



## RECEIVABLES MANAGEMENT CERTIFICATION PROGRAM

### Program Overview

Receivables Management Association International (RMA) is the nonprofit trade association that represents the interests of more than 550 companies that support the purchase, sale, and collection of performing and nonperforming receivables on the secondary market. RMA's Receivables Management Certification Program (RMCP) and its Code of Ethics set the "gold standard" within the receivables management industry due to its rigorous uniform industry standards of best practice which focus on consumer protection through increased transparency and operational controls. Founded in 1997, RMA began certifying companies and individuals in 2013. As of 2017, over 350 certifications have been authorized.

## A Single Compliance Footprint for Receivables

### Individual Certification

- **Certified Receivables Compliance Professional (CRCP)** – Individual-based certification required for each certified company's Chief Compliance Officer and a voluntary designation for others within the industry. Every two years, individuals must pass a criminal background check conducted by RMA and obtain 24 continuing education credits in subjects related to the receivables management industry, including 2 required ethics credits.

### Business Certification

Company certifications are granted to companies that comply with uniform and rigorous industry standards of best practices and pass a company background check. All standards meet federal and state statutory requirements and many exceed these requirements or create standards where none existed (see reference key).

- **Certified Professional Receivables Company (CPRC)** – Company-based certification for debt buying companies, law firms, and collection agencies based on complying with industry standards of best practice.
- **Certified Receivables Broker (CRB)** – Company-based certification for businesses that facilitate sales transactions between sellers and purchasers of receivables.

### Three Types of Compliance Audits

- **Self-Compliance Audit** – Performed prior to the initial application and every two (2) years thereafter when reapplying for certification. The self-compliance audit must be attested to in the application and will be subject to independent third party verification.
- **Full Compliance Audit** – Performed by an independent third party auditor prior to the first certification renewal period (year 2) and then thereafter every three years.
- **Limited Compliance Audit** – Performed by an independent third party auditor in response to specific and credible third party allegations of non-conformity. A Limited Compliance Audit can be performed at any time at the direction of the Certification Audit Committee.

### Feedback and Contacts

RMA encourages feedback on the Certification Program to ensure the program requirements continually evolve and remain the most comprehensive national standard of best practices for the industry. Send your comments to Jan Stieger at [jstieger@rmassociation.org](mailto:jstieger@rmassociation.org) or David Reid at [dreid@rmassociation.org](mailto:dreid@rmassociation.org) or call (916) 482-2462.

The full version of RMA’s Receivables Management Certification Program is available at [www.dbainternational.org/certification](http://www.dbainternational.org/certification).

## CERTIFICATION COMPARISON CHART

REFERENCE KEY		
No Federal and/or State Statutory Requirements	Stronger than Federal and/or State Requirements	Meets Federal & State Statutory Requirement

CPRC -- Series “A” Standards	
Debt Buying Companies, Collection Law Firms and Collection Agencies	
<b>Standard # 1</b> Laws & Regulations	Requires compliance with FDCPA, TCPA, FCRA, SCRA, Dodd-Frank, U.S. Bankruptcy Code, as well as all state and local consumer protection laws.
<b>Standard # 2</b> Errors & Omissions Insurance	Requires a minimum insurance threshold to which all participants must adhere.
<b>Standard # 3</b> Criminal Background Checks	Requires a criminal background check on all new full and part time prospective employees who will have access to consumer data.
<b>Standard # 4</b> Employee Training Programs	Requires annual employee training on RMA Certification Standards, corporate policies and procedures, and laws and regulations.
<b>Standard # 5</b> Consumer Complaint and Dispute Resolution Policies	Requires policies and procedures that instruct employees how to handle and process consumer complaints and disputes in compliance with the law.
<b>Standard # 6</b> Consumer Notices	Requires the maintenance of a master database of all state and federal consumer notice requirements and comply therewith.
<b>Standard # 7</b> Data Security Policy	Requires a data security policy that: (1) meets or exceeds state and federal laws and regulations; (2) requires an annual risk assessment and to make adjustments based on the results; and (3) conforms to the components of a “reasonable data security policy” RMA developed with the FTC.
<b>Standard # 8</b> CFPB Consumer Complaint System	Requires the establishment of a portal for the receipt of consumer complaints and inquiries with the CFPB and to respond to all complaints or inquiries according to CFPB’s prescribed guidelines.
<b>Standard # 9</b> Payment Processing Policy	Requires all payments to be processed consistent with any instructions given by the consumer at the time of payment.
<b>Standard # 10</b> State Licensing Requirements	Requires compliance with all state and municipal collection licensing laws.
<b>Standard # 11</b> Credit Bureau Reporting	Requires notifying credit bureaus within 30 days of: (1) identifying inaccurate information; (2) a consumer disputing the accuracy of a report; and (3) a change in ownership of a receivable.
<b>Standard # 12</b> Statute of Limitations	Prohibits the bringing a lawsuit on a debt that is beyond the statute and prohibits the reviving of an out of statute account through receipt of a payment.
<b>Standard # 13</b> Chief Compliance Officer	Requires the position of Chief Compliance Officer (CCO) charged with internal compliance. CCO is required to maintain an <u>Individual Certification</u> based on receiving ongoing educational requirements related to collection laws and regulations and industry best practices.

