



**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS**

**DFI-DIS-2014-01**

**DIRECTOR'S INTERPRETIVE STATEMENT**

**RE:** Use of the Terms "Banking," "Bank," and "Banker" by State-Chartered Credit Unions Authorized to Do Business in Washington State

**DATE:** June 18, 2014

The Washington Department of Financial Institutions ("DFI") is issuing this Director's Interpretive Statement granting exemption under RCW 30.04.020 to state-chartered credit unions authorized to do business in Washington State<sup>1</sup> to permit the regulated use of the terms "banking," "bank," and "banker" in a manner that will not mislead the public that a credit union holds a bank charter. In general, credit unions may use the term "banking" to generically describe credit union services and products, such as online banking and telephone banking. Consistent with the National Credit Union Administration advertising regulations, 12 C.F.R. Part 740 ("NCUA Advertising Rule"),<sup>2</sup> and in order to avoid misleading consumers, advertisement or characterization of an institution may not be "inaccurate or deceptive."

DFI reserves the right to take enforcement action under RCW 30.04.020 at any time regarding actions not in compliance with this Interpretive Statement.

The following tables set forth examples of permissible uses of the terms "banking," "bank," and "banker" in relation to advertising by state-chartered credit unions authorized to do business in Washington State. DFI recognizes that language is fluid and thus the specific examples set forth below are not intended to be inclusive of all possible uses and terms.

<sup>1</sup> This Interpretive Statement does not presume to affect the advertising policies of federal chartered credit unions operating in Washington State. Federal-chartered credit unions are preempted from DFI's authority under RCW 30.04.020 and are subject only to the National Credit Union Administration's interpretation of its own advertising rules, 12 C.F.R. Part 740.

<sup>2</sup> Pursuant to 12 C.F.R. §740.0, the scope of the NCUA Advertising Rule applies to all federally *insured* credit unions.

TABLES ON USE OF THE TERMS “BANKING,” “BANK,” AND “BANKER”

TABLE 1: Use of the term “banking”

ACCEPTABLE USE OF THE TERM	EXAMPLES OF ACCEPTABLE USE
“Banking” may be used as a verb or an adjective.	<ul style="list-style-type: none"> <li>• “I am banking at ABC Credit Union.”</li> <li>• “...for your banking needs”</li> </ul>
“Banking” may be used as a gerund.	<ul style="list-style-type: none"> <li>• 24-Hour Banking</li> <li>• ATM Banking</li> <li>• Drive-Thru Banking</li> <li>• E-Banking</li> <li>• Home Banking</li> <li>• Internet Banking</li> <li>• Mobile Banking</li> <li>• Phone Banking</li> <li>• Telephone Banking</li> <li>• “An easier way to do your banking”</li> <li>• “Banking at your convenience”</li> <li>• “Do your banking at a partner credit union.”</li> <li>• “Banking is great at XYZ Credit Union.”</li> </ul>

TABLE 2: Use of the term “bank”

ACCEPTABLE USE OF THE TERM	EXAMPLES OF ACCEPTABLE USE
The term “bank” may be used in a limited fashion as a verb to describe the activity of banking.	<ul style="list-style-type: none"> <li>• “Simply a better place to bank.”</li> <li>• “Bank like a Bulldog.”</li> </ul>

TABLE 3: Use of the term “banker”

ACCEPTABLE USE OF THE TERM	EXAMPLES OF ACCEPTABLE USE
The term “banker” may be used in a limited fashion in contexts identifying the entity as a credit union, either by using the term “credit union” or by using the credit union’s name.	<ul style="list-style-type: none"> <li>• “Our credit union is your trusted banker.”</li> <li>• “Let XYZ Credit Union be your business banker.”</li> <li>• “Let XYZ Credit Union be your mortgage banker.”</li> </ul>

This Interpretive Statement addresses the use of the above-referenced terms in describing *financial services*. It does not authorize their use to describe the business model or form of the credit union. For example, the use of the term “bank” on the signage of a credit union building to identify the business is not permitted under the exemption authorized by this Interpretive Statement.