

# Frequently Asked Questions (FAQ)

## 1. Why is there a consent order?

- a. The consent order resolved a dispute between the bank and the New York State Department of Financial Services (NYS DFS) without further legal action. Using the Bayesian Improved Surname Geocoding (BISG) proxy, the NYS DFS determined, through statistical analysis, that CCTC's indirect automobile lending program violated federal and state fair lending laws by charging a higher interest rate on Hispanic borrowers than similarly situated non-Hispanic white borrowers.

NYS DFS did not find evidence of any intentional discrimination against Hispanic borrowers on the part of CCTC or its employees, and CCTC's lending policies were neutral with regard to race and ethnicity. However, the Bank's policy or practice of permitting automobile dealers to impose a dealer markup without any justification on the basis of objective credit related factors resulted in disparate impact on the basis of ethnicity.

## 2. Will there be restitution?

- a. CCTC will provide restitution to all Eligible Impacted Borrowers identified during NYS DFS's Consumer Compliance and Fair Lending examination. CCTC will mail a check to the last known address of each Eligible Impacted Borrower.

## 3. Who is eligible to receive restitution?

- a. Eligible Impacted Borrowers identified as having a BISG probability of being Hispanic, paid more than the average interest rate markup for non-Hispanic white borrowers, and were provided automobile financing through CCTC between January 1, 2016 and December 31, 2020.

## 4. How much will I receive?

- a. If you are an Eligible Impacted Borrower, you will receive a reimbursement based on the higher interest paid over the loan term, as compared to the average interest rate paid by similarly situated non-Hispanic white borrowers.

## 5. What if I was impacted, but not identified as an Eligible Impacted Borrower?

- a. If you believe you have been impacted, but were not identified as an Eligible Impacted Borrower, please visit [chemungcanal.com/consentorder](https://chemungcanal.com/consentorder) and follow the instructions to submit a claim. Once received, CCTC will make a determination as to whether the claimant was impacted, subject to NYS DFS's review.

A claim also may be submitted by either phone at (800) 836-3711, fax at (607) 735-2064 (Attention: Compliance Department), electronic mail at [settlement@chemungcanal.com](mailto:settlement@chemungcanal.com) or by regular mail to:  
Chemung Canal Trust Company  
ATTN: Compliance  
PO Box 1522  
Elmira, NY 14902  
ATTN Compliance Department

All claims must be received by **August 2, 2022**. If submitted by regular mail, the claim must be postmarked no later than **August 2, 2022**.

## 6. How do I get more information?

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- a. For more information, please visit our website at [chemungcanal.com/consentorder](http://chemungcanal.com/consentorder), or NYS DFS's website at <https://www.dfs.ny.gov/>.