order and refunds are the result of a DFS investigation that found that FIP had deceptively represented that its transactions were "sales of assets," rather than loans, and that FIP had loaned and transmitted money without the required licenses from DFS. The investigation further found the company had violated Financial Services Law prohibitions against misrepresentation by calling interest charges "discounts" and failing to disclose annual percentage rates to pensioners. FIP also violated New York's usury laws; some pensioners were charged annual interest rates of more than 130 percent, well beyond New York's interest rate caps.

### **Protecting Seniors from Financial Exploitation**

In 2017, DFS championed new legislation to protect senior homeowners with reverse mortgages, which are marketed to senior citizens age 62 and older with a significant amount of equity in their homes. Under the terms of many reverse mortgage agreements, failure to comply with what seem to be minor obligations can put seniors at risk of foreclosure. The new legislation

## **Bail Initiative**

In 2016, DFS investigated complaints that alleged that certain bail agents were retaining premiums when the criminal defendants had not been released from custody. In some instances, the practice was occurring even though the bail surety companies with which the agents were associated have standardized bail bond agreements that include express provisions making it clear that premiums are not earned until a defendant is released from custody.

On June 27, 2017, the New York Court of Appeals issued its unanimous opinion in *Gevorkyan v. Judelson*, – NY3d –, 2017 N.Y. Slip Op. 05176 (June 27, 2017), a case in which DFS submitted an amicus brief. The *Gevorkyan* Court confirmed the Department’s view that, under New York Insurance Law, neither a bail surety company – the insurer – nor its bail agent earns a premium for a bail bond if a court refuses to accept the bond following a bail source or bail sufficiency hearing.

Following the decision, on August 29, 2017, DFS issued a circular letter to all insurers authorized to write surety in New York and all licensed bail agents stating that the premium or compensation on a bail bond for any defendant who is not released from custody after a criminal court does not accept a bail bond as the result of a bail sufficiency hearing must be returned to the persons who provided it as soon as possible after the criminal court’s determination in the bail sufficiency hearing.

DFS is continuing its efforts to regulate the bail bond industry and provide fairness to all New Yorkers accused of a crime.

## **Combatting Contestable Claims Abuses**

Following examinations and targeted investigations, DFS identified disturbing practices among some insurers related to small face value life insurance policies marketed to low- and middle-income consumers for funeral, burial and other final expenses. In 2016, DFS took action against one life insurance company after it improperly denied coverage and rescinded life insurance policies for 257 deceased policy holders.

On January 27, 2017, the Department issued guidance informing life insurers that they must make prompt payments to beneficiaries within the two-year period after a policyholder dies. The guidance explains New York Insurance Law, under which an insurance company may contest a life insurance claim made during the “two-year contestable period” only if the insurer establishes that there was a material misrepresentation on an application for life insurance to induce the insurer to issue the life insurance policy. Life insurers may not contest claims filed by beneficiaries within the two-year contestability period without actual evidence of misrepresentation, nor may they require beneficiaries to bear the burden of providing proof regarding an alleged misrepresentation simply because the covered policyholder dies within the two-year contestable period.

## **Reaching the Unbanked and Under-Banked**

DFS administers New York State’s signature access to banking program, the Banking Development District (BDD) program, designed to encourage the establishment of bank branches in areas across New York State where there is a demonstrated need for banking services. The Superintendent has encouraged New York-chartered banks to participate in the program to encourage financial inclusion. DFS approved the designation of three new Banking Development Districts in 2017. On July 13, 2017, DFS approved two new Banking Development Districts (BDDs) in New York City: Community District 4, encompassing Concourse Village, East Concourse,

Highbridge, Mt. Eden and West Concourse in the Bronx, and portions of Community Districts 2, 3 and 8, comprising parts of Clinton Hill and Prospect Heights in Brooklyn. The approved districts, involving two state-chartered banks, Spring Bank and Ridgewood Savings Bank, are expanding access to retail banking services and products for unbanked and underbanked consumers, as well as small businesses, in the Bronx and Brooklyn.

On September 26, 2017, DFS approved a BDD in upstate New York: the Village of Sylvan Beach in the Town of Vienna, Oneida County. The approved district, involving an existing branch of New York State-chartered Adirondack Bank, preserves access to retail banking services and products for local businesses and residents, including many retirees, as well as tourists to the area. The Village of Sylvan Beach has a tourism-based economy and a lower median income and higher unemployment rate compared to the Town of Vienna and Oneida County, and the Adirondack Bank branch is the village's only full-service bank.

DFS has also received inquiries on behalf of 11 communities seeking to establish a BDD; as of December 31, 2017, these inquiries resulted in five communities beginning the application process for BDD designation. In 2017, DFS reviewed 15 applications requesting renewal of deposits, resulting in 13 recommendations for renewal with no reservations and two recommendations for non-renewal of deposits. The Department also reviewed two BDD progress reports for which it issued responses noting satisfactory progress.

### **Preventing Discrimination in Healthcare**

DFS took several steps to prevent discriminatory practices in healthcare during 2017. In June 2017, DFS promulgated new emergency regulations mandating that health insurance providers do not discriminate against New Yorkers with preexisting conditions or based on age or gender, in addition to safeguarding the 10 categories of protections guaranteed by the Affordable Care Act. The new, first-in-the-nation measures ensure that essential health services are protected and covered for all New Yorkers regardless of efforts at the federal level to strip millions of Americans of their healthcare.

In August 2017, DFS reminded health insurers that they cannot discriminate or deny coverage based on gender identity to ensure that transgender or gender nonconforming individuals receive coverage regardless of whether they present as the gender to whom the service is typically or exclusively provided. In a DFS circular letter, DFS instructed health insurers to take reasonable steps, including requesting additional information, to determine whether the insured is eligible for the services prior to denying a claim. The circular letter followed reports received by DFS that some health insurance companies may be denying claims of transgender individuals because the gender with which the individual identifies does not match the gender of someone to whom those services are typically provided.

In December 2017, DFS issued guidance to insurers to ensure that insurance coverage for pre-exposure prophylaxis (PrEP), a prescription drug used for the prevention of HIV infection, is available to all covered New Yorkers and that insurance companies cannot deny coverage of PrEP for discriminatory reasons. The guidance followed consumer complaints that some insurers may be imposing unreasonable barriers to access PrEP. The guidelines make clear that insurance companies cannot discriminate against those requesting PrEP based on lifestyle or behavior. Health service providers generally prescribe PrEP, which has been shown to be highly effective in stopping HIV infection when taken as prescribed, for HIV-negative people who are at high risk for HIV.

## Protecting Women and Families

The Department took several steps to protect women's access to comprehensive and affordable reproductive health services regardless of efforts at the federal level to limit or curtail access. First, the Department issued a circular letter in January 2017 reminding insurers of their obligations to provide coverage for reproductive health services under state law. Next, DFS promulgated a regulation in August 2017 that codified requirements that an insurer must cover at least one form of contraception within each of the FDA-approved methods of contraception without cost-sharing. The regulation also specifically requires coverage for services related to the follow-up and management of side effects from contraceptives, counseling for continued adherence, and device removal, without cost-sharing. The regulation further permits a woman to receive an initial three-month supply of contraceptives, followed by the entire prescribed supply of up to 12 months. The Department also promulgated a regulation in August 2017 to mandate that women have health insurance coverage for medically necessary abortions without cost-sharing. These actions guarantee women will continue to have vital access to important health care services despite any actions take on the federal level.

DFS took further action in February 2017 to enhance coverage for breast cancer screening. The Department issued a circular letter providing that tomosynthesis, or 3D mammograms, must be covered without cost-sharing. DFS also further encouraged insurers to use the latest scientific evidence when developing medical necessity criteria and when making determinations regarding coverage for tomosynthesis, including considering the patient's physical condition and family history. The Legislature passed a statute codifying this guidance in late 2017.

Also in 2017, the Department began implementing Governor Cuomo's landmark family leave benefits legislation. The law provides New Yorkers with paid leave to bond with a new child, care for a family member with a serious health condition or to help relieve family pressures when someone is called to active military service. DFS set the rate for family leave benefits and maximum employee contribution as a percentage of an employee's income, and promulgated a regulation that provides for community rating of the family leave benefits coverage, a risk-adjustment mechanism, rules relating to the content and sale of policy forms, and data collection. DFS also drafted a model insurance rider and checklist for insurers to use when providing the paid family leave coverage. Through the Department's efforts, in concert with other agencies, the Paid Family Leave Program was successfully rolled out on January 1, 2018.

Other DFS efforts to protect women and families include:

- **Contraceptive Sting:** In February 2017, the Department commenced a comprehensive investigation of health insurer compliance with contraceptive coverage requirements under New York Insurance Law, following an undercover sting of 15 insurers. The DFS sting identified 11 New York health insurers that provided consumers with incorrect information about contraceptive coverage. Some health insurers incorrectly told callers that the consumer must pay for contraceptive drugs and devices, when both New York law and the Affordable Care Act mandate such coverage. In addition, several health insurers incorrectly stated that a particular contraceptive drug or device is not covered, or that co-payments are required when they are not.
- **Holding Health Insurers Accountable:** On April 17, 2017, DFS fined one health insurer \$1 million, following a DFS examination that found that the insurer wrongly denied contraceptive coverage due to internal system and process errors, failed to promptly pay or deny claims, and failed to acknowledge or resolve consumer grievances within time frames required by law.

- **Securing Coverage of Fertility Treatment:** In April of 2017, DFS issued guidance reminding insurers of their responsibility to provide coverage for fertility treatment to all individuals, regardless of sexual orientation or marital status.
- **Protecting Infants and Children with Disabilities:** To ensure that infants and toddlers with disabilities receive benefits for New York’s Early Intervention Program (EIP), on September 21, 2017, DFS directed insurers to provide municipalities with information on accident and health insurance policy benefits for children participating in EIP within 15 days of a request, so that insurance coverage is obtained before public funds are utilized. New York law requires that providers of evaluations and EIP services are required to seek payment for EIP services from all third-party payors, including insurers, prior to claiming payment from a municipality.

In addition, the DFS Superintendent serves on Governor Cuomo’s first-ever New York State Council on Women and Girls, launched August 2, 2017. The council’s work broadly focuses on multiple areas of impact: education, economic opportunity, workforce equity, leadership, healthcare, child care, safety and STEM (science, technology, engineering and mathematics).

### **Protecting Healthcare and Reducing Health Insurance Costs**

The strength and vibrancy of New York’s commercial health insurance market is a priority for DFS. In order to protect the healthcare of New Yorkers, DFS has opposed the federal government’s sustained attacks on the Affordable Care Act, attempts to repeal and later to weaken it by withholding Cost Share Reduction payments, which drove up premiums; proposing regulations to permit “skimpy” so-called short-term plans and association health plans; and shortening the ACA enrollment period.

DFS has also advanced initiatives to address rising medical costs, including proposed legislation to authorize the Drug Utilization Review Board, on which the Superintendent serves, to examine high-cost drugs for their appropriate value to be applicable to commercial health insurance, in addition to Medicaid, as well as legislation to provide DFS with the authority to ensure necessary regulatory oversight of pharmacy benefit managers, to help control ever growing drug spending.

Other DFS efforts include:

- **Fair Rate Setting for Health Insurance Premiums.** For the 2017 individual market, insurers requested, on average, a 17.7 percent increase in health insurance rates for 2017. The Department reduced that average increase to 13.9 percent. For the small group market, insurers, on average, requested a 11.7 percent increase in health insurance rates for 2017. The Department reduced that average increase to 9.3 percent. DFS reduced insurers’ requested 2017 rate increases by more than 28 percent overall, saving policyholders more than \$302 million.
- **Premium Refunds.** Under the prior approval law, health insurers must spend at least 82 percent of premiums for individual and small group business and 85 percent for large group business on medical claims in order to meet minimum loss ratio requirements. If insurers spend less than that percentage, they are required to return the difference to policyholders. In 2017, the Department required insurers that did not meet the minimum loss ratio requirements to refund \$31.6 million to policyholders.

## **State Insurance Advisory Board**

On December 12, 2017, Superintendent Vullo announced the membership of the new DFS State Insurance Advisory Board. The diverse 10-member board is charged with working with the Superintendent to further DFS's goals as they relate to the insurance industry. Membership consists of seven representatives of domestic insurance companies; one insurance producer; and two consumer representatives. The board's members, each appointed by the Superintendent to a three-year term, serve without compensation.

## **Assisting During Natural Disasters**

DFS undertook several efforts to protect communities during emergency situations, including urging disaster preparedness, and assisting in relief and recovery efforts after disasters. In March of 2017, DFS issued a circular letter encouraging property/casualty insurance companies to submit disaster preparedness courses for approval by DFS so that homeowners and renters who enroll in such courses may seek appropriate DFS-approved policy discounts from their insurance providers.

DFS also supported the Governor's efforts to assist New Yorkers affected by flooding along the southern shore of Lake Ontario. Employees staffed the MCC for 103 straight days from May 2017 to August 2017, in communities throughout upstate New York to provide one-stop disaster relief assistance to local residents and businesses. DFS was the first New York State agency on the ground, helping the State of New York simplify and centralize the essential components of relief and recovery: insurance concerns, safety, assessment, general information, application intake, as well as coordinated communication by responding agencies. The MCC was also dispatched to assist the City of Cohoes after a fire swept through downtown in December 2017, damaging more than 20 buildings and displacing about 20 people.

In addition, in the aftermath of Hurricanes Maria and Irma, DFS supported the Governor's efforts to bring relief to the island. In guidance issued to insurers and state-chartered banks, DFS requested that all reasonable and prudent efforts be undertaken to assist customers affected by the hurricanes, including fair and speedy resolution of claims; provision of emergency aid information and resources for remediating damage; waiving ATM and overdraft fees, increasing ATM daily cash withdrawal limits; easing restrictions on cashing out-of-state and non-customer checks, and increasing credit card limits for creditworthy customers. Further, two bilingual DFS examiners also spent two weeks each in Puerto Rico in early 2018, working with the island's insurance regulator to help consumers with claims and resolving issues.

## **Battling the Opioid Epidemic**

The Superintendent served as a member of the Governor's Heroin and Opioid Task Force in 2017, and assisted with implementing landmark legislation to increase access to addiction treatment, expand community prevention strategies, and combat the over-prescription of opioids. In addition, as part of Governor Cuomo's initiatives to combat the opioid crisis, DFS issued a new regulation in 2017, requiring insurers who offer large group coverage to allow consumers to appeal coverage denials for medically necessary addiction medications when they are not on the list of covered drugs. Insurers will be issued a checklist to ensure their compliance with new rules for reviewing the medical necessity of substance use disorder medications.