<b>CPRC -- Series “A” Standards</b> Debt Buying Companies, Collection Law Firms and Collection Agencies	
<b>Standard # 14</b> Website & Publication	Requires the maintenance of a publicly accessible website which publishes contact information for the company and the Chief Compliance Officer and provides a link to RMA’s consumer education web page.
<b>Standard # 15</b> Vendor Management	Requires vendor management policies and procedures with defined due diligence and/or audit controls. Must perform annual assessment of its policy and third party vendors to determine whether they continue to meet or exceed program requirements.
<b>Standard # 16</b> Affidavits	Requires policy requiring an affiant be under oath and in the presence of a notary and provide truthful and accurate statements based on personal knowledge or being familiar with the business records.
<b>Standard # 17</b> Commissions	Requires all commissions or bonuses based on collection activity to include compliance-related criteria for the payment of such forms of compensation.
<b>CPRC -- Series “B” Standards</b> Debt Buying Companies and Creditors	
<b>Standard # 18</b> Purchase & Sale Documentation Requirements	Requires 14 distinct data and document elements (consistent with CFPB and OCC mandated practices) and an additional nine data and document elements RMA deems as a best practice.
<b>Standard # 19</b> Representations & Warranties	Requires the inclusion of five specific representations and warranties in all purchase agreements.
<b>Standard # 20</b> Sale Restrictions	Prohibits the sale of accounts when: (1) the seller does not have access to original account-level documentation; (2) the consumer disputes the validity or accuracy of the debt; (3) an account has been settled-in-full or paid-in-full; (4) the account has been identified as having been created as a result of identity theft or fraud; (5) proper due diligence on the purchasing company has not been performed; and (6) terms and conditions are not contained in the sales agreement that requires the purchaser to meet or exceed RMA certification standards.
<b>CPRC -- Series “C” Standards</b> Collection Law Firms	
<b>Standard # 21</b> Bar Admission	Requires attorneys employed by the firm to be admitted to the Bar and remain in good standing.
<b>Standard # 22</b> Legal Education	Requires attorneys employed by the firm to receive biennial legal education related to collection law and/or collection litigation.
<b>Standard # 23</b> Legal Malpractice Insurance	Requires a minimum insurance threshold to which all participants must adhere.
<b>Standard # 24</b> Trust Accounts	Requires trust accounts at a federally insured financial institution for the segregation of client funds following rules for such accounts established by the state bar.
<b>Standard # 25</b> Meaningful Attorney Involvement	Requires attorneys to review documents, venue, applicable statute of limitations, court procedures, and applicable laws and regulations before suit is filed.
<b>Standard # 26</b> Judgment Retention	Requires electronically imaged copies of all collection-related judgments and to transmit a copy of the judgment to the judgment holder upon request.

