

Suspension of Services and Membership Expulsion Notice for Capital Communications Federal Credit Union and Subsidiaries

This notice outlines the various actions, up to and including expulsion from membership, which Capital Communications FCU and its Subsidiaries (hereinafter referred to collectively as 'the Credit Union' or 'CAP COM FCU') may take in response to behavior that is illegal, threatening, abusive, or otherwise disruptive to credit union operations and/or any activity that causes a financial loss, is associated with fraud, and/or increased reputational or regulatory compliance risk to CAP COM FCU.

Scope:

This notice shall extend to any member who is "not in good standing" or is deemed to be "abusive" as defined below, and who seeks services directly or indirectly through a CAP COM FCU account, through any person who has access to CAP COM FCU services (directly or indirectly through another member), or by way of use of mobile, ATM or electronic devices, or through any shared network. This notice may extend to all accounts and loans upon which the member is named as an account owner, co-owner, borrower or co-borrower.

Not In Good Standing - Defined

A member is not in "Good Standing" with the Credit Union if they meet any of the following conditions:

- A member fails to comply with the terms and conditions of any lawful obligations with Credit Union and/or causes or can potentially cause the credit union a loss.
- A member is delinquent or in default on any credit union loan or has caused the credit union a financial loss.
- A member has an overdrawn savings or share account that remains negative and is not cured within a reasonable time after being notified.
- A member manipulates or otherwise abuses credit union services or products to the detriment of the credit union's membership or in the furtherance of an illegal purpose for personal gain.
- A member engages in threatening, abusive, disruptive, harassing, belligerent or illegal behavior during any communication with credit union related parties, or otherwise injures any person or damages any property while on credit union premises, at any credit union function, or while using any electronic or network services.
- A member inflicts injury to any person or damages any property while on credit union premises or at any credit union function.

Abusive Conduct - Defined

"Abusive Conduct" includes, but is not limited to, any of the following conduct:

- Any conduct, language, behavior, or other action directed toward anyone that is abusive, belligerent, or unprofessional while on the credit union's premises or at a credit union function.
- Any type of harassment including, but not limited to, age, sex, sexual orientation, disability, ethnic, or racial harassment directed toward anyone while on the credit union's premises or at a credit union function.

- Engaging in inappropriate conduct or making lewd overtures, statements advances, or propositions directed toward anyone while on credit union premises or at a credit union function.
- Engaging in offensive or abusive physical contact directed toward anyone while on credit union's premises or at a credit union function.
- Making false, vicious, slanderous, or malicious statements about any credit union employee, official, or the credit union and its services, operations, policies, practice, or management.
- Using profane, abusive, intimidating, or threatening language toward anyone while on the credit union's premises or at a credit union function.
- Making express or implied threats of bodily harm or property damage to an employee or official of the credit union or the family members of those individuals.
- Conducting, attempting to conduct, or engaging in any fraudulent, dishonest, illegal or deceptive activity of any kind involving credit union services or that may negatively impact the reputation of the credit union.
- Willfully or knowingly violating of any law or regulation with which the credit union or its members must comply.
- Misappropriating credit union funds, property, or other material proprietary to the credit union.
- Deliberate or repeated violations of security procedures, rules, restrictions, or transaction limitations.
- Possession of, use of, sale of, or being under the influence of illegal drugs or alcoholic substances while on credit union premises or at a credit union function.
- Possession or display of weapons of any kind with express or implied intent to threaten or cause harm or causing harm while on the credit union's premises.

Fundamental Rights of Membership:

Unless a member is expelled under CAP COM FCU bylaws, a member whose services have been suspended is entitled to maintain a single share (defined as the par value share or membership share) in the Credit Union and is eligible to participate in votes of the membership. If a member's services are suspended, access to products, services, or facilities are not a right of credit union membership. All such access may be curtailed at the discretion of CAP COM FCU and in accordance with policies and procedures incorporated herein, any account and lending agreement or contract executed by the member, and CAP COM FCU's Bylaws.

Suspension of Services or Revocation of Membership – Subsequent Information:

Should CAP COM FCU be duly informed by any party that a member has been convicted of a crime or has deceived CAP COM FCU as to the use of proceeds from credit granted, CAP COM FCU may seek to expel a member as permitted in CAP COM FCU's Bylaws based on the confirmed legitimacy, type and severity of the negative information.

CAP COM FCU reserves the right to make decisions regarding suspension of services or revocation of membership as it best serves the credit union. CAP COM FCU may limit or suspend services available to the member, as necessary and allowable under law to prevent the possibility of financial loss, negative reputation, or non-compliance with Federal or state laws, rules, or regulations.