DFS also instructed health insurers to help expedite medical necessity reviews in non-hospital facilities, to prevent insurers from excessively reviewing the medical necessity of opioid treatment, and to bar the inappropriate delay of coverage. This is intended to eliminate impediments to coverage of addiction services.

Given the continuing epidemic of opioid addiction and deaths related to opioid overdose, DFS also issued guidance encouraging issuers to broaden their coverage of non-opioid alternatives to pain management, such as acupuncture, massage therapy, and yoga, or to provide rewards or incentives to insureds who participate in such alternatives to pain management, such as full or partial reimbursement of costs, through a wellness program set forth in the policy or contract.

In addition, DFS advised insurers against placing arbitrary limits on the number of naloxone doses covered by an insurance plan. As fentanyl can be up to 50 times more powerful than heroin and it can take multiple doses of naloxone to reverse a fentanyl overdose, this measure ensures access to adequate doses of overdose reversal medication and save lives.

### **Fighting Insurance Fraud and Financial Fraud**

DFS has a longstanding commitment to combating financial fraud. It is responsible for the detection and investigation of insurance and financial fraud and the referral for prosecution of persons or entities that commit those frauds. DFS investigations led to 292 arrests for insurance fraud and related crimes in 2017, including 105 for healthcare fraud, as well as mortgage fraud investigations resulting in nine arrests and nine convictions. DFS's criminal investigations resulted in \$4.7 million in court-ordered restitution in 2017. DFS referred 34 cases to prosecutorial agencies in 2017, and prosecutors have obtained 226 convictions in these cases.

### **SUMMARY**

DFS continues to fulfill its mission to reform the regulation of financial services in New York to keep pace with the rapid and dynamic evolution of these industries, to guard against financial crises and to protect consumers and markets from fraud. DFS fosters New York's nation-leading efforts to safeguard the financial markets while encouraging financial innovations and ensuring consumer protections through strong, targeted regulation. Through well-considered industry guidance, supervision and regulation, DFS protects and fosters a compliant safe and sound banking industry, and the rights of New Yorkers as they relate to health insurance, property/casualty insurance and life insurance. In addition, the Department continues to hold regulated entities accountable for violations of New York Law. As the regulatory void in Washington continues to widen, DFS will continue its efforts to combat unwise and destructive actions taking place on the federal level, and protect New York consumers.

We look forward to continuing DFS's thoughtful and aggressive actions on behalf of New Yorkers in 2018.

### **Property Bureau**

The Property Bureau oversees the financial condition and market conduct of property and casualty insurance companies in order to monitor the financial solvency of licensees and maintain an equitable marketplace for policyholders. It supervises more than 870 regulated entities with total assets of \$1.4 trillion writing net premiums totaling more than \$397 billion.

The Property Bureau's Financial Section conducts examinations and analyses, which include reviewing and monitoring the financial condition of regulated entities, reviewing mergers, acquisitions and transactions within holding company systems and reviewing applications for the licensing of domestic and foreign insurers, accreditation of foreign and alien reinsurers, to qualify as a certified reinsurer and for registration as a service contract provider.

The Property Bureau Market Section reviews policy forms and rate filings for all lines of insurance, including workers' compensation, private passenger and public automobile and medical malpractice insurance rates. In addition, the Market Section oversees the American Arbitration Association's (AAA) administration of conciliation and arbitration of no-fault auto insurance claims disputes and monitors the excess and surplus lines insurance market, as well as risk retention groups and purchasing groups organized pursuant to the Federal Risk Retention Act.

The Property Bureau also conducts investigations of property and casualty insurers' underwriting, rating and claims practices to determine compliance with New York statutes and Department Regulations. The findings of these investigations may result in disciplinary action. Where appropriate, the Bureau seeks the return of improperly charged premiums and interest to New York policyholders and claimants.

### **Health Bureau**

The Health Bureau regulates health insurers with total assets of \$42.9 billion and premiums totaling \$46.8 billion. The Health Bureau has responsibility for all aspects of health insurance regulation.

The Health Bureau regulates the fiscal solvency of accident and health insurance companies, Article 43 not-for-profit health plans, health maintenance organizations (HMOs), municipal cooperative health benefits plans, student health plans and continuing care retirement communities, including the review of financial statements and holding company transactions.

The Health Bureau reviews and approves health insurance premium rates and policy forms, and reviews provider networks for adequacy. The Health Bureau also reviews discontinuances of health insurance coverage.

The Health Bureau conducts financial and market conduct examinations to ensure compliance with statutory and financial solvency requirements, as well as proper treatment of policyholders. The financial examinations focus on high-risk areas of an entity's operations and include corporate governance, internal controls, current and prospective risk assessment, and review of material transactions.

The Health Bureau administers the Healthy NY program and the COBRA program which provide insurance coverage to vulnerable small businesses and individuals meeting certain eligibility criteria. In addition, the

Health Bureau oversees the Healthy NY Stop Loss Funds and the Market Stabilization Pool, which is a risk adjustment mechanism for Medicare Supplement coverage.

In conjunction with the Department of Health, the Health Bureau oversees the NYS Medical Indemnity Fund which covers the cost of qualifying health care services, home, and vehicle modifications for enrollees with neurological impairments resulting from birth-related medical injuries.

The Health Bureau implements health insurance legislation and drafts regulations and guidance. In 2017, the Bureau issued guidance and established requirements in a number of important areas including: coverage for naloxone; implementing protections and timeframes for prescription drug step-therapy determinations; coverage for screening and diagnostic imaging for the detection of breast cancer without cost-sharing; coverage for infertility treatment regardless of sexual orientation or marital status; coverage for health services provided to transgender individuals; and coverage for pre-exposure prophylaxis for HIV prevention. The Bureau also issued guidance on permissible incidental benefits in disability and accident policies, insurer requirements to provide information under the Early Intervention Program, and producer compensation for comprehensive medical policies and contracts. Additionally, the Bureau issued a proposed regulation requiring insurers to have a formulary exception process that permits an insured to access a medication for the treatment of substance use disorder when it is determined to be medically necessary, even if the medication is not on the insurer's drug formulary.

## **Life Bureau**

The Life Bureau supervises more than 650 regulated entities, including 133 licensed life insurance companies with assets of \$3.1 trillion and premiums of more than \$256 billion.

The 133 life insurers supervised by the bureau include 82 domiciled in New York and 51 foreign domiciled insurers. In addition, the bureau supervises: 34 fraternal benefit societies; 12 retirement systems, including four private pension funds and eight governmental systems; nine governmental variable supplements funds; 381 charitable annuity funds; 22 employee welfare funds; 23 life settlement providers; 25 accredited reinsurers and 11 certified reinsurers.

The Life Bureau regulates financial condition through: the establishment and application of financial standards (risk-based capital, reserves, accounting, etc.); the periodic examination of insurance companies' financial activities; the evaluation of reserve adequacy and liquidity and other risks; the review of life products for self-support and potentially excessive risk; and the analysis of financial statements and actuarial reports and opinions submitted by regulated entities. Such Bureau processes are performed to verify that statutory and regulatory financial standards are met and to ensure that insurers can meet their financial and contractual obligations.

The Life Bureau regulates market conduct through: the establishment of market conduct standards (product provisions, replacements, claims practices, etc.); the periodic examination of insurance companies' sales and marketing practices and treatment of policyholders; the investigation of specific or targeted market activities; and the analysis of market data. These processes are performed to: ensure compliance with statutory and regulatory requirements; ensure that policyholders are treated fairly and equitably by insurers in accordance with prescribed standards of conduct; and protect the marketplace by preventing and/or limiting practices that constitute unfair trade practices or unfair methods of competition.

The Life Bureau reviews and approves life insurance policies, annuity contracts, funding agreements, and all other agreements and policy forms relating thereto submitted by authorized life insurers and other regulated entities for sale in New York to individual or group consumers for compliance with applicable laws, rules and regulations. Legal and actuarial reviews are performed to ensure that New York consumers receive the protection afforded by New York law and regulations and to ensure that such consumers are treated in a fair and equitable manner by authorized life insurers and other regulated entities.

The Life Bureau regulates the corporate conduct of authorized insurers through: the establishment of corporate standards (corporate governance, holding company, licensing requirements, etc.); the enforcement of statutory and regulatory corporate governance standards; and the review and approval of activities including licensing, corporate reorganizations, mergers, acquisitions, demutualization and holding company transactions. In so doing, the Bureau verifies that statutory and regulatory requirements are met; ensures the prudent conduct of insurers; and protects policyholder interests.

## **BANKING DIVISION OVERVIEW**

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The entities regulated and supervised within the Banking Division provide for a healthy, highly competitive financial center, that enhances the liquidity of the local and national financial markets. These entities are also key contributors to New York State's labor force and economic vitality.

### **Community and Regional Banks**

The Community and Regional Banks (CRB) Unit is responsible for the prudential regulation of community and regional banks, credit unions, and other depository institutions through annual and periodic target examinations and continuous supervision. CRB staff review the compliance of the supervised institutions with applicable New York State and Federal laws and regulations. CRB partners with the Federal Deposit Insurance Corporation, the Federal Reserve Bank of New York, and the National Credit Union Administration (NCUA) in joint supervision.

In 2017, CRB had supervisory oversight of a total of 83 banking and savings institutions, including 44 commercial banks, 22 trust companies, 19 savings banks, and two savings and loan associations. CRB also provides regulatory supervision for 16 credit unions with total assets \$7.4 million, charitable foundations, bank holding companies, and three New York State-regulated corporations. The aggregate assets of institutions supervised by CRB are more than \$346 billion.

On November 20, 2017, DFS approved Bridgehampton National Bank's application to convert its charter to conduct business to a New York State banking charter, effective December 31, 2017. Bridgehampton, operating after the conversion as BNB Bank, is the 13<sup>th</sup> federal bank to convert to a New York State charter since DFS was formed in October 2011.

### **Foreign and Wholesale Banks**

Foreign and Wholesale Banks (FWB) is responsible for the regulatory oversight of branches, agencies, and representative offices of Foreign Banking Organizations, wholesale domestic banks, Article XII investment companies and one private bank. Given the global nature of bank regulation, the Department maintains strong relationships with foreign banks' home country bank supervisory authorities.

During 2017, a total of 204 institutions with assets of more than \$2.3 trillion were subject to the division's regulatory oversight. This included 85 branches, 10 agencies and 28 representative offices of Foreign Banking Organizations as well as three Article XII institutions, four trust companies and two limited purpose trust companies, two commercial banks and one private bank.

### **Licensed Financial Services**

Licensed Financial Services (LFS) supervises budget planners, check cashers, licensed lenders, money transmitters, premium finance agencies, and sales finance companies. At year-end 2017, the Department had regulatory oversight of 31 budget planners, 110 check cashers, 16 licensed lenders, 104 money transmitters, 38 premium finance agencies, and 95 sales finance companies.

## **REAL ESTATE FINANCE DIVISION OVERVIEW**

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The Real Estate Finance Division is responsible for regulating all real estate and homeowner issues, ranging from mortgage origination and servicing to the foreclosure crisis. It is also responsible for the Governor's Vacant and Abandoned Properties Law. The Division oversees three operating units: the Mortgage Banking Unit, the Mortgage Assistance Unit, and the Mobile Command Center.

### **Mortgage Banking**

The Mortgage Banking Unit is responsible for the licensing and supervision of mortgage bankers, mortgage brokers, mortgage loan servicers, and mortgage loan originators conducting business in New York State. At year-end 2017, Mortgage Banking supervised 539 registered mortgage brokers and 172 licensed mortgage bankers operating through 100 and 960 branch offices, respectively. Mortgage Banking also has supervisory authority for 37 registered mortgage loan servicers and 7,612 licensed mortgage loan originators.

### **Mortgage Assistance Unit**

The mission of the Mortgage Assistance Unit (MAU) is to ensure that mortgage bankers, brokers, servicers, and loan originators licensed by the Department are in compliance with applicable laws and regulations in providing financial services to New York residents. To achieve this end, the MAU acts as an intermediary between consumers and financial institutions to resolve requests for assistance and answer inquiries concerning real estate-related financial products. The MAU works to identify patterns of non-compliance and advise the Superintendent on emerging policy issues. The MAU is also responsible for handling the DFS registry of vacant and abandoned properties.

### **Mobile Command Center**

The Mobile Command Center (MCC) is a mobile office staffed with Department specialists who assist homeowners at various stages of pre-foreclosure and foreclosure. The MCC travels statewide to communities hardest hit by the foreclosure crisis to help homeowners obtain mortgage loan modifications or other alternatives short of foreclosure, to take complaints from homeowners who believe that they have been subjected to lender or mortgage servicer abuses, and to provide information to homeowners about other New York State resources that may be available. The MCC also deploys statewide in response to emergencies and natural disasters to assist victims with homeowner and insurance-related issues.

## FINANCIAL FRAUDS AND CONSUMER PROTECTION DIVISION

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The Department's Financial Frauds and Consumer Protection Division (FFCPD) is responsible for combating insurance and banking fraud, as well as frauds against users of financial products and services including consumers and investors.

As required by the Financial Services Law, the FFCPD submitted its 2017 Annual Financial Fraud and Consumer Protection Division Report on March 15, 2017.

The FFCPD encompasses the Civil Investigations Unit, the Criminal Investigations Unit; the Consumer Assistance Unit; the Consumer Examinations Unit; the Disciplinary Unit; the Student Protection Unit; and the Holocaust Claims Processing Office.

### **Civil Investigations Unit**

The Civil Investigations Unit includes a staff of attorneys who investigate civil financial fraud and misconduct, including violations of the financial services law, other consumer and fair lending laws, the banking law and the insurance law. In 2017, the Civil Investigations Unit conducted investigations in a number of areas including payday loan debt collectors and loan servicers, the bail bond industry, the title insurance industry, unfair insurance claims settlement practices, and pursued a number of initiatives including preventing elder financial abuse and combatting improper contestable claims practices.

### **Criminal Investigations Unit**

The Criminal Investigations Unit, comprising the Insurance Frauds Bureau (IFB) and the Criminal Investigations Bureau (CIB), conducts specialized investigations into criminal conduct involving the financial services industry and works cooperatively with law enforcement and regulatory agencies at the federal, state, county and local levels. IFB investigates and combats healthcare fraud, which affects three major types of insurance: accident and health, private disability, and no-fault. CIB investigates violations of the New York Banking Law, certain enumerated misdemeanors and/or felonies under the New York Penal Law, as well as violations of anti-money laundering laws, terrorist financing and crimes relating to residential mortgage fraud. CIB also reviews the criminal histories of applicants for mortgage loan originator licenses to assist the Mortgage Banking and Legal Divisions in their determinations of whether applicants meet the statutory requirements to be licensed or registered as a mortgage loan originators, and conducts due diligence on applicants for a variety of licenses issued by the Department, including money transmitter, check casher and BitLicenses.