<b>Standard # 27</b> Consumer & Regulatory Complaints	Requires the transmission to a client within five (5) business days any written consumer complaints received by the law firm on one of the client's accounts.
<b>CPRC -- Series "D" Standards</b> Collection Agencies	
<b>Standard # 28</b> Bonding	Requires a minimum bonding threshold to which all participants must adhere.
<b>Standard # 29</b> Trust Accounts	Requires trust accounts at a federally insured financial institution in which all monies received on claims shall be deposited and reconciled on a monthly basis.
<b>Standard # 30</b> Client Inquiries	Requires collection agencies to respond to client inquiries within five (5) business days, or such shorter period agreed to between the parties.
<b>Standard # 31</b> Consumer & Regulatory Complaints	Requires the transmission to a client within five (5) business days any written consumer complaints received by the collection agency on one of the client's accounts.
<b>Standard # 32</b> Cessation of Collections	Requires collection agencies to cease collection activity on a client's accounts upon written notice from the client.
<b>Standard # 33</b> Account Recalls	Requires collection agencies to return all consumer data and/or accounts within fourteen (14) business days from receipt of a written request for their return or within such period of time as agreed to in writing between the parties.

<b>Certified Receivables Broker (CRB)</b>	
<b>Standard # 1</b> Chief Compliance Officer	Requires the position of Chief Compliance Officer (CCO) charged with internal compliance. CCO is required to maintain an <u>Individual Certification</u> based on receiving ongoing educational requirements related to collection laws and regulations and industry best practices.
<b>Standard # 2</b> Criminal Background Checks	Requires a criminal background check on all new full and part time prospective employees who will have access to consumer data.
<b>Standard # 3</b> Employee Training Programs	Requires annual employee training on RMA Certification Standards, corporate policies and procedures, and laws and regulations.
<b>Standard # 4</b> Insurance	Requires a minimum insurance threshold to which all participants must adhere.
<b>Standard # 5</b> Data Security Policy	Requires a data security policy that: (1) meets or exceeds state and federal laws and regulations; (2) requires an annual risk assessment and to make adjustments based on the results; and (3) conforms to the components of a "reasonable data security policy" RMA developed with the FTC.
<b>Standard # 6</b> Affidavits	Requires policy requiring an affiant be under oath and in the presence of a notary and provide truthful and accurate statements based on personal knowledge or being familiar with the business records.
<b>Standard # 7</b> Vendor Management	Requires vendor management policies and procedures with defined due diligence and/or audit controls. Must perform annual assessment of its policy and third party vendors to determine whether they continue to meet or exceed program requirements.

## Certified Receivables Broker (CRB)

<p><b>Standard # 8</b> Broker Agreements</p>	<p>Requires the marketing of accounts to be subject to broker agreements that clearly indicate who the client is and prohibits the broker from representing both the buyer and the seller.</p>
<p><b>Standard # 9</b> Multiple Listings</p>	<p>Requires commercially reasonable efforts to obtain an exclusivity clause in broker agreements to prevent accounts from being simultaneously listed and marketed by multiple brokers.</p>
<p><b>Standard # 10</b> Due Diligence</p>	<p>Requires reasonable due diligence be performed on both the selling and purchasing entities associated with a sales transaction prior to the transmission of any account level data.</p>
<p><b>Standard # 11</b> Prior Experience</p>	<p>Prohibits the facilitation of sales transactions based on prior experiences with the seller that resulted in a significant number of the accounts having to be returned to the seller for issues concerning title, accuracy or integrity of account information, fraud, or identity theft.</p>
<p><b>Standard # 12</b> Seller Requirements</p>	<p>Prohibits facilitating a sales transaction if the seller cannot substantially provide in the purchase/sale agreement the representations and warranties contained in CPRC Standard # 19.</p>
<p><b>Standard # 13</b> Purchaser Requirements</p>	<p>Prohibits facilitating a sales transaction where the purchaser does not agree to include in the purchase/sale agreement terms and conditions that meet or exceed the standards of the Receivables Management Certification Program.</p>
<p><b>Standard # 14</b> Title</p>	<p>Prohibits brokers from taking title or having any ownership interest in the receivables it brokers.</p>