

Reviewed by: _____

Date Reviewed: _____

Approved: ___ Yes ___ No

Interest on Lawyer Account Fund of the State of New York

Funding civil legal assistance for low-income New Yorkers since 1984

IOLA Rate Election & Certification Form

Name of Banking Institution: _____

Effective date: _____

_____ **New** (check if being submitted as part of an application to join the IOLA program)

_____ **Existing** (check if the Banking Institution currently participates in the IOLA program)

1. IOLA Rate Election (elect A or B)

_____ **A. Safe Harbor:** This election sets the IOLA interest rate to a variable interest rate equal to the **GREATER OF: 60% of the Federal Funds Target Rate or 1.00%**The Safe Harbor rate is calculated as of the first day of each month (e.g., any rate change announced by the Federal Reserve mid-month would change the Safe Harbor rate as of the first day of the next month.)

_____ **B. Comparable Rate:** This election sets the IOLA interest rate equal to not less than the **highest rate available to the Banking Institution's best customers on comparable accounts.**

2. If electing **Comparable Rate**, complete the following (if electing **Safe Harbor**, skip to 3.):

A. Identify IOLA Rate Type (check one)

_____ Flat Rate of _____%

_____ Tiered Rates (indicate each tier and its respective rate below)

Tier	From	To	Rate
1	\$	\$	%
2	\$	\$	%
3	\$	\$	%
4	\$	\$	%
5	\$	\$	%

B. Submit Rate Comparability Survey (available www.iola.org/banks), which requires:

- A list of every product offered that bears interest and has check-writing capability, including **all**:
 - a. Deposit accounts (both business and consumer accounts)
 - b. Wealth management checking accounts
 - c. Money market deposit accounts
 - d. Money market investment accounts
 - e. Business sweep products
 - f. Government checking accounts

- As to **each product**, submit substantiating documentation about the product, including **all**:
 - a. Internal rate sheets;
 - b. Internal Deposit Accounts Rate Specification Report or similar reports listing all interest rates paid to all customers by product type;
 - c. External explanatory literature, marketing and disclosure documents

3. IOLA Account Fees (charged against IOLA interest) (check one)

_____ Account fees **waived** on IOLA Accounts

_____ Account fees **charged**

Note: eligible banking institutions may charge only the permitted equitable service charges listed in the IOLA regulations and only in amounts no greater than those imposed on comparable accounts. See 21 NYCRR Part 7000.10(b).

Maintenance Fee	___ Monthly ___ Quarterly	\$
Other Fees (describe)	___ Monthly ___ Quarterly	\$
Other Fees (describe)	___ Monthly ___ Quarterly	\$
Other Fees (describe)	___ Monthly ___ Quarterly	\$

_____ Service charge for the preparation of reports to the IOLA Fund

___ Monthly ___ Quarterly	\$
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NOTE: All other fees for special services requested by the account-holder are the responsibility of, and may be charged to, the lawyer or law firm maintaining the IOLA account.

4. IOLA Account – Other Information

A. Interest Payment	
How often does your banking institution <u>pay</u> interest?	___ Monthly ___ Quarterly
How often will your banking institution <u>remit</u> interest to the IOLA Fund?	___ Monthly ___ Quarterly
<p>NOTES: Banks must remit all net interest earned on each IOLA account by the 10th day of the following month or 10 days after the closing date of the cycle. Remittance Reports that accompany payments should indicate the average daily balance as to each account during the reporting period. For more information about reporting, see General Instructions for Banking Institutions and Remittance Report Instructions (available at www.iola.org/banks).</p> <p>If a bank pays interest on a monthly basis, but elects to remit interest to the IOLA Fund on a quarterly basis, a separate IOLA account should be established to act as a holding account for the interest earned until the remittance is made and such interest should be included with the remittance.</p>	

B. Interest Methodology
IOLA Interest should be calculated based on the <u>daily collected balance</u> in each account. Confirm how your banking institution calculates interest.
_____ YES. Interest is calculated based on the daily collected balance.
_____ NO. Interest is calculated in a different manner (attach justification).
NOTE: Interest may <u>not</u> be calculated based on a fixed date or low balance during the period.

C. Minimum balance requirements		
<input type="checkbox"/>	Minimum to open account:	\$
<input type="checkbox"/>	Minimum to earn interest:	\$
<input type="checkbox"/>	Minimum to waive charges:	\$

CERTIFICATION

On behalf of the above referenced Banking Institution, I confirm the election made herein pursuant to IOLA Regulations 21 NYCRR Part 7009 and I certify that all information provided herein, including the information and documentation submitted in and with the IOLA Rate Comparability Survey is true and accurate.

Signature: _____ Date: _____

Name (print): _____

Title: _____

Address: _____

Telephone: _____ E-mail: _____