### **Consumer Assistance Unit**

The Consumer Assistance Unit (CAU) is responsible for receiving, investigating and resolving consumer complaints involving insurance, banking and other financial issues through informal mediation and negotiation. CAU also includes a unit that investigates complaints against licensed insurance producers. In 2017, the CAU recovered \$42,629,934 for 7,353 consumers, which included refunds from insurers, reinstatement of lapsed coverage, payment for denied medical claims, and coverage of disaster-related claims that had been previously denied.

Within CAU, the Producer Licensing Unit reviews applications, issues licenses and processes renewals for insurance companies as well as licensed producers, including agents, brokers, adjusters, bail bond agents, life settlement brokers, providers and intermediaries. In 2017, the Producer Licensing Unit issued 179,140 licenses.

### **Producers Unit**

The Producers Unit oversees the activities of licensed individuals and entities who conduct insurance business in New York State, including producers (agents and brokers), limited lines producers, independent and public adjusters, reinsurance intermediaries, bail bond agents, and viatical settlement brokers. The goals of the unit are to protect the public and ensure that licensees act in accordance with applicable insurance laws and Department regulations.

In collaboration with the Producer Licensing and Producer Investigations Units of CAU, the Disciplinary Unit monitors the insurance marketplace to determine if unlicensed activity is occurring and, if necessary, takes steps to ensure that individuals or entities either achieve compliance or cease activities. The attorneys in the Disciplinary Unit bring disciplinary proceedings against licensees for violations of the Insurance Law. When a violation of the Insurance Law is proven, an administrative sanction may be imposed resulting in license revocation or suspension, the denial of pending applications, or monetary penalties imposed with corrective actions to address violations.

### **Consumer Examinations and Community Development Unit**

The mission of the Consumer Examination Unit (CEU) is to maintain and enhance consumer confidence in New York's banking system by ensuring that regulated institutions abide by the State's consumer protection, Fair Lending and Community Reinvestment Act (CRA) laws and regulations; increase consumer access to traditional banking services in under-served communities by effectively administering the Department's Banking Development District program and conducting outreach; and harmonize the timing of FFCPD's examination and enforcement activities with those of the Department's federal counterparts.

### **Student Protection Unit**

The mission of the Student Protection Unit (SPU) within FFCPD is to serve as consumer watchdog for New York's students. SPU is dedicated to investigating potential consumer protection violations and distributing clear information that students and their families can use to help them make informed, long-term financial choices.

In addition to conducting investigations, the SPU reviews and successfully resolves complaints regarding student financial products and services, including student loans, student banking products, student debt relief services, and student health insurance. The SPU accepts complaints through the DFS online [complaint portal](#) and by mail.

The SPU also maintains and regularly updates a comprehensive [Student Lending Resource Center](#) on the Department's website, available. The Student Lending Resource Center includes tips for prospective college students, their families, and graduates already in repayment to help them navigate the financial decisions surrounding paying for college.

## Holocaust Claims Processing Office

The Holocaust Claims Processing Office (HCPO) helps Holocaust victims and their heirs recover assets deposited in banks, unpaid proceeds of insurance policies, and artworks that were lost, looted or sold under duress. The HCPO accepts claims for Holocaust-era looted assets from anywhere in the world and charges no fees for its services. The year 2017 marked the 20<sup>th</sup> anniversary of HCPO, which successfully resolved 2,338 claims of 73 individuals in which either an offer was accepted, or the asset was deemed non-compensable, up from 49 in 2016. To date, the HCPO has successfully resolved 15,455 claims of 5,252 individuals in which either an offer was accepted, or the asset was deemed non-compensable.

The combined total of offers extended to HCPO claimants for bank, insurance, and other asset losses amounts to \$176,929,962 in 2017. A total of 141 cultural objects have been restituted, with 10 works of art returned in 2017. The [2017 HCPO Annual Report](#) is available on the Department website.

## COMPLIANCE DIVISION OVERVIEW

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DFS established a new Compliance Division in 2016 to improve processes, move decision-making forward, and analyze possible compliance failures at regulated institutions. DFS's Compliance Division has undertaken several large projects aimed at streamlining and modernizing DFS procedures to ensure efficient and effective supervisory activities.

The Compliance Division oversaw the implementation of DFS's first-in-the-nation cybersecurity regulation, which became effective March 1, 2017. As part of implementation of the regulation, the Compliance Division assisted in the rollout of a new web portal that allows regulated entities to securely report cybersecurity events and other required filings. As key dates of the regulation approach, the division continues to monitor compliance by DFS regulated entities with regulation.

The Compliance Division includes a team devoted to development and delivery of training for DFS staff. This team has designed and launched training programs to further build internal capabilities and organization-wide activities, including training examiners on DFS's new cybersecurity regulation, Anti Money Laundering and Bank Secrecy Act laws, and DFS's new transaction monitoring regulation. In addition, the team continues to train DFS staff on existing and new developments in the financial markets, as well as provide management training.

## ENFORCEMENT DIVISION OVERVIEW

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DFS's new Enforcement Division, also established in 2016, has led to stronger coordination within the Department and consistency of approach, ensuring that regulated entities comply with New York and federal law in relation to their activities serving the public. In 2017, these actions resulted in significant consent orders and monetary penalties of more than \$1.1 billion against global banks for violations of AML and BSA laws.

## CAPITAL MARKETS/RESEARCH TRENDS DIVISION OVERVIEW

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The Capital Markets/Research Trends Division provides the Department's expertise in complex financial products (bonds, equities, credit, derivatives, and commodities), enterprise risk management, financial analysis, information technology, internal controls and audit, research, fiduciary controls, regulatory accounting, and new financial products. The division works with the other DFS divisions in examinations and also conducts

targeted examinations independently. The Division has the primary regulatory responsibility for the New York State-based public retirement systems and financial guaranty insurance companies. In addition, it leverages the business intelligence that DFS gathers with the aim of analyzing this data to identify emerging risks and macroeconomic trends that can be developed into topical reports and regular industry analysis.

As the supervisor of New York State’s actuarially funded public retirement systems, Capital Markets continued its examinations of the New York State and Local Employee Retirement System, the New York City Employee Retirement System, New York City Teachers’ Retirement System, the New York City Fire Department Pension Fund, and the New York City Board of Education Retirement System.

## **OFFICE OF FINANCIAL INNOVATIONS OVERVIEW**

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The newly created Office of Financial Innovation monitors developments concerning the cybersecurity practices of regulated companies and is responsible for DFS’s expanded specialty cyber and virtual currency examiner staffs; developing expanded examination and supervision protocols; and developing key initiatives and compliance measures, including increasing challenges posed by the continued emergency of the virtual currency marketplace, as well as other innovations.

DFS granted two new virtual currency licenses in 2017 in accordance with the Department’s 2015 regulation requiring a license to engage in the virtual currency business.

## **LIQUIDATION BUREAU OVERVIEW**

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The New York Liquidation Bureau (NYLB) carries out the duties of the New York Superintendent in her capacity as receiver of impaired or insolvent insurance companies (estates) under New York Insurance Law Article 74.

The NYLB receives no funding from the State budget; rather, its expenses are paid from the assets of the estates under receivership, and reimbursements from the New York Property/Casualty Insurance Security Fund and the Public Motor Vehicle Liability Security Fund, established under Insurance Law Article 76, and the Workers’ Compensation Security Fund, established under New York Workers’ Compensation Law Article 6-A, which are paid from assessments on industry.

For each estate, the Superintendent is appointed Receiver by the Supreme Court of the State of New York. Thereafter, the Court supervises the Receivership and, by extension, the NYLB. Acting on behalf of the Receiver, the NYLB maximizes the assets and resolves the liabilities of the estates. The goal of a receivership is either to rehabilitate the insurer by removing the causes and conditions of the receivership or, if that is not possible, to liquidate it in order to distribute the assets to policyholders and creditors. In addition, the NYLB performs claims-handling and certain payment functions relating to the Security Funds. The Security Funds pay eligible claims remaining unpaid due to the inability of an insolvent insurer to meet its obligations to policyholders.

At year-end of 2017, the NYLB managed 17 domestic insurance companies and 13 fraternal benefit societies in liquidation. The Receiver also managed 10 ancillary receiverships for insurance companies in liquidation in other states for the purpose of making eligible payments from the security funds. The combined number of receiverships (including domestic, fraternal and ancillary estates) managed by the Superintendent totaled 40 in 2017.

The NYLB closed two domestic receiverships (Cosmopolitan Insurance Company and ICM Insurance Company) and four ancillary receiverships (American Mutual Liability Company, American Mutual Insurance Company of Boston, Lumbermen’s Underwriting Alliance and Villanova Insurance Company). In addition, the Superintendent was appointed liquidator of one new receivership in 2017 (Fiduciary Insurance Company).

## REGULATORY AND LEGISLATIVE ACTIVITIES

### REGULATIONS

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[Proposed, adopted on an emergency basis, and final adoptions of regulations](#) completed during 2017 can be found on our website.

### INDUSTRY AND CIRCULAR LETTERS

[Banking Industry Letters](#) and [Insurance Circular Letters](#) for 2017, as well as the current and prior years can be found on our website.

### CHANGES TO THE BANKING, INSURANCE AND FINANCIAL SERVICES LAWS

[Legislative Summaries](#) regarding changes to Insurance, Banking, Financial Services and related laws can be found on our website.

### STATEMENTS, RECOMMENDATIONS OR DECISIONS OF THE SUPERINTENDENT

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In 2017, the Superintendent issued several public statements, including support of the Affordable Care Act, as well as opposition to the House Republicans’ passage of a bill to dismantle the Wall Street Reform and Consumer Protection Act. They can be found on the DFS website under [Superintendent’s Statements](#).

In addition, the Superintendent exercised her Wild Card Authority, granted under Banking Law, twice in 2017, as discussed below. The Wild Card authority allows the Superintendent to react quickly to evolving federal banking regulations. When changes in federal statutes, regulations or interpretations grant powers to federally chartered institutions that state-chartered institutions do not enjoy, the Superintendent may authorize one or more state-chartered banking organizations of the same type to exercise the same powers. Additional information can be found in the 2017 Wild Card annual report, available on the DFS website.

2017 Wild Card authorizations:

- **Student Branches Order:** This order allows New York State-chartered credit unions that intend to open a student branch to exercise the federally permitted power of (i) retaining student membership after students are no longer enrolled at the school in which the student branch is located; and (ii) allowing faculty and staff of the school in which the student branch is located to become members of the credit union.

- **Oaths of Office by Officers, Directors and Committee Members of New York State Chartered Credit Unions:** The Department approved an application to relieve all officers, directors and committee members of New York State-chartered credit unions of the need to take and file oaths of office, as required under Section 468 of the Banking Law. The Law required each director, officer and member of a committee to take an oath of office when first appointed or elected. This approval provides parity between New York State-chartered credit unions and federal credit unions.

## LEGISLATIVE RECOMMENDATIONS FOR 2018

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**Early Intervention services:** This bill would enhance appropriate third-party health insurance reimbursement for covered Early Intervention program services by requiring the timely disclosure of third-party insurance coverage, streamlining coverage determinations, requiring providers to appeal coverage denials and authorizing audit recoveries by county governments.

**High-Cost Pharmaceuticals:** This bill would establish a required supplemental rebate on the sale of certain drugs sold to the State's Medicaid program at prices over a benchmark amount determined by the Drug Utilization Review Board. It would also establish a surcharge on the first sale of such drugs in New York State. The revenue collected from the surcharge would be held in a dedicated revenue fund and disbursed to health insurers in New York State to lower insurance premiums.

**Pharmacy Benefit Manager Registration and Disclosure:** This bill would make statutory changes necessary to regulate non-Medicaid Pharmacy Benefit Manager services through PBM registration and disclosure requirements in order to prohibit business practices that contribute to high prescription drug costs.

**Administrative Supervision Proceedings for Failing Insurers:** This bill would empower the Superintendent of Financial Services to order a troubled insurer into an administrative supervision proceeding, which would restrict the insurer from engaging in certain activities during the period the supervision was in place.

**Enhance Enforcement Powers over Illegal and Unlicensed Activities:** This bill would amend the Insurance Law, the Banking Law and the Financial Services Law to augment the Department of Financial Services' enforcement authority in the banking and insurance industries.

**Licensing and Regulation of Student Loan Servicers:** Student loan servicers provide billing and other services related to federal student loans. This proposal would empower the Department of Financial Services to license and regulate the student loan servicer industry.

**Protection of Vulnerable Adults from Financial Exploitation:** This proposal would amend the Banking Law to place a hold on the bank account of a vulnerable adult if there is a reasonable basis to believe that the adult is a victim of actual or attempted financial exploitation.

**Banning Bad Actors from the Banking and Insurance Industries:** This bill would amend the Financial Services Law to disqualify an individual operating under a DFS license, or employed by a DFS licensee, from serving as an owner, director, trustee, officer, employee, member or partner of a DFS-regulated business or from holding a DFS-issued license if, after a hearing, the Superintendent finds that the individual has committed a disqualifying

event that is of such severity as to have a direct bearing on the individual's fitness or ability to continue to participate in the financial services industry.

**Registration of "Lending Circles":** This legislation would amend the Banking Law to create a limited exception to licensing requirements, such that nonprofit organizations that exclusively facilitate zero-interest, no-fee, and credit building loans may operate in New York.

**Risk Adjustment Paid Family Leave Fund:** This bill would establish a fund to facilitate the Superintendent of Financial Services ability to implement a risk adjustment mechanism if such a mechanism is included in the rating structure for paid family leave benefits coverage.

**Regulation of Online Lenders:** This bill would amend the Banking Law to require any online lender making non-business loans of less than \$25,000 or business loans of less than \$50,000 to be licensed by the Department of Financial Services (DFS). It would also clarify the meaning of the phrase "making loans in New York" to more closely track the business practices of online lenders.

**Protection of Consumers Utilizing Reverse Mortgages:** This bill would expand to users of reverse mortgages consumer protections that are already afforded to users of more traditional mortgage products.

**Insurer Reserve Standards:** The bill would make conforming changes and clarify the applicability of certain provisions in the Financial Services Law and the Insurance Law relating to DFS assessments and distribution rules for insurance companies and insurer reserve standards.

## BANKING STATISTICS

### SUMMARY OF SUPERVISED INSTITUTIONS

#### CONDITION OF ALL PRINCIPAL BANKING AND LENDING FACILITIES IN NEW YORK

	Number of Institutions			Assets		
				Dollars in Thousands		
	New York State	NYC	Rest of State	New York State	NYC	Rest of State
<b>All Institutions *</b>	664	270	384	3,340,693,656	2,906,450,631	433,226,181
Commercial Banks **	124	58	66	915,701,479	627,335,445	288,366,034
Savings Banks	34	12	22	99,363,883	25,145,656	74,218,227
Savings & Loan Associations	9	1	8	3,472,491	1,806,946	1,665,545
Credit Unions	355	74	281	80,899,878	13,238,581	67,661,297
Safe Deposit Companies	2	0	2	588	0	588
Investment Companies (Article XII)	3	3	0	1,568,823	1,568,823	0
Licensed Lenders ***	16	2	4	1,100,136	47,899	35,393
Foreign Branches	110	110	0	2,122,820,962	2,122,820,962	0
Foreign Agencies	11	10	1	115,765,416	114,486,319	1,279,097
<b>State Charter *</b>	<b>229</b>	<b>141</b>	<b>78</b>	<b>2,595,651,753</b>	<b>2,365,376,679</b>	<b>229,258,230</b>
Commercial Banks **	80	39	41	766,872,373	610,062,719	156,809,654
Savings Banks	19	4	15	85,024,481	18,349,925	66,674,556
Savings and Loan Associations	2	0	2	188,470	0	188,470
Credit Unions	16	3	13	7,447,117	3,176,645	4,270,472

	Number of Institutions			Assets		
				Dollars in Thousands		
Safe Deposit Companies	2	0	2	588	0	588
Investment Companies (Article XII)	3	3	0	1,568,823	1,568,823	0
Licensed Lenders ***	16	2	4	1,100,136	47,899	35,393
Foreign Branches	81	81	0	1,618,113,664	1,618,113,664	0
Foreign Agencies	10	9	1	115,336,101	114,057,004	1,279,097
<b>Federal Charter *</b>	<b>435</b>	<b>129</b>	<b>306</b>	<b>745,041,903</b>	<b>541,073,952</b>	<b>203,967,951</b>
Commercial Banks **	44	19	25	148,829,106	17,272,726	131,556,380
Savings Banks	15	8	7	14,339,402	6,795,731	7,543,671
Savings and Loan Associations	7	1	6	3,284,021	1,806,946	1,477,075
Credit Unions	339	71	268	73,452,761	10,061,936	63,390,825
Safe Deposit Companies	0	0	0	0	0	0
Investment Companies (Article XII)	0	0	0	0	0	0
Licensed Lenders	0	0	0	0	0	0
Foreign Branches	29	29	0	504,707,298	504,707,298	0
Foreign Agencies	1	1	0	429,315	429,315	0
*Dollars may not add to total due to rounding.						
**Banks, trust companies, limited purpose trust companies, and private bankers.						
*** 9 licensed institutions located outside New York State						

## NEW YORK STATE CHARTERED AND LICENSED BANKING, LENDING AND FINANCIAL SERVICES INSTITUTIONS

Type of Institution	Number of Institutions	Number of Domestic Offices
Banks	44	342
Trust Companies	22	1195
Limited Purpose Trust Companies	13	15
Private Bankers	1	9
Savings Banks	19	557
Savings & Loans	2	4
Credit Unions	16	47
Safe Deposit Companies	2	2
Investment Companies (Article XII)	3	8
Licensed Lenders	16	73
Foreign Branches	81	97
Foreign Agencies	10	10
Holding Companies - One Bank	37	37
Holding Companies - Multi Bank	9	9
Mutual Holding Companies	1	1
Foreign Representative Offices	28	28
Sales Finance Companies	95	139
Premium Finance Agencies	38	70
Check Cashers (including Commercial)	110	599
Money Transmitters	104	371
Budget Planners	31	76
Mortgage Bankers	172	1132
Mortgage Brokers	539	639
Mortgage Loan Servicers	37	115
Common Trust Funds	46	46
NYS Regulated Corporations	3	3
Charitable Foundations	2	2
<b>Virtual Currency</b>	<b>4</b>	<b>4</b>

<b>Total</b>	1,485	5,630
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#### CONVERSION FROM STATE CHARTER TO FEDERAL CHARTER

Name	Location	Name After Change	Effective Date
None			

#### CONVERSION FROM FEDERAL CHARTER TO STATE CHARTER

Name	Location	Name After Change	Effective Date
The Bridgehampton National Bank	Bridgehampton, NY	BNB Bank	December 31, 2017

#### BANK MERGERS AND ACQUISITIONS

Name	Institution Type	Location	Acquiring Bank	Effective Date
Mizuho Trust & Banking Co. (USA)	Trust Company	New York, NY	Mizuho Bank (USA)	December 31, 2017

#### LIQUIDATIONS

Name	Institution Type	Location	Effective Date
Jamestown Post Office Employees Credit Union	Credit Union	300 East 3 <sup>rd</sup> Street, Jamestown, NY 104701	November 27, 2017

### CONDITION OF SUPERVISED INSTITUTIONS

#### CONDITION OF COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Assets	Cash and Due from Banks	Total Securities	Federal Funds Sold and Repos	Loans and Leases Net	Premises and Equipment	All Other Assets*	Total Assets
Dollars in Thousands							
<b>Commercial Banks</b>							
Adirondack Bank	12,541	257,954	1,127	481,374	5,071	28,189	786,256

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Assets	Cash and Due from Banks	Total Securities	Federal Funds Sold and Repos	Loans and Leases Net	Premises and Equipment	All Other Assets*	Total Assets
Alden State Bank	13,714	67,942	1,172	229,878	2,044	12,209	326,959
Alma Bank	85,498	37,847	143	929,564	7,992	16,828	1,077,872
Alpine Capital Bank	140,476	31,493	0	109,430	261	1,715	283,375
Amerasia Bank	42,046	1,738	0	528,339	8,579	4,889	585,591
American Community Bank	12,927	30,806	0	143,892	793	8,436	196,854
Bank Leumi USA	320,266	1,413,285	0	4,924,842	75,167	293,043	7,026,603
Bank of Akron	7,844	40,313	0	256,099	5,264	10,303	319,823
Bank of Cattaraugus	1,638	8,352	0	8,574	334	608	19,506
Bank of Holland	4,978	37,803	1,694	73,999	2,484	3,513	124,471
Catskill Hudson Bank	30,507	128,993	0	273,365	2,843	6,513	442,221
Cattaraugus County Bank	11,844	23,996	0	179,087	5,266	12,670	232,863
Citizens Bank of Cape Vincent	4,783	28,369	0	32,714	961	1,271	68,098
Country Bank	18,693	150,541	0	505,914	2,072	9,120	686,340
Emigrant Mercantile Bank	3,435	0	0	0	0	1	3,436
Empire State Bank	15,745	9,543	0	253,737	2,963	6,568	288,556
First American International Bank	94,050	43,833	781	705,097	6,356	22,845	872,962
Genesee Regional Bank	30,249	89,391	0	420,840	1,877	6,764	549,121
Global Bank	10,246	9,071	0	136,666	2,087	2,871	160,941
Gold Coast Bank	20,964	65,397	379	377,553	1,778	4,478	470,549
Greater Hudson Bank	20,698	120,989	0	318,760	1,502	20,918	482,867
Greene County Commercial Bank	47,464	330,634	0	0	0	1,930	380,028
Hanover Community Bank	3,333	13,866	32,169	469,325	13,781	8,733	541,207
Interaudi Bank	672,583	344,980	0	816,934	2,961	11,648	1,849,106
Jeff Bank	70,450	107,265	0	286,800	6,306	24,462	495,283
Mahopac Bank	15,681	337,808	0	935,767	14,752	58,063	1,362,071
Metropolitan Commercial Bank	261,231	37,585	0	1,405,304	6,268	48,058	1,758,446
New York Commercial Bank	540,400	253,582	7	2,480,418	24,918	352,458	3,651,783
NewBank	130,504	1,060	0	211,846	2,423	2,809	348,642
Pathfinder Bank	20,837	236,537	1,150	573,724	16,117	32,054	880,419
PCSB Commercial Bank	5,017	36,215	270	0	0	178	41,680

<b>COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Assets</b>	<b>Cash and Due from Banks</b>	<b>Total Securities</b>	<b>Federal Funds Sold and Repos</b>	<b>Loans and Leases Net</b>	<b>Premises and Equipment</b>	<b>All Other Assets*</b>	<b>Total Assets</b>
Pioneer Commercial Bank	188,818	27,286	301	0	0	297	216,702
Savoy Bank	38,106	2,802	0	247,058	379	5,051	293,396
Shinhan Bank America	55,135	46,979	0	1,214,702	9,315	11,274	1,337,405
Signature Bank	457,824	8,863,657	0	32,848,856	50,368	898,997	43,119,702
Spring Bank	7,434	24,844	0	152,661	287	2,296	187,522
The Berkshire Bank	89,250	191,620	0	372,166	1,825	10,253	665,114
The Westchester Bank	24,539	71,709	0	675,323	2,139	32,914	806,624
Tioga State Bank	7,546	143,805	0	291,425	3,561	24,853	471,190
United Orient Bank	6,017	1,999	1,000	86,094	79	1,557	96,746
USNY Bank	17,249	16,018	0	317,722	5,390	5,710	362,089
Victory State Bank	15,004	191,934	170	135,797	1,001	8,206	352,112
Woori America Bank	137,698	202,494	0	1,412,073	9,015	55,517	1,816,797
WSB Municipal Bank	22,700	101,391	0	0	0	913	125,004
<b>Trust Companies</b>							
Amalgamated Bank	124,766	952,960	0	2,784,726	22,422	164,610	4,049,484
Banco Popular North America	308,388	1,833,299	0	6,142,838	51,022	832,618	9,168,165
Bank of Millbrook	33,138	93,140	1,399	93,036	2,657	5,721	229,091
Bank of Richmondville	10,063	38,750	566	86,451	826	5,322	141,978
Bank of Utica	6,913	956,800	0	65,745	23,212	9,858	1,062,528
BNB Bank	94,719	940,782	0	3,071,045	33,505	288,921	4,428,972
Chemung Canal Trust Company	30,345	295,118	0	1,295,148	26,653	59,927	1,707,191
Deutsche Bank Trust Company Americas	24,984,000	0	7500000	9356000	14,000	1,536,000	43,390,000
Five Star Bank	95,306	1,041,439	0	2,703,063	41,122	188,156	4,069,086
Flushing Bank	51,175	754,964	0	5,156,648	30,836	306,465	6,300,088
Goldman Sachs Bank USA	51,285,000	2,688,000	18,312,000	59,080,000	31,000	33,143,000	164,539,000
Habib American Bank	448,489	63,408	0	864,016	2,178	26,904	1,404,995
Israel Discount Bank of New York	554,713	2,478,321	0	5,881,077	21,826	385,853	9,321,790

<b>COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Assets</b>	<b>Cash and Due from Banks</b>	<b>Total Securities</b>	<b>Federal Funds Sold and Repos</b>	<b>Loans and Leases Net</b>	<b>Premises and Equipment</b>	<b>All Other Assets*</b>	<b>Total Assets</b>
Manufacturers and Traders Trust Company	6,438,931	14,224,156	0	86,754,024	615,641	10,039,424	118,072,176
Mizuho Bank (USA)	2,224,200	26,442	0	4,182,817	2,823	310,895	6,747,177
Orange Bank & Trust Company	30,217	297,699	0	569,246	14,358	41,039	952,559
Solvay Bank	20,370	271,613	194	541,923	7,907	25,085	867,092
Steuben Trust Company	10,438	177,393	0	314,016	6,441	18,547	526,835
The Adirondack Trust Company	169,902	246,947	0	726,928	25,328	42,157	1,211,262
The Bank of Castile	19,325	311,455	0	1,077,530	14,288	31,926	1,454,524
The Bank of New York Mellon	107,713,000	116,258,000	14,998,000	29,358,000	1,388,000	27,590,000	297,305,000
Tompkins Trust Company	28,193	640,988	0	1,316,122	48,022	84,950	2,118,275
<b>Limited Purpose Trust Companies</b>							
American Stock Transfer & Trust Company, LLC	4,094			0	39,520	520,633	564,247
Anthos Trust Company, LLC	275	5,118	0	0	0	128	5,521
Continental Stock Transfer & Trust Company	2713	730	0	0	4,305	3,995	11,743
Fiduciary Trust Company International	109,426	151362	0	0	841	54,306	315,935
Gemini Trust Company	31,763	246508	0	0	360	467	279,098
Genesee Valley Trust Company	9778	0	0	0	26	9487	19,291
Law Debenture Trust Company of New York	52240	0	0	0	0	720	52,960
Market Street Trust Company	189	4,051	0	0	1710	532	6,482
New York Life Trust Company	1	14391	0	0	0	2,066	16,458
OFI Global Trust Company	0	10674	0	0	0	6,615	17,289
Paxos Trust Company LLC (ITBIT TR CO LLC)	5,343	48,522	0	0	137	17,157	71,159
Depository Trust Company, The	3,079,879	0	0	0	43,278	99,836	3,222,993
The Warehouse Trust Company	0	0	0	0	0	0	0

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Assets	Cash and Due from Banks	Total Securities	Federal Funds Sold and Repos	Loans and Leases Net	Premises and Equipment	All Other Assets*	Total Assets
<b>Private Bankers</b>							
Brown Brothers Harriman & Co.	3,210,723	930,072	0	1,879,647	59,544	977,611	7,057,597
<b>Total</b>	204,925,977	160,186,828	40,852,522	279,123,765	2,880,367	78,902,914	766,872,373
*Includes FDIC Call Report items: other assets, trading assets, goodwill and intangible assets and other real estate owned							

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Liabilities And Equity	Total Deposits	Federal Funds Bought and Sold	Trading Liabilities & Other Borrowed Money	Subordinated Notes & Debentures	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
<b>Dollars in Thousands</b>								
<b>Commercial Banks</b>								
Adirondack Bank	659,298	28,067	33,333	0	4,981	725,679	60,577	786,256
Alden State Bank	283,877	0	4,000	0	834	288,711	38,248	326,959
Alma Bank	910,420	0	54,335	0	2,747	967,502	110,370	1,077,872
Alpine Capital Bank	235,510	0	0	0	2,384	237,894	45,481	283,375
Amerasia Bank	510,412	0	10,000	0	3,713	524,125	61,466	585,591
American Community Bank	157,799	0	10,500	0	2,193	170,492	26,362	196,854
Bank Leumi USA	5,285,550	0	861,601	90,000	111,796	6,348,947	677,656	7,026,603
Bank of Akron	277,704	0	8,759	0	3,344	289,807	30,016	319,823
Bank of Cattaraugus	17,657	0	0	0	19	17,676	1,830	19,506
Bank of Holland	109,542	0	5,000	0	301	114,843	9,628	124,471
Catskill Hudson Bank	408,371	0	0	0	586	408,957	33,264	442,221
Cattaraugus County Bank	207,398	0	0	0	4,736	212,134	20,729	232,863
Citizens Bank of Cape Vincent	61,638	0	0	0	327	61,965	6,133	68,098
Country Bank	572,672	0	37,500	0	5,001	615,173	71,167	686,340
Emigrant Mercantile Bank	500	0	0	0	1	501	2,935	3,436

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Liabilities And Equity	Total Deposits	Federal Funds Bought and Sold	Trading Liabilities & Other Borrowed Money	Subordinated Notes & Debentures	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
Empire State Bank	218,551	0	41,000	0	2,157	261,708	26,848	288,556
First American International Bank	630,530	0	150,000	0	6,970	787,500	85,462	872,962
Genesee Regional Bank	476,628	0	15,000	0	2,004	493,632	55,489	549,121
Global Bank	122,617	0	19,500	0	854	142,971	17,970	160,941
Gold Coast Bank	395,529	0	20,000	0	822	416,351	54,198	470,549
Greater Hudson Bank	381,764	0	39,276	0	4,212	425,252	57,615	482,867
Greene County Commercial Bank	329,455	0	17,668	0	107	347,230	32,798	380,028
Hanover Community Bank	397,564	0	83,767	0	2,890	484,221	56,986	541,207
Interaudi Bank	1,620,036	0	88,300	0	1,820	1,710,156	138,950	1,849,106
Jeff Bank	437,283	0	0	0	6,162	443,445	51,838	495,283
Mahopac Bank	972,436	0	258,500	0	7,079	1,238,015	124,056	1,362,071
Metropolitan Commercial Bank	1,421,525	0	42,198	0	20,120	1,483,843	274,603	1,758,446
New York Commercial Bank	2,760,953	0	275,101	0	9,156	3,045,210	606,573	3,651,783
NewBank	297,093	0	3,000	0	4,299	304,392	44,250	348,642
Pathfinder Bank	729,380	0	73,888	0	5,380	808,648	71,771	880,419
PCSB Commercial Bank	33,351	0	0	0	390	33,741	7,939	41,680
Pioneer Commercial Bank	199,066	0	0	0	790	199,856	16,846	216,702
Savoy Bank	257,358	0	5,250	0	1,313	263,921	29,475	293,396
Shinhan Bank America	1,167,141	0	0	0	8,705	1,175,846	161,559	1,337,405
Signature Bank	33,442,086	790,000	4,195,000	257,381	403,544	39,088,011	4,031,691	43,119,702
Spring Bank	166,382	0	0	0	764	167,146	20,376	187,522
The Berkshire Bank	549,298	0	0	0	4,390	553,688	111,426	665,114
The Westchester Bank	658,736	0	48,875	0	4,012	711,623	95,001	806,624
Tioga State Bank	366,074	10,339	38,636	0	4,398	419,447	51,743	471,190

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Liabilities And Equity	Total Deposits	Federal Funds Bought and Sold	Trading Liabilities & Other Borrowed Money	Subordinated Notes & Debentures	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
United Orient Bank	71,561	0	12,000	0	558	84,119	12,627	96,746
USNY Bank	319,433	0	6,063	0	1,289	326,785	35,304	362,089
Victory State Bank	318,401	0	0	0	1,454	319,855	32,257	352,112
Woori America Bank	1,543,881	0	0	0	23,440	1,567,321	249,476	1,816,797
WSB Municipal Bank	102,520	0	0	0	11,627	114,147	10,857	125,004
<b>Trust Companies</b>								
Amalgamated Bank	3,241,353	5	402,600	0	60,246	3,704,204	345,280	4,049,484
Banco Popular North America	6,690,837	251,313	512,951	0	54,427	7,509,528	1,658,637	9,168,165
Bank of Millbrook	204,922	0	0	0	1,535	206,457	22,634	229,091
Bank of Richmondville	118,340	0	6,500	0	747	125,587	16,391	141,978
Bank of Utica	823,067	0	0	0	16,667	839,734	222,794	1,062,528
BNB Bank	3,342,373	50,877	501,374	0	33,333	3,927,957	501,015	4,428,972
Chemung Canal Trust Company	1,471,400	10,000	64,217	0	15,754	1,561,371	145,820	1,707,191
Deutsche Bank Trust Company Americas	31,619,000	1,030,000	170,000	0	1,513,000	34,332,000	9,058,000	43,390,000
Five Star Bank	3,220,310	0	446,200	0	20,105	3,686,615	382,471	4,069,086
Flushing Bank	4,392,635	0	1,198,968	0	74,429	5,666,032	634,056	6,300,088
Goldman Sachs Bank USA	115,679,000	56,000	15,966,000	2,000,000	5,254,000	138,955,000	25,584,000	164,539,000
Habib American Bank	1,257,072	0	10,000	0	15,294	1,282,366	122,629	1,404,995
Israel Discount Bank of New York	7,753,995	558,750	10,600	0	103,999	8,427,344	894,446	9,321,790
Manufacturers and Traders Trust Company	94,418,502	899,370	5,737,287	1,398,966	1,305,905	103,760,030	14,312,146	118,072,176
Mizuho Bank (USA)	4,536,212	0	733,800	0	124,488	5,394,500	1,352,677	6,747,177
Orange Bank & Trust Company	834,679	0	20,000	0	12,549	867,228	85,331	952,559

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Liabilities And Equity	Total Deposits	Federal Funds Bought and Sold	Trading Liabilities & Other Borrowed Money	Subordinated Notes & Debentures	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
Solvay Bank	763,532	0	23,000	0	3,239	789,771	77,321	867,092
Steuben Trust Company	428,887	0	36,000	0	5,045	469,932	56,903	526,835
The Adirondack Trust Company	1,063,873	11,320	0	0	22,559	1,097,752	113,510	1,211,262
The Bank of Castile	1,250,701	7,261	77,200	0	9,135	1,344,297	110,227	1,454,524
The Bank of New York Mellon	249,890,000	6,318,000	7,317,000	515,000	6,284,000	270,324,000	26,981,000	297,305,000
Tompkins Trust Company	1,529,752	67,916	346,000	0	44,937	1,988,605	129,670	2,118,275
<b>Limited Purpose Trust Companies</b>								
American Stock Transfer & Trust Company, LLC	0	0	1,974		17,987	19,961	544,286	564,247
Anthos Trust Company, LLC	0	0		0	324	324	5,197	5,521
Continental Stock Transfer & Trust Company	0	0	0	0	1,826	1,826	9,917	11,743
Fiduciary Trust Company International	0	0	0	0	27,804	27,804	288,131	315,935
Gemini Trust Company	0	0		0	6,040	6,040	273,058	279,098
Genesee Valley Trust Company	0	0	0	0	1,757	1,757	17,534	19,291
Law Debenture Trust Company of New York	0	0	0	0	2,345	2,345	50,615	52,960
Market Street Trust Company	0	0	465	0	2,157	2,622	3,860	6,482
New York Life Trust Company	0	0	0	0	8,992	8,992	7,466	16,458
OFI Global Trust Company	0	0	0	0	2,162	2,162	15,127	17,289
Paxos Trust Company LLC (ITBIT TR CO LLC)	0	0	0	0	745	745	70,414	71,159
Depository Trust Company, The	0	0	0	0	2,664,336	2,664,336	558,657	3,222,993
The Warehouse Trust Company	0	0	0	0	0	0	0	0

COMMERCIAL BANKS, TRUSTS AND PRIVATE BANKERS Liabilities And Equity	Total Deposits	Federal Funds Bought and Sold	Trading Liabilities & Other Borrowed Money	Subordinated Notes & Debentures	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
<b>Private Bankers</b>								
Brown Brothers Harriman & Co.	5,047,048	0	412,266	0	620,062	6,079,376	978,221	7,057,597
<b>Total</b>	<b>599,662,470</b>	<b>10,089,218</b>	<b>40,452,452</b>	<b>4,261,347</b>	<b>19,015,599</b>	<b>673,481,086</b>	<b>93,391,287</b>	<b>766,872,373</b>

### CONDITION OF SAVINGS BANKS AND THRIFTS

SAVINGS BANKS AND THRIFTS Assets	Cash and Due from Banks	Total Securities & Trading Assets	Federal Funds Sold and Repos	Loans and Leases Net	Premises & Equipment	All Other Assets*	Total Assets
<b>Dollars in Thousands</b>							
<b>Savings Banks</b>							
Apple Bank for Savings	1,078,384	1,201,547	0	9,830,341	33,955	664,717	12,808,944
Cross County Savings Bank	32,563	33,783	0	291,654	20,195	13,333	391,528
Dime Community Bank	169,145	351,063	0	5,581,083	24,326	267,145	6,392,762
Elmira Savings Bank	7,800	32,095	97	456,312	16,651	41,731	554,686
Emigrant Bank	87,415	1,068,479	0	4,316,298	145,826	555,671	6,173,689
Fairport Savings Bank	8,680	24,889	0	265,486	3,064	10,794	312,913
First Central Savings Bank	37,296	63,218	0	465,541	677	23,818	590,550
Fulton Savings Bank	71,143	142,037	1,112	131,046	777	30,437	376,552
New York Community Bank	1,735,137	3,277,845	253,079	35,790,983	343,737	4,056,986	45,457,767
NorthEast Community Bank	42,098	13,962	0	695,743	14,680	38,359	804,842
PCSB Bank	75,779	477,795	1,328	830,668	12,625	43,952	1,442,147
Pioneer Savings Bank	113,828	77,094	1,662	971,401	43,025	39,072	1,246,082
Rhinebeck Bank	10,460	115,216	0	566,178	16,929	33,165	741,948
Ridgewood Savings Bank	66,456	1,510,003	0	3,538,887	14,845	261,755	5,391,946
Rondout Savings Bank	16,106	62,355	0	256,473	6,781	9,336	351,051
Sawyer Savings Bank	4,631	72,802	0	160,041	3,633	7,557	248,664
The North Country Savings Bank	14,416	2,355	100	206,236	4,890	16,599	244,596

Ulster Savings Bank	24,028	72,748	0	669,078	20,692	54,715	841,261
Watertown Savings Bank	41,300	135,032	0	420,121	13,356	42,744	652,553
<b>Savings &amp; Loans</b>							
Gouverneur Savings and Loan Association	3,880	17,803	0	99,217	2,413	11,232	134,545
Medina Savings and Loan Association	13,586	11,906	376	26,565	756	736	53,925
<b>Total</b>	<b>3,654,131</b>	<b>8,764,027</b>	<b>257,754</b>	<b>65,569,352</b>	<b>743,833</b>	<b>6,223,854</b>	<b>85,212,951</b>
*Includes FDIC Call Report items: other assets, trading assets, goodwill and intangible assets and other real estate owned							

### CONDITION OF SAVINGS BANKS AND THRIFTS

SAVINGS BANKS AND THRIFTS Liabilities And Equity	Total Deposits	Federal Funds Bought & Repos	Other Borrowed Money	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
	Dollars in Thousands						
<b>Savings Banks</b>							
Apple Bank for Savings	11,598,830	0	10,093	72,157	11,681,080	1,127,864	12,808,944
Cross County Savings Bank	340,180	0	0	4,375	344,555	46,973	391,528
Dime Community Bank	4,544,069	0	1,170,000	35,433	5,749,502	643,260	6,392,762
Elmira Savings Bank	457,660	2,000	33,000	5,345	498,005	56,681	554,686
Emigrant Bank	4,639,588	58,000	110,000	113,641	4,921,229	1,252,460	6,173,689
Fairport Savings Bank	216,696	0	64,447	2,598	283,741	29,172	312,913

First Central Savings Bank	522,283	0	10,000	3,093	535,376	55,174	590,550
Fulton Savings Bank	248,987	0	14,200	9,576	272,763	103,789	376,552
New York Community Bank	26,432,331	450,000	11,840,367	291,633	39,014,331	6,443,436	45,457,767
NorthEast Community Bank	628,504	0	65,813	6,453	700,770	104,072	804,842
PCSB Bank	1,196,718	0	44,283	6,262	1,247,263	194,884	1,442,147
Pioneer Savings Bank	1,118,594	0	6,861	12,626	1,138,081	108,001	1,246,082
Rhinebeck Bank	659,834	0	14,900	9,229	683,963	57,985	741,948
Ridgewood Savings Bank	4,194,966	0	396,020	97,024	4,688,010	703,936	5,391,946
Rondout Savings Bank	297,711	0	14,563	2,859	315,133	35,918	351,051
Sawyer Savings Bank	192,885	0	27,000	3,681	223,566	25,098	248,664
The North Country Savings Bank	190,134	0	20,288	1,891	212,313	32,283	244,596
Ulster Savings Bank	723,309	0	21,000	2,123	746,432	94,829	841,261
Watertown Savings Bank	545,852	0	9,000	3,408	558,260	94,293	652,553

<b>Savings &amp; Loans</b>							
Gouverneur Savings and Loan Assoc.	84,216	0	15,750	4,774	104,740	29,805	134,545
Medina Savings and Loan Association	49,514	0	300	390	50,204	3,721	53,925
<b>Total</b>	<b>58,882,861</b>	<b>510,000</b>	<b>13,887,885</b>	<b>688,571</b>	<b>73,969,317</b>	<b>11,243,634</b>	<b>85,212,951</b>

#### CONDITION OF SAFE DEPOSIT COMPANIES

<b>SAFE DEPOSIT COMPANIES Assets</b>	<b>Cash and Due from Banks</b>	<b>Total Securities</b>	<b>Federal Funds Sold and Repos</b>	<b>Loans and Leases Net</b>	<b>Customers' Liability on Acceptances</b>	<b>Premises Vault and Equipment</b>	<b>Investment in Unconsolidated Subsidiaries</b>	<b>Other Assets</b>	<b>Total Assets</b>
<b>Dollars in Thousands</b>									
Akron Safe Deposit Company	232	306				50			588
Zurich Depository Corporation*	0	0	0	0	0	0	0	0	0

\*In the final stage of liquidation

<b>SAFE DEPOSIT COMPANIES Liabilities And Equity</b>	<b>Key &amp; Box Deposits</b>	<b>Unearned Deferred Income</b>	<b>Other Borrowed Money</b>	<b>Acceptances Outstanding</b>	<b>Subordinated Notes and Debentures</b>	<b>All Other Liabilities</b>	<b>Total Liabilities</b>	<b>Total Equity Capital</b>	<b>Total Liabilities and Capital</b>
<b>Dollars in Thousands</b>									
Akron Safe Deposit Company							0	588	588
Zurich Depository Corporation*	0	0	0	0	0	0	0	0	0

