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Department of Banking & Finance

"Safeguarding Georgia's Financial Services"

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Complaints and Inquiries - How to File

Consumers with complaints against financial institutions chartered or otherwise supervised by the State of Georgia Department of Banking and Finance (banks, credit unions, mortgage brokers, mortgage lenders, check cashers, check sellers, and money transmitters) can file complaints with the Department's Legal and Consumer Affairs Division. It is important to note that the Department **does not** regulate all financial institutions doing business in Georgia. A link to other state and federal regulatory agencies, as well as other consumer assistance organizations, is provided in the "[For More Help](#)" section below. Information regarding [processing of complaints](#) is also discussed below.

If the institution is a ***national bank*** (which has the word national in its name, for example First National Bank or has N.A. after its name), you should contact the [Comptroller of the Currency \(OCC\)](#). The OCC has a website HelpWithMyBank.gov, designed specifically to provide answers and assistance to national bank customers.

If the institution is a ***federal savings and loan association or savings bank*** (which has the word federal in its name, for example First Federal Savings and Loan Association, Anytown Federal Bank or has FSB after its name), you should contact the [Office of Thrift Supervision \(OTS\)](#).

If the institution is a ***Federal Credit Union*** (the word Federal will be in the credit union's name), you should contact the [National Credit Union Administration \(NCUA\)](#).

If the institution is a ***finance company, car dealership, or other lender*** that is not a bank or credit union and there is a federal law involved (such as Regulation Z-Truth in Lending), you should contact the [Federal Trade Commission \(FTC\)](#).

If the institution is a state-chartered bank, state credit union, or is a check casher, check seller, money transmitter, mortgage broker or lender, you should file your complaint with the Department of Banking and Finance using the procedures outlined below.

The Department requests that consumers initially attempt to resolve their complaint directly with an appropriate person at the financial institution. To find out if the Legal and Consumer Affairs Division can assist you, please read our "[What Does the Division Do? Brochure](#)". If the consumer is not satisfied with the response, the consumer may file a written complaint with the Department's Legal and Consