

POSITION DUTY STATEMENT

DFPI-HR0 203 (Rev. 08-21)



NAME [Employee]	EFFECTIVE DATE [Actual Start Date]
CLASSIFICATION TITLE Financial Institutions Manager	POSITION NUMBER 410-122-4104-XXX
WORKING TITLE FSO Special Administrator	DIVISION/OFFICE/UNIT/SECTION Corporations and Financial Institutions/Financial Services Office
BARGAINING UNIT M01	GEOGRAPHIC LOCATION Sacramento, San Francisco, Los Angeles, San Diego

General Statement: Under the general direction of the Financial Services Office (FSO) Deputy Commissioner, the Financial Institutions Manager (FIM) acts as a statewide coordinator for administration, licensing and enforcement of all matters relating to the California Financing Law (CFL), California Deferred Deposit Transaction Law (CDDTL), and the Check Seller/Billpayer/Prorater Law (CSBPPL). The FIM manages a group of examiner staff, assists in the organization, planning, and direction of a statewide licensing program and examination program, assists in the general administration of the FSO and makes recommendations concerning technical and policy matters. Duties include, but are not limited to, the following:

A. Specific Assignments [Essential (E) / Marginal (M) Functions]:

20% Licensing of CFL/CDDTL/CSBPPL (E)

- Plans, directs and manages all licensing activities for the CFL, and provides final determination when a license will be issued under the law.
- Reviews and approves completed application files and unusual business plans for compliance with the CFL/CDDTL/CSBPPL. Applications that do not qualify for a license are referred to the Enforcement Division through the Financial Services Deputy Commissioner for denial, and assistance is provided to counsel in legal proceedings resulting from the licensing activities.
- Ensures the processing of license amendments and surrender of licenses are processed within designated timeframes. Examples of amendments include, but are not limited to: address changes, name changes, and changes of ownership.
- Issues revocation orders on CFL/CDDTL/CSBPPL companies that fail to pay the annual assessment and cease new business orders on companies that fail to comply with the surety bond requirements.

20% Examinations (E)

- Plans, organizes, directs, reviews and manages regulatory examinations.
- Manages the preparation of examination reports to licensees, memoranda to staff

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members, letters to licensees and public members on various matters relating to the regulation of the CFL/CDDTL/CSBPPL.

- Reviews and determines when an administrative action (suspension, revocation, cease and desist) is warranted.
- Makes recommendations for employee disciplinary actions to the Financial Services Deputy Commissioner, when warranted. Works with staff to prepare the referral memo with documentation and assists counsel during administrative hearings.
- Provides expert opinion in the law and assists staff to correctly interpret the law and changes to it.
- Through training and development, assists examiner staff with portions of complex examinations of larger financial institutions and/or financial firms relating to the regulation and enforcement of applicable state and federal laws.
- Assists examination staff on examinations.

15%

Communication and Liaison(E)

- Responds to inquiries from industry members, staff, and the public regarding the CFL program; represents the Department at industry group meetings or conferences, including representing the commissioner through oral presentations/speeches and participating in industry panel discussions; communicates with industry members, CFL Agents Fidelity Corp., consumer advocate groups, and other state and federal regulators, as needed.
- Provides information on administrative actions taken against a licensee to other governmental agencies.
- Ensures that public information is properly included in the Department's website.

10%

Expert Consultation & Guidance (E)

- Works with regulatory staff to provide expert guidance and direction on the special examinations of problem companies. The Special Administrator, due to their experience and expertise regarding the CFL/CDDTL/CSBPPL, reviews examination procedures with examiners and their supervisors of the most complex examinations, usually involving trust account shortages or fraud.
- Plans, organizes, directs, reviews and manages the regulatory examinations of those CFL/CDDTL/CSBPPL companies that have or are suspected of having severe violations.
- Manages the preparation of examination memoranda of staff members, letters to licensees and public members on various matters relating to the regulation of the CFL/CDDTL/CSBPPL.
- Reviews and determines when an administrative action (suspension, revocation, cease and desist) is warranted and the extent of such action for violations found during the licensing, examination, or complaint process.
- Makes recommendations for licensee disciplinary actions to the Financial Services Deputy Commissioner, when warranted.