\*In the final stage of liquidation

### CONDITION OF CREDIT UNIONS

CREDIT UNIONS Assets	Cash and Due from Banks	Total Investments	Loans Held For Sale	Loans and Leases Net	Bank Premises & Equipment	NCUSIF Deposit	Other Assets	Total Assets
Dollars in Thousands								
AmeriCU Credit Union	56,126	24,636	866	1,313,614	30,658	12,201	43,991	1,482,092
Branch 6000 NALC Credit Union	1,282	3,698	0	3,265	7	84	523	8,859
Buffalo Service Credit Union	5,139	27,015	0	22,571	43	483	477	55,728
CFCU Community Credit Union	168,215	129,057	413	732,766	8,911	8,187	9,287	1,056,836
Directors Choice Credit Union	246	1,249	0	6,292	0	70	1,723	9,580
Empire Branch 36 National Association of Letter Carriers Credit Union	796	1,491	0	2,615	8	46	31	4,987
Erie County Employees Credit Union	1,684	14,375	0	9,219	13	229	927	26,447
Hudson River Community Credit Union	17,174	1,916	0	217,162	10,281	1,999	2,317	250,849
Jamestown Post Office Employees' Credit Union	18	0	0	0	0	0	0	18
Melrose Credit Union	42,017	54,749	0	1,193,359	20,666	14,868	36,109	1,361,768
Municipal Credit Union	416,723	296,346	0	1,762,795	30,358	24,733	154,833	2,685,788
Newspaper Employees Credit Union	142	250	0	282	0	5	2	681
The Niagara Frontier Federal Employees Credit Union	523	996	0	1,390	0	23	17	2,949
Norton-Troy Employees Credit Union	411	4,511	0	1,859	0	70	13	6,864
Progressive Credit Union	39,011	17,070	0	361,840	10,710	2,477	54,762	485,870
Yonkers Postal Employees Credit Union	624	5,185	0	1,912	5	66	9	7,801
<b>Total</b>	750,131	582,544	1,279	5,630,941	111,660	65,541	305,021	7,447,117

**CONDITION OF CREDIT UNIONS**

<b>CREDIT UNIONS Liabilities and Equity</b>	<b>Total Shares and Deposits</b>	<b>Federal Funds Bought and Repos</b>	<b>Borrowin gs Plus Interest Payable</b>	<b>Subordin ated Notes and Debentu res</b>	<b>All Other Liabilities</b>	<b>Total Liabilities</b>	<b>Total Equity Capital</b>	<b>Total Liabilities and Capital</b>
AmeriCU Credit Union	1,301,895	0	20,000	0	15,596	1,337,491	144,601	1,482,092
Branch 6000 NALC Credit Union	8,312	0	0	0	4	8,316	543	8,859
Buffalo Service Credit Union	49,312	0	0	0	176	49,488	6,240	55,728
CFCU Community Credit Union	910,420	0	0	0	6,710	917,130	139,706	1,056,836
Directors Choice Credit Union	8,204	0	0	0	2	8,206	1,374	9,580
Empire Branch 36 National Association of Letter Carriers Credit Union	4,550	0	0	0	79	4,629	358	4,987
Erie County Employees Credit Union	23,175	0	0	0	138	23,313	3,134	26,447
Hudson River Community Credit Union	216,851	0	0	0	3,685	220,536	30,313	250,849
Jamestown Post Office Employees' Credit Union	0	0	0	0	0	0	18	18
Melrose Credit Union	1,418,227	0	141,000	0	2,293	1,561,520	(199,752)	1,361,768
Municipal Credit Union	2,492,768	0	0	0	77,174	2,569,942	115,846	2,685,788
Newspaper Employees Credit Union	384	0	0	0	0	384	297	681
The Niagara Frontier Federal Employees Credit Union	2,522	0	0	0	6	2,528	421	2,949
Norton-Troy Employees Credit Union	5,898	0	0	0	9	5,907	957	6,864
Progressive Credit Union	289,186	0	84,250	0	4,524	377,960	107,910	485,870
Yonkers Postal Employees Credit Union	6,281	0	0	0	51	6,332	1,469	7,801
<b>Total</b>	<b>6,737,985</b>	<b>0</b>	<b>245,250</b>	<b>0</b>	<b>110,447</b>	<b>7,093,682</b>	<b>353,435</b>	<b>7,447,117</b>

**CONDITION OF ARTICLE XII INVESTMENT COMPANIES**

ARTICLE XII INVESTMENT COMPANIES Assets	Cash and Due from Banks	Total Securities	Federal Funds Sold & Repos	Loans and Leases Net	Customer's Liability on Acceptance	Premises & Equipment	Investment in Unconsolidated Subsidiaries	Other Assets	Total Assets
	<b>Dollars in Thousands</b>								
American Express Banking Corp	9,070	0	292,902	690,785		3,712	0	97,646	1,094,115
Community Building Fund, LLC	0	0	0	0	0	0	0	0	0
Western Union Financial Holdings, L.L.C.	245,242	74,407	0	22,682		5,751	0	126,626	474,708
<b>Total</b>	<b>254,312</b>	<b>74,407</b>	<b>292,902</b>	<b>713,467</b>	<b>0</b>	<b>9,463</b>	<b>0</b>	<b>224,272</b>	<b>1,568,823</b>

ARTICLE XII INVESTMENT COMPANIES Liabilities And Equity	Total Deposits	Federal Funds Sold and Repos	Other Borrowed Money	Due to Affiliates	Subordinated Notes and Debentures	All Other Liabilities	Total Liabilities	Total Equity Capital	Total Liabilities and Capital
	<b>Dollars in Thousands</b>								
American Express Banking Corp	280,504	0	293,854		0	393,037	967,395	126,720	1,094,115
Community Building Fund, LLC	0	0	0	0	0	0	0	0	0
Western Union Financial Holdings, L.L.C.	0	0	90,237		0	205,598	295,835	178,873	474,708
<b>Total</b>	<b>280,504</b>	<b>0</b>	<b>384,091</b>	<b>0</b>	<b>0</b>	<b>598,635</b>	<b>1,263,230</b>	<b>305,593</b>	<b>1,568,823</b>

### CONDITION OF LICENSED LENDERS

LICENSED LENDERS Assets	Applicable to NY Business					Total Assets Not Applicable to NY Business	Total Assets
	Loans and Leases Net	Cash and Due From Banks	Furniture, Fixtures & Equipment	Other Assets	Total Assets		
	<b>Dollars in Thousands</b>						
AmeriCredit Consumer Loan Company, Inc.	123	17	188	55	383	1,085	1,468
CarFinance Capital LLC U/A/N CarFinance.com	0	0	0	0	0	26,256	26,256
Grameen America, Inc.	34,632	1,665	0	11,059	47,356	40,871	88,227
JCB International Credit Card Co., Ltd.	309	487	7	1,273	2,076	61,156	63,232
LendingClub Corporation	0	0	0	0	0	4,640,831	4,640,831
Mariner Finance, LLC	43,057	29	105	-2,313	40,878	551,558	592,436
New City Funding Corporation	28,895	1,071	1,266	171	31,403	17,600	49,003
Omni Financial of New York, Inc.	2,896	69	3	11	2,979	0	2,979
OneMain Consumer Loan, Inc.	0	0	0	0	0	62,530	62,530
OneMain Financial Group, LLC	114,168	8,545	1,635	1,734	126,082	3,046,034	3,172,116
OneMain Financial of New York Inc.	219	152	2	7,574	7,947	0	7,947
Retail Charge Financial Services Corp.	81	54	0	624	759	0	759
Santander Consumer USA Inc.	832,213	150	0	0	832,363	38,589,942	39,422,305
Stones Funding LLC	112	429	0	2	543	0	543
Sunrise Capital Management, Inc.	95	137	0	20	252	0	252
TMG Financial Services, Inc.	6,480	28	9	598	7,115	228,050	235,165
<b>Total</b>	<b>1,063,280</b>	<b>12,833</b>	<b>3,215</b>	<b>20,808</b>	<b>1,100,136</b>	<b>47,265,913</b>	<b>48,366,049</b>

LICENSED LENDERS Liabilities and Equity	Other Borrowed Money	All Other Liabilities	Total Liabilities	Valuation Reserves	Capital Stock Surplus	Total Liabilities and Capital
	<b>Dollars in Thousands</b>					
AmeriCredit Consumer Loan Company, Inc.	0	1,368	1,368	0	100	1,468
CarFinance Capital LLC U/A/N CarFinance.com	0	3,951	3,951	0	22,305	26,256
Grameen America, Inc.	0	48,934	48,934	0	39,293	88,227
JCB International Credit Card Co., Ltd.	28,002	24,846	52,848	0	10,384	63,232
LendingClub Corporation	3,216,140	496,934	3,713,074	0	927,757	4,640,831
Mariner Finance, LLC	503	363,108	363,611		228,825	592,436
New City Funding Corporation	7,674	30,908	38,582	0	10,421	49,003
Omni Financial of New York, Inc.	0	2,861	2,861	0	118	2,979
OneMain Consumer Loan, Inc.	0	36,766	36,766	0	25,764	62,530
OneMain Financial Group, LLC	0	1,902,785	1,902,785	0	1,269,331	3,172,116
OneMain Financial of New York Inc.	0	233	233	0	7,714	7,947
Retail Charge Financial Services Corp.	0	0	0	0	759	759
Santander Consumer USA Inc.	4,223	32,893,159	32,897,382	0	6,524,923	39,422,305
Stones Funding LLC	0	0	0	0	543	543
Sunrise Capital Management, Inc.	0	0	0	0	252	252
TMG Financial Services, Inc.	0	223,342	223,342	0	11,823	235,165
<b>Total</b>	<b>3,256,542</b>	<b>36,029,195</b>	<b>39,285,737</b>	<b>0</b>	<b>9,080,312</b>	<b>48,366,049</b>

**LICENSES ISSUED DURING YEAR**

	<b>2017</b>	<b>2016</b>
<b>Total</b>	179,116	196,262
<b>Adjusters</b>		
Independent	5,344	15,576
Public	313	422
Temporary Permits	0	13
<b>Agents</b>		
Life/Accident and Health	97,660	89,697
Property and Casualty	38,955	46,986
Limited Rental/Wireless Communications	21	121
Mortgage Guaranty Insurance	2	6
Bail Bond	102	206
Limited Lines	3	7
Title	2,088	871
<b>Brokers</b>		
Life	10,533	11,236
Property and Casualty	21,814	27,769
Excess Line (Regular and Limited)	1,579	2,750
Life Settlement	165	100
<b>Consultants</b>		
Life	124	88
General	161	225
<b>Other</b>		
Reinsurance Intermediaries	37	176
Service Contract Registrants	215	13

A list of general insurance license [terms of issuance and renewal requirements](#) can be found on our website.

<b>2017 CHANGES IN AUTHORIZED INSURERS</b>	
<b>Life Insurance Companies</b>	
<b>Incorporated</b>	
Lumico Life Insurance Company of New York	Mar. 28
<b>Name Changes</b>	
“First United American Life Insurance Company” to “Globe Life Insurance Company of New York”	Jan. 1
“First Metlife Investors Insurance Company” to “Brighthouse Life Insurance Company of NY”	Mar. 6
“Commercial Travelers Insurance Company” to “Commercial Travelers Life Insurance Company”	June 30
<b>Withdrawn</b>	
Resource Life Insurance Company	Aug. 25
<b>Accident and Health Insurance Companies</b>	
<b>Incorporated</b>	
Bright Health Insurance Company of New York	May 31
<b>Name Changes</b>	
“Commercial Travelers Mutual Insurance Company” to “Commercial Travelers Insurance Company”	May 1
“Renaissance Health Insurance Company of New York” to “Renaissance Life & Health Insurance Company of New York”	Dec. 18

<b>Property and Casualty Insurance Companies</b>	
<b>Domestic Company Licensed</b>	
Transit General Insurance Company of New York, Long Island City, NY	Sept. 12
<b>Foreign Companies Licensed</b>	
Spinnaker Insurance Company, Chicago, IL	Feb. 21
Vantapro Specialty Insurance Company, Little Rock, AR	May 4
Explorer Insurance Company, San Diego, CA	May 19
OBI America Insurance Company, Harrisburg, PA	Nov. 16
Farmers Mutual Hail Insurance Company of Iowa, West Des Moines, IA (from Accredited Reinsurer to Property Casualty)	Dec. 6
<b>Name Changes</b>	
“Sompo Japan Insurance Company of America” to “Sompo America Insurance Company,” New York, NY	Jan. 1
“Sompo Japan Fire & Marine Insurance Company of America” to “Sompo America Fire & Marine Insurance Company,” New York, NY	Jan. 1
“Underwriter for the Professions Insurance Company” to “TDC National Assurance Company,” Lake Oswego, OR	Jan. 4
“United National Specialty Insurance Company” to “City National Insurance Company,” Bedford, TX	Feb. 21
“Mosaic Insurance Company” to “Metromile Insurance Company,” Wilmington, DE	Mar. 22
“Professionals Direct Insurance Company” to “Watford Insurance Company,” Morristown, NJ	Apr. 4
“Quanta Indemnity Company” to “Greyhawk Insurance Company,” Denver, CO	Aug. 8
<b>Redomestications Filed</b>	
Commonwealth Insurance Company of America (from Washington to Delaware)	Jan. 9
National Casualty Company (from Wisconsin to Ohio)	Jan. 30
Ashmere Insurance Company (from Illinois to Florida)	Mar. 29
The Insurance Company of the State of Pennsylvania (from Pennsylvania to Illinois)	Mar. 29
Watford Insurance Company (from Michigan to New Jersey)	Apr. 4

Technology Insurance Company (from New Hampshire to Delaware)	Apr. 20
Maxum Casualty Insurance Company (from Delaware to Connecticut)	June 8
CorePointe Insurance Company (from Michigan to Delaware)	Nov. 3
<b>Merger Agreements Filed</b>	
Middlesex Mutual Assurance Company into COUNTRY Mutual Insurance Company	Jan. 1
Holyoke Mutual Insurance Company into COUNTRY Mutual Insurance Company	Mar. 29
American Plan Insurance Company into Tri-State Consumer Insurance Company	May 25
<b>Withdrawn</b>	
Green Mountain Insurance Company, Inc.	Aug. 7
<b>Liquidated</b>	
Excalibur Reinsurance Company	May 25
Fiduciary Insurance Company of America	July 25
<b>Accredited Reinsurers</b>	
<b>Certificate of Recognition</b>	
Houston Specialty Insurance Company, Houston, TX	Feb. 22
River Thames Insurance Company Limited, England	Apr. 7
United National Insurance Company, Bala Cynwyd, PA	May 19
<b>Name Change</b>	
“Maiden Specialty Insurance Company” to “Clear Blue Specialty Insurance Company”	Sept. 7
<b>Redomestications Filed</b>	
Homesite Insurance Company of the Midwest (from North Dakota to Wisconsin)	Jan. 10