Suspension of Access to Facilities:

CAP COM FCU reserves the right to implement policies limiting specific behaviors while conducting business within any Credit Union facility or communicating with Credit Union staff.

Members of the Credit Union and members of the public who do not comply with CAP COM FCU policies regarding access to CAP COM FCU facilities or who, in CAP COM FCU's sole discretion, have behaved in a belligerent, threatening, abusive, vulgar, illegal, or otherwise disruptive or inappropriate manner toward CAP COM FCU staff, management, volunteers, or other members may be barred from entering CAP COM FCU facilities, grounds, and parking areas at the discretion of management. Such behavior may be in person, on the telephone, through other electronic communication methods, or in writing.

If necessary, CAP COM FCU will take legal action to constrain access to facilities, grounds, and parking areas. Decisions to prohibit access to facilities and/or close accounts based on member behavior will be made on an individual basis by appropriate management personnel. Any member prohibited from accessing CAP COM FCU facilities will be notified orally if circumstances require and where feasible, in writing. The ban will be effective immediately and until the member has been reinstated at the discretion of management (see Conditions for Reinstatement).

Suspension of Services– Reputational or Regulatory Compliance Risk:

CAP COM FCU reserves the right to suspend or limit any account, product, or service that poses increased risk of reputational, regulatory or legal violations.

Services Defined:

“Services” are any products or services now or hereafter provided by or sponsored by the Credit Union or otherwise made available to CAP COM FCU members. Services include but are not limited to:

- Share accounts
- Loans or other extensions of credit
- ATM and other card services
- Home banking services (including remote deposits)
- Mobile banking services
- Telephone banking services, and
- Other electronic transfer services.

Expulsion:

Pursuant to CAP COM FCU bylaws, a member may be expelled for cause at any regular or special meeting of the membership by a two-thirds vote of the members present at that meeting. Such member shall have no further right to membership in the credit union or to any of its benefits. Such expulsion does not absolve a member, co-borrower, or consignor from repayment of any obligations or financial losses due and owing by the member to the credit union.

Marijuana Related Business:

At the time of account opening and for the entirety of a member relationship, the member guarantees that he or she is not operating, benefitting from, or transacting business for an illegal or otherwise impermissible marijuana related business (MRB).

If, at any time, CAP COM FCU obtains or is made aware of information indicating that a member is financially affiliated with an illegal or impermissible MRB, CAP COM FCU shall move to suspend services immediately. If applicable and appropriate, any accounts affiliated with a member due to this activity will be reported to regulatory agencies and legal authorities.

Notification

CAP COM FCU will provide required notice of any adverse action as required by law or regulation as applicable to the specific circumstances of any denial of product, service, or membership. Unless otherwise required by law or regulation, notification of denial of services, products, or membership may be in any format, including orally in person or by telephone, by email or other electronic communication, or in writing.

Notification will be provided to all members in any manner determined by management.

Return of Access Device

CAP COM FCU may, but is not required to, demand the return of any CAP COM FCU issued access devices such as debit or credit cards upon closing or limiting access to any account for which the device(s) provide access. Any request for the return of an access device may accompany any required notice as required or allowed by law or regulation.

Request for Review

Suspension of Service Review

A member may request a review of any action(s) up to expulsion taken under this policy at any time. Such request must be in writing and addressed to:

Capital Communications FCU
Attn: Complaint Resolution Team
4 Winners Circle
Albany, NY 12205

The request must state the action under review, the member's reason for the requested review, and any information the member deems pertinent to the review.

Management has developed and implemented a response process to include, at a minimum:

- Receiving and documenting requests for review
- Review criteria
- Guidance on written responses to requests

Expulsion Review

Members may request that the Board of Directors review any expulsion decision. Such request must be in writing and addressed to:

Capital Communications FCU
Executive Assistant to the CEO and Chief Officers
4 Winners Circle
Albany, NY 12205

Members have a right under the bylaws to present their case in person to the Board at a meeting called by the Board or a designated subcommittee or workgroup for that purpose.

Conditions for Reinstatement/New Account Approval

Members whose services have been suspended may be reinstated as a result of a requested review or other demonstrated remediation of the factors giving rise to the original denial. New account applicants with derogatory information in third party consumer reporting agency files may qualify for membership at the discretion of management.

Management may, but is not required to, request additional documentary proof that the derogatory information in the third-party consumer reporting agency file has been remediated, garnishments, liens, and judgments have been fulfilled, and any or all criminal and civil cases involving the applicant have been adjudicated and required payments have been made or documented payment arrangements are in place.

In the event of membership suspension or termination due to causing a financial loss may be reconsidered based upon the dollar amount of the loss and the period of time which has elapsed since the financial loss was incurred. These reinstatement parameters shall be determined by management.