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- Works with staff to prepare the referral memo with documentation and assists counsel during administrative hearings.
- Provides expert opinion in the law and assists staff to correctly interpret the law and changes to it.

10% Legislation and Rule Changes (E)

- Reviews new or amended laws or legislation to determine impact to the program and ensures compliance with existing laws and legislation by incorporating new policy/procedures or changes in existing policies/procedures.
- Recommends changes to existing CFL/CDDTL/CSBPPL rules and regulations.
- Prepares supporting analysis and drafts language for proposal.
- Reviews and provides input on legislation that is proposed by the industry and other interested groups.
- Provides regulatory and licensing staff with legislation updates and provides input to create new examination procedures, if necessary.

10% Monthly Reporting/Yearly Assessments (E)

- Reviews and edits information and provides input for the Commissioner's monthly executive report to agency; reviews all licensing and administrative forms, letters and applications and makes revisions as necessary, before the correspondence is sent out.
- Determines and imposes yearly administrative assessment fees and penalties for late or non-payment of those fees.
- Provides expert consultation and guidance to Executive staff in the CFL/CDDTL/CSBPPL Law program area and keeps them apprised of new and/or amended policies and procedures.

5% Background Checks (E)

- Reviews and analyzes negative information discovered in required background checks of officers, directors, stockholders and all other licensee personnel, and communicates with these individuals when necessary and appropriate and makes the final employment eligibility determination.
- Makes recommendations to the Financial Services Deputy Commissioner regarding whether or not Enforcement action to bar a person from employment, management or control of any CFL/CDDTL/CSBPPL agent is warranted.

5% Complaints (E)

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- Provides staff assistance in resolving complaint issues when it is unclear whether CFL have been violated and resolves the most complex and/or politically sensitive complaints (i.e. complaints from the Legislature and/or the Governor's Office).

5% Other (M)

- Other related duties as required.

B. Supervision Received

The FIM reports directly to and receives most assignments from the Deputy Commissioner however, direction and assignments may also come from the public, licensees, Senior Deputy Commissioner, or Commissioner.

C. Supervision Exercised

The FIM closely supervises two (or more) Senior Financial Institutions Examiners (SFIE) and approximately 6-10 professional staff.

D. Administrative Responsibility

The CFL/CSBPPL program is required to meet a risk-based examination cycle to ensure the meeting on the FSO's statutory responsibility to oversee and regulate licensees. The CDDTL program is required to meet a two-year statutory examination requirement. The FIM is required to develop and execute an exam plan, issue assignments to staff, and manage the review of assignments. Additionally, the FIM is required to manage licensing activities to ensure the program meets statutory requirements.

E. Personal Contacts

Some consequences of not performing job duties will result in public harm due to lack of regulations of the CFL/CDDTL/CSBPPL industry. Misinformation provided to licensees could result in complaints, confusion, and loss of creditability. This position is critical in protecting the public from bad actors.

F. Actions and Consequences

Failure of the FIM to perform the duties detailed above may result in:

- 1) failure to adequately identify non-compliance with the law
- 2) failure to detect consumer harm
- 3) significant delays in the completion of assignments

G. Functional Requirements

Functional requirements and or physical tasks involves the following:

- 1) The incumbent works 40 hours per week in an office setting, with artificial light and temperature control. The use of a personal computer, telephone, copier, and fax machine is essential to the duties of this position. The position requires bending and

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stooping to retrieve files, sitting and standing consistent with office work, and light lifting of no more than 25 lbs.

- 2) Minor pushing or pulling (less than 25%),
- 3) Operation of office equipment such as laptop computer, monitor, portable printer/scanner (more than 75%)
- 4) Travelling to licensee locations (up to 75%),
- 5) Working in enclosed office (work/home office/licensee locations) environments (more than 75%).

H. Other Information

Speaking at conferences and roundtable meetings will be required and may require traveling. In addition, support on large examinations may be needed.

CONFLICT OF INTEREST

This position is subject to Title 10, § 250.30 of the California Code of Regulations, the Department of Financial Protection and Innovation's Conflict of Interest Regulations, the incumbent is required to submit a Statements of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1st and within 30 days of leaving office.

FINGERPRINTING

Title 11, section 703 (d) of the California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance with DFPI's (CORI) procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

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I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature

Date

Employee's Printed Name, Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature

Date

Supervisor's Printed Name, Classification