Maxum Indemnity Company (from Delaware to Connecticut)	Mar. 6
<b>Withdrawn</b>	
Unionamerica Insurance Company Limited	June 6
Madison National Life Insurance Company, Inc.	July 1
Clear Blue Specialty Insurance Company	Sept. 7
<b>Charitable Annuity Societies</b>	
<b>Permits Issued</b>	
Blair Academy, Blairstown, NJ	Jan. 5
Shepherds Baptist Ministries Inc., Union Grove, WI	Jan. 30
The Ohio State University Foundation, Columbus, OH	Mar. 23
National Catholic Community Foundation, Crownsville, MD	Mar. 23
Temple University, Philadelphia, PA	July 31
Rowan University Foundation, Incorporated, Glassboro, NJ	July 31
AMG International, Inc., Chattanooga, TN	Aug. 4
The Pingry Corporation, Basking Ridge, NJ	Aug. 24
American Diabetes Association, Arlington, VA	Aug. 24
Carroll Petrie Foundation, Wilmington, DE	Aug. 24
Chosen People Ministries, Inc., New York, NY	Oct. 11
<b>Name Change</b>	
“Centenary College” to “Centenary University, a New Jersey Nonprofit Corporation,” Hackettstown, NJ	Feb. 17
<b>Merger Agreement Filed</b>	
Nature Conservancy of Connecticut into The Nature Conservancy	Oct. 16

<b>Withdrawn</b>	
The Ronald Reagan Presidential Foundation	July 7
Daemen College	July 19
Volunteers of America, Inc.	Aug. 29
Cortland Memorial Foundation, Inc.	Sept. 7
Young Men’s Christian Association Buffalo Niagara	Oct. 30
<b>Captive Insurance Companies</b>	
<b>Merger Agreements Filed</b>	
Columbus Circle Indemnity, Inc. into Spectrum Communications Indemnity, Inc.	Aug. 4
Barclays Insurance U.S., Inc. into BIUS, Inc.	Sept. 22
Wall and Broad Insurance Company into Intercontinental Exchange Property Protection, Inc.	Aug. 18
<b>Title Insurance Companies</b>	
<b>Name Change</b>	
“New Jersey Title Insurance Company” to “CATIC Title Insurance Company”	Sept. 12
<b>Redomestications Filed</b>	
Commonwealth Land Title Insurance Company (from Nebraska to Florida)	Aug. 31
Fidelity National Title Insurance Company (from California to Florida)	Aug. 31
Chicago Title Insurance Company (from Nebraska to Florida)	Aug. 31

## REPORTS FILED ON EXAMINATION OF AUTHORIZED INSURERS

Reports on Examinations can be found on our website in the [Examination Reports section](#).

## LIQUIDATION, CONSERVATION AND REHABILITATION PROCEEDINGS

### INSURANCE COMPANY PROCEEDINGS

Domestic Estates in Liquidation	17
Domestic Estates in Rehabilitation	0
Conservation Estates	0
Ancillary Receivership Estates	10
Shell Estates in Liquidation	0
<b>Total</b>	<b>27</b>

### DOMESTIC ESTATES AND CONSERVATION ESTATES - ASSETS & LIABILITIES

Total Assets	\$811,914,619
Total Liabilities	\$6,181,908,383
<b>Total Insolvency</b>	<b>\$5,369,993,764</b>

### DOMESTIC ESTATES IN REHABILITATION - ASSETS & LIABILITIES

Total Assets	\$0
Total Liabilities	\$0
<b>Total Insolvency/(Surplus)</b>	<b>\$0</b>

### LIQUIDATION AND REHABILITATION ACTIVITIES

<b>Domestic Estates</b>
<b>Commenced in 2017</b>
Fiduciary Insurance Company
<b>Continued Liquidations</b>
American Medical and Life Insurance Company
Atlantic Mutual Insurance Company
Centennial Insurance Company

Drivers Insurance Company
Eveready Insurance Company
Executive Life Insurance Company of New York
Fiduciary Insurance Company
First Central Insurance Company
Frontier Insurance Company
Group Council Mutual Insurance Company
Health Republic Insurance of New York, Corp.
Ideal Mutual Insurance Company
Midland Insurance Company
Professional Liability Insurance Company of America
Realm National Insurance Company
The Insurance Corporation of New York
Union Indemnity Insurance Company of New York
<b>Completed</b>
Cosmopolitan Insurance Company
ICM Insurance Company
<b>Shell Estates</b>
<b>Commenced</b>
None
<b>Completed</b>
None
<b>Domestic Estates in Rehabilitation</b>
<b>Commenced</b>
None
<b>Continued</b>
None
<b>Converted</b>
None

<b>Completed</b>
None
<b>Ancillary Receiverships</b>
<b>Commenced</b>
CastlePoint Insurance Company
<b>Continued</b>
American Manufacturers Mutual Insurance Company
American Motorists Insurance Company
CastlePoint Insurance Company
Eagle Insurance Company
Legion Insurance Company
Lincoln General Insurance Company
Lumbermens Mutual Casualty Company
Reliance Insurance Company
The Home Insurance Company
Ullico Casualty Company
<b>Completed</b>
American Mutual Liability Company
American Mutual Insurance Company of Boston
Lumbermen's Underwriting Alliance
Villanova Insurance Company
<b>Conservations</b>
<b>Commenced</b>
None
<b>Continued</b>
None
<b>Completed</b>
None
<b>Fraternal Benefit Societies</b>

<b>Commenced</b>
Yamolintzer Friends, Inc.
Hochberg Family Circle, Inc.
Fedio Association, Inc
Ozorkower Benevolent Society, Inc.
Berdichever Independent Benevolent Association
Bronx Hungarian Sick & Benevolent Society, Inc
Zolotonosher Friends, Inc.
Bukowiner Bessarabian Benevolent Assocaiaont
<b>Continued</b>
Berdichever Independent Benevolent Association
Bronx Hungarian Sick & Benevolent Society, Inc
Bukowiner Bessarabian Benevolent Assocaiaont
Chevra Kadisa Farmingdale, Inc.
Fedio Association, Inc
Hochberg Family Circle, Inc
Illower Benevolent
Independent Winitzer Leo Braunstein Kr. Unt. Verein
Ozorkower Benevolent Society, Inc.
Shidlover Young Mens Benevolent Association
The Prusiner Charitable and Benevolent Association
Yamonlinitzer Friends, Inc.
Zolotonosher Friends, Inc.
<b>Completed</b>
Chevra Kadisha of Farmingdale, Inc.
Illower (A Town in Russia) Benevolent Society, Inc.
Independent Winitzer Leo Braunstein Kr Unt. Verein
Shidlover Young Mens Benevolent Association
The Prusiner Charitable and Benevolent Association

**PROPERTY/CASUALTY INSURANCE ENTITIES SUPERVISED BY THE DEPARTMENT  
12/31/2017**

<b>Class</b>	<b>Number</b>
Accredited Reinsurers (Property/Casualty)	83
Advance Premium Co-Operative (Property/Casualty)	18
Assessment Co-Operative (Property/Casualty)	22
Associations, Pools, and Syndicates (including FAIR Plan)	11
Captive Insurers	58
Financial Guaranty Insurers	13
Mortgage Guaranty Insurers	24
Stock and Mutual Property/Casualty Insurers (includes Eight United States Branches, Sixteen Reciprocal Insurers and two State Insurance Funds)	807
Risk Retention Groups	121
Title Insurers (Including Two Accredited Reinsurers)	25

**LICENSED PROPERTY/CASUALTY INSURER SELECTED DATA 2013-  
2016**

	2016	2015	2014	2013
	<b>Stock Companies</b>			
Number of Insurers	737	739	746	746
	<b>Dollars in Millions</b>			
Net Premiums Written	\$284,822	\$279,295	\$260,710	\$272,826
Admitted Assets	1,022,692	989,178	970,596	962,536
Unearned Premium & Loss Reserves	520,607	508,540	495,778	502,233
Other Liabilities	129,083	117,383	111,804	110,270
Capital	3,938	3,942	3,972	3,980
Surplus to Policyholders	373,002	363,255	363,015	350,033
	<b>Mutual Companies</b>			
Number of Insurers	66	67	67	67
	<b>Dollars in Millions</b>			
Net Premiums Written	\$98,895	\$93,996	\$89,684	\$86,179
Admitted Assets	\$347,098	328,753	320,386	302,771
Unearned Premium & Loss Reserves	\$123,827	118,767	113,883	109,379
Other Liabilities	\$40,855	37,693	42,039	38,302
Surplus to Policyholders	\$182,416	172,293	164,464	155,090

**PROPERTY/CASUALTY NET PREMIUMS WRITTEN**

Stock Companies				Mutual Companies			
Number of Companies	Net Premiums Written	Surplus/ Policy-holders	Ratio of Premiums to Surplus	No. of Companies	Net Premiums Written	Surplus/ Policy-holders	Ratio of Premiums to Surplus
	Dollars in Millions				Dollars in Millions		
737	\$284,822	\$373,002	0.76	66	\$98,895	\$182,416	0.54
Aggregate Writings (in Billions): <b>\$383.72</b>							
% in Stock: <b>74.23%</b>							

**PROPERTY/CASUALTY INSURER DIRECT PREMIUMS WRITTEN 2012-2016**

Property/Casualty Lines	Dollars in Millions					Percentage Change	
	2012	2013	2014	2015	2016	2012-2016	2015-2016
All Premiums Written	\$35,907	\$38,005	\$39,294	\$40,558	\$41,993	17%	3.54%
Private Passenger Auto	10,811	11,112	11,482	11,945	12,634	17%	5.77%
Bodily Injury and Property Damage Liability	7,279	7,399	7,547	7,724	8,099	11%	4.84%
Comprehensive and Commercial Auto	3,532	3,713	3,934	4,220	4,535	28%	7.47%
General (Other) Liability	1,826	1,962	2,102	2,200	2,370	30%	7.73%
Commercial Multi-Peril	4,466	4,978	5,314	5,710	5,830	31%	2.10%
Workers' Compensation	3,249	3,488	3,614	3,592	3,659	13%	1.88%
Homeowners' Multi-Peril	4,755	5,191	5,261	5,524	5,894	24%	6.70%
Medical Malpractice	4,704	4,902	5,086	5,196	5,224	11%	0.55%
Inland Marine	1,354	1,365	1,317	1,168	1,092	-19%	-6.49%
Ocean Marine	1,139	1,262	1,370	1,467	1,480	30%	0.90%
Fidelity and Surety	445	444	452	405	394	-12%	-2.87%
Accident and Health	442	483	482	512	538	22%	5.14%
Fire	387	421	419	404	427	10%	5.68%
	564	600	638	610	643	14%	5.37%

Product Liability	135	152	180	232	221	64%	-4.60%
Financial Guaranty	431	375	255	227	209	-52%	-7.89%
Mortgage Guaranty	177	184	172	170	168	-5%	-0.77%
Allied Lines	366	386	408	457	445	22%	-2.58%
Aircraft	47	57	51	59	42	-11%	-29.77%
Boiler and Machinery	84	87	91	103	107	27%	3.92%
Credit	152	140	146	149	174	14%	16.43%
Burglary and Theft	23	26	28	30	31	34%	3.32%
All Other	349	391	426	399	410	17%	2.80%

**FINANCIAL GUARANTY INSURERS SELECTED DATA**

	2016	2015	2014	2013
<b>Number of Companies</b>	<b>13</b>	<b>13</b>	<b>15</b>	<b>15</b>
	<b>Dollars in Millions</b>			
Exposure	\$728,148	\$955,439	\$1,219,632	\$1,481,807
Net premiums written	360	395	478	706
Admitted assets	27,591	27,497	30,300	31,458
Unearned premium & loss reserves	8,594	9,230	11,249	12,309
Other liabilities	6,372	6,973	7,218	7,704
Capital	1,037	1,037	1,070	1,067
Surplus to policyholders	12,625	11,743	11,833	11,445

<b>MORTGAGE GUARANTY INSURERS SELECTED ANNUAL STATEMENT DATA</b>				
	<b>2016</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>
<b>Number of companies</b>	<b>24</b>	<b>24</b>	<b>28</b>	<b>28</b>
		<b>Dollars in Millions</b>		
Net premiums written	\$3,607	\$3,785	\$3,649	\$3,821
Admitted Assets	19,596	19,168	19,001	19,101
Unearned premium & loss reserves	7,046	8,356	10,027	12,025
Other liabilities	6,835	4,723	2,694	1,386
Capital	67	67	78	77
Surplus	5,715	6,089	6,280	5,690

<b>MORTGAGE GUARANTY INSURERS NET PREMIUMS WRITTEN AND SURPLUS</b>		
<b>Net Premiums Written</b>	<b>Surplus to Policyholders</b>	<b>Ratio of Premiums</b>
<b>(During Year)</b>	<b>(End of Year)</b>	<b>to Surplus</b>
<b>Dollars in Millions</b>		
\$3,607	5,715	0.63

**TITLE INSURANCE COMPANIES SELECTED  
DATA**

	2016	2015	2014	2013
<b>Number of Companies</b>	<b>23</b>	<b>23</b>	<b>23</b>	<b>23</b>
	<b>Dollars in Millions</b>			
Net premiums written	\$11,888	\$10,869	\$9,317	\$10,570
Admitted assets	8,600	7,890	7,672	7,638
Liabilities	4,657	4,310	4,198	4,253
Capital	408	408	410	404
Surplus	3,943	3,581	3,474	3,386

**ADVANCE PREMIUM AND ASSESSMENT CORPORATIONS SELECTED DATA**

2016	Total	Advance Premium Corporations	Assessment Corporations
<b>Number of companies</b>	<b>38</b>	<b>16</b>	<b>22</b>
	<b>Dollars in Millions</b>		
Total assets	\$3,045	\$2,550	\$495
Net premiums written	1,058	902	156
Surplus funds	1,614	1,299	315

HEALTH INSURANCE ASSETS, LIABILITIES AND PREMIUMS WRITTEN

	Assets	Liabilities	Premiums Written in New York
	Dollars in Thousands		
Continuing Care Retirement Community (CCRC) <sup>1</sup>	\$1,160,921	\$ 1,603,855	n/a (see note below)
Article 42 Insurer	28,380, 639	17,086,497	\$13,749,781
Article 43 Corporation	7,184,355	4,020,946	15,939,121
HMO	5,722,822	2,883,866	16,277,132
Municipal-Cooperative Health Benefit Plans (MCH) <sup>2</sup>	421,304	203,156	789,583
Self-Funded Student Health Plans <sup>3</sup>	50,759	38,712	29,421
<b>Total</b>	<b>\$ 42,920,800</b>	<b>\$25,837,031</b>	<b>\$46,785,039</b>

<sup>1</sup> Numbers for CCRCs as of 2016. 2017 statements for CCRCs are due April 30th. CCRCs do not have premiums. Residents pay a monthly fee.

<sup>2</sup> MCH statements are due 120 days after the end of their fiscal year.

<sup>3</sup> Self-Funded Student Health Plan statements are due 120 days after the end of their fiscal year.

## CHANGES IN AUTHORIZED INSURERS

Life Insurance Companies	Date
<b>Domestic Company Licensed</b>	
Assurity Life Insurance Company of New York, Albany, NY	Apr. 4
<b>Merger Filed</b>	
Security Health Insurance Company of America, New York, Inc. (Accident and Health) into Ameritas Life Insurance Corp. of New York	Sept. 30
<b>Redomestication Filed</b>	
Sun Life and Health Insurance Company (from Connecticut to Michigan)	Aug. 1
<b>Liquidation</b>	
American Medical and Life Insurance Company	Dec. 21
<b>Redomestication Filed</b>	
Sun Life and Health Insurance Company (from Connecticut to Michigan)	Aug. 1
<b>Health Insurance and Other Health Related Risk Bearing Entities</b>	
<b>Newly Licensed</b>	
University of Rochester Student Health Plan (IHE)	April 21
Spartan Plan NY, Inc. (HMO)	April 27
Rochester Area School Health Plan II Municipal Cooperative Health Benefit Plan (MCH)	December 29
<b>Mergers</b>	

Health Net Insurance of New York, Inc. merged with and into UnitedHealthcare Insurance Company of New York	May 10
Senior Health Partners, Inc. (MLT) merged with and into HealthFirst PHSP, Inc. (PHS)	December 22
Heritage Health Systems of New York, Inc. (HMO) merged with and into Wellcare of New York, Inc (PHS)	December 31
<b>Name Changes</b>	
“Today's Options of New York, Inc.” to “Molina Healthcare of New York, Inc. D/B/A Molina Healthcare” (PHS)	January 18
“Commercial Travelers Mutual Insurance Company” to “Commercial Travelers Insurance Company”	May 1
“Commercial Travelers Insurance Company” to “Commercial Travelers Life Insurance Company”	June 30
“Renaissance Health Insurance Company of New York” to “Renaissance Life & Health Insurance Company of New York”	December 18
<b>Demutualization</b>	
Commercial Travelers Mutual Insurance Company converted from a mutual health insurance company to a stock health insurance company	May 1
<b>Changes in Organization Type</b>	
Commercial Travelers Insurance Company (Accident and Health) to Commercial Travelers Life Insurance Company (Life)	June 30
Renaissance Health Insurance Company of New York (Accident and Health) to Renaissance Life & Health Insurance Company of New York (Life)	December 18
<b>Changes in By-Laws</b>	
MedAmerica Insurance Company of New York	March 16
Delta Dental of New York, Inc.	March 17
Excellus Health Plan, Inc.	March 31
Independent Health Association, Inc.	April 5

Group Health Incorporated	June 21
Health Insurance Plan of Greater New York	June 21
Independent Health Benefits Corporation	June 21
Delta Dental Insurance Company	June 27
Healthnow New York Inc.	September 14
<b>Change in Articles of Incorporation and By-Laws</b>	
Physicians Mutual Insurance Company	January 10
<b>Surrendered License and Withdrew from doing business in New York</b>	
Care Improvement Plus of Texas Insurance Company	July 6

## LIFE INSURANCE COMPANIES REGULATED BY THE DEPARTMENT

Type	Number
Life – New York	82
Life – Other States	51
Accredited Reinsurers	25
Fraternal – New York	3
Fraternal – Other States	30
Fraternal – Canadian, U.S. Branch	1
Charitable Annuities	381
Retirement Systems	21
Life Settlement Providers	23
Welfare Funds	22
Certified Reinsurers	11
<b>Total</b>	<b>650</b>

## LIFE INSURANCE COMPANY ADMITTED ASSETS

	2016	2015	2011	2006
	Dollars in Billions			
<b>Total</b>	<b>\$3,072.3</b>	<b>\$2,987.5</b>	<b>\$2,589.0</b>	<b>\$2,374.3</b>
Percent Increase From 2006	29.4%	25.8%	9.0%	-
Type of Asset				
Bonds	\$1,259.1	\$1,210.0	\$1,125.6	\$1,009.1
Stocks	64.2	58.5	61.7	84.2
Mortgage Loans	240.9	228.7	182.2	174.7
Real Estate	12.6	11.5	10.9	12.0
Policy Loans/Liens	71.3	70.7	69.2	59.6
Short-Term Holdings	13.5	16.0	21.1	13.7
Other	1,410.7	1,391.7	1,118.2	1,021.0

Note: Detail may not add to totals due to rounding.

### LIFE INSURER ASSETS, LIABILITIES, CAPITAL & SURPLUS

	2016	2015
	Dollars in Billions	
Assets	\$3,072.3	\$2,987.5
Liabilities	2,875.7	2,790.4
Capital & Surplus	196.6	197.1

### TOTAL LIFE INSURANCE IN FORCE (COMPANIES LICENSED IN NEW YORK STATE)

	2016	2015	2011	2006
	Dollars in Billions			
<b>Total Insurance In Force</b>	<b>\$17,406.6</b>	<b>\$16,745.0</b>	<b>\$14,579.7</b>	<b>\$12,254.4</b>
Percent increase from 2006	42.0%	36.6%	19.0%	-
	Dollars in Billions			
<b>Type of Business</b>				
Ordinary	\$9,230.8	\$8,906.6	\$7,886.2	\$6,574.2
Group	8,147.4	7,809.7	6,658.4	5,626.7
Credit	24.3	24.5	29.5	47.5
Industrial	4.0	4.1	5.6	6.0

### LIFE INSURANCE IN FORCE IN THE STATE OF NEW YORK

	2016	2015	2011	2006
	Dollars in Billions			
<b>Total</b>	<b>\$2,176.0</b>	<b>\$2,110.3</b>	<b>\$1,934.7</b>	<b>\$1,767.8</b>
Percent increase from 2006	23.1%	19.4%	9.4%	-
<b>Class of Business</b>				
Ordinary	\$1,476.7	\$1,441.5	\$1,287.9	\$1,065.4
Group	694.3	663.9	642.0	695.1
Credit	4.6	4.7	4.4	6.8
Industrial	0.3	0.3	0.5	0.6

**DOMESTIC LIFE INSURANCE COMPANIES ADMITTED ASSETS/INSURANCE IN FORCE**

	2016	2015	2011	2006
	<b>Dollars in Billions</b>			
Admitted Assets	\$1,310.6	\$1,264.1	\$1,051.6	\$884.2
Percent Increase from 2006	48.2%	43.0%	18.9%	-
	<b>Dollars in Billions</b>			
Insurance in Force	\$7,212.7	\$7,097.0	\$6,622.4	\$5,394.8
Percent Increase from 2006	33.7%	31.6%	22.8%	-

**FRATERNAL BENEFIT SOCIETIES ADMITTED ASSETS/INSURANCE IN FORCE**

	2016	2015	2011	2006
	<b>Dollars in Billions</b>			
Admitted Assets	\$119.7	\$114.7	\$96.4	\$77.6
Insurance in Force	\$410.4	\$396.8	\$357.8	\$305.0

**PRIVATE PENSION FUNDS ADMITTED ASSETS/INSURANCE IN FORCE**

	2016	2015	2011	2006
	<b>Dollars in Millions</b>			
Fair value of assets	\$231,804	\$233,124	\$203,839	\$222,066
Payments to Annuitants and Beneficiaries	\$28,896	\$29,236	\$24,053	\$19,059

**PUBLIC RETIREMENT SYSTEMS AND PENSION FUNDS ADMITTED ASSETS/INSURANCE IN FORCE**

	2016	2015	2011	2006
	<b>Dollars in Millions</b>			
Fair Value of Assets	\$438,069	\$444,946	\$350,383	\$332,802
Payments to Annuitants and Beneficiaries	\$28,881	\$28,028	\$23,485	\$17,406

**SEGREGATED GIFT ANNUITY FUNDS ADMITTED ASSETS/INSURANCE IN FORCE 2006-2016**

	2016	2015	2011	2006
	<b>Dollars in Millions</b>			
Total admitted assets	\$2,859.1	\$2,632.6	\$2,300.3	\$2,079.1
Annual payments to annuitants	\$222.4	\$210.6	\$203.6	\$180.4

## FUNDS HELD BY OR DEPOSITED WITH THE SUPERINTENDENT

### UNCLAIMED FUNDS FROM VOLUNTARY OR INVOLUNTARY BANK LIQUIDATIONS

Date Funds Paid to Superintendent	Name of Institution	Deposits or Dividends	Paid to Claimants in 2016-17	Paid to Date	Balance
November 28, 2016	Zurich Depository Corporation	\$412,366.44	\$0	\$0	\$412,366.44
	<b>Total</b>	<b>\$412,366.44</b>	<b>\$0</b>	<b>\$0</b>	<b>\$412,366.44</b>

Note: All unclaimed Funds on deposit with the Superintendent are held by the Office of the State Comptroller.

### PUBLIC MOTOR VEHICLE LIABILITY SECURITY FUND

<b>Beginning Balance as of 4/01/2016</b>	<b>\$133,045,313</b>
Assessments Paid into the Fund	14,690,473
Net Interest income	742,589
Recoveries	773,785
Total Receipts	16,206,847
<b>Subtotal</b>	<b>149,252,160</b>
Disbursements:	
Administrative Expenses	37,829
Awards & Expenses of companies in liquidation	4,411,217
<b>Total Disbursements</b>	<b>4,449,046</b>
<b>Total in Fund as of 3/31/2017</b>	<b>\$144,803,114</b>

Note: The fund has an outstanding liability of \$50 million for funds transferred from the Property Casualty Insurance Security Fund, as permitted under Section 7603 (e) (2) of the Insurance Law.

## FUNDS HELD BY OR DEPOSITED WITH THE SUPERINTENDENT

### UNCLAIMED FUNDS FROM VOLUNTARY OR INVOLUNTARY BANK LIQUIDATIONS

Date Funds Paid to Superintendent	Name of Institution	Deposits or Dividends	Paid to Claimants in 2015-16	Paid to Date	Balance
July 20, 2010	Middle Village Credit Union	\$43,054.73	\$0	\$24,546.85	\$18,507.88
	<b>Total</b>	<b>\$43,054.73</b>	<b>\$0</b>	<b>\$24,546.85</b>	<b>\$18,507.88</b>

Note: All unclaimed Funds on deposit with the Superintendent are held by the Office of the State Comptroller.

### PROPERTY CASUALTY INSURANCE SECURITY FUND

<b>Beginning Balance as of 4/01/2016</b>	<b>\$314,299,002</b>
Assessments Paid into the Fund	0
Net Interest income	1,827,066
Recoveries	18,118,533
Total Receipts	19,945,599
<b>Subtotal</b>	<b>334,244,601</b>
Disbursements:	
Administrative Expenses	229,983
Awards & Expenses of companies in liquidation	47,667,252
Total Disbursements	47,897,235
<b>Total in Fund as of 3/31/2017</b>	<b>\$286,347,366</b>

Note: Total does not include transfer of \$87 million to State General Purpose Fund, or transfer of \$50 million to the Public Motor Vehicle Liability Security Fund.

**WORKERS COMPENSATION SECURITY FUND**

<b>Beginning Balance as of 4/01/2016</b>	<b>\$143,372,790</b>
Assessments Paid into the Fund	2,171,839
Net Interest income	862,273
Recoveries	57,674,685
Total Receipts	60,708,797
<b>Subtotal</b>	<b>204,081,587</b>
Disbursements:	
Administrative Expenses	55,358
Awards & Expenses of companies in liquidation	75,758,742
Total Disbursements	75,814,100
<b>Total in Fund as of 3/31/2017</b>	<b>\$128,267,487</b>

**STATE TRANSMITTER OF MONEY INSURANCE FUND (STMIF)**

	<b>Amount</b>
<b>Assets</b>	
Cash in STMIF Account as of April 1, 2016	\$19,482,652
Cash Received in STMIF from 2016-17 Assessments	0
Interest Received in STMIF	103,687
Cash Expenses in 2016-17	0
<b>TOTAL ASSETS</b>	<b>19,586,339</b>

**DEPARTMENT ORGANIZATION AND MAINTENANCE**  
**2016 DEPARTMENT RECEIPTS**

**ASSESSMENTS AND REIMBURSEMENT OF DEPARTMENT EXPENSES**

<b>Assessments and Reimbursement of Department Expenses:</b>	<b>Amount</b>
Banking Industry Assessment	\$96,086,020
Insurance Industry Assessment	154,981,158
Banking Industry Specific Assessment	61,534
STMIF Assessment	0
Insurance Industry Examination Fees	12,317,314
Administrative Expense Reimbursement	236,176
Subtotal	263,682,202
<b>Taxes Collected</b>	
Retaliatory Taxes - Insurance Law Section 1112	6,274,995
Excess Line Premium Taxes - Insurance Law Section 2118	114,019,136
Organization Tax – Section 180, Tax Law	0
Subtotal	120,294,131
<b>Fees and Other Revenue Collected</b>	
Section 9110 - Motor Vehicle Law Enforcement Fee	125,307,756
Licensing and Accreditation Fees	23,227,738
Section 9108 - Fire Insurance Fee	18,199,453
Fines and Penalties	1,091,991,574
MLO Annual License Fees	2,376,920
Banking Industry Application Fees	883,875

Section 1212 - Summons and Complaints	601,553
Section 1112 - Filing Annual Statements, Certificates of Authority and Admission Fees	1,139,637
Fingerprint Fees	231,662
Section 9107 - Certification & Filing Fees	4,140
FOIL Requests	1,005
Miscellaneous Revenue	4,625
Subtotal	1,263,969,938
<b>Foreign Fire Tax and Security Funds Receipts</b>	
Foreign Fire Tax - Insurance Law Sections 2118, 9104 and 9105	61,415,529
Property Casualty Insurance Security Fund - Article 76	19,945,599
Public Motor Vehicle Liability Security Fund - Article 76	16,206,847
Workers' Compensation Security Fund - Article 6A of WC Law	60,708,797
Subtotal	158,276,772
<b>Total Department Receipts</b>	<b>\$1,806,223,043</b>

**2016-2017 STATE FISCAL YEAR FINANCIAL SERVICES EXPENDITURES**

<b>APPROPRIATIONS AVAILABLE</b>	<b>\$410,959,963</b>
Operating Budget	
Banking	99,116,269
Insurance	130,708,918
Subtotal – Operating Budget	229,825,187
Other Programs	

Banking Sub-allocations to other Agencies	227,000
Insurance Sub-allocations to other Agencies	91,839,890
Healthy NY, HMO Direct Pay, & Entertainment Workers Programs	36,364,338
Seized Assets	0
Settlement Enforcement	508,468
Subtotal – Other Programs	128,939,696
<b>Total Expenditures</b>	<b>\$358,764,883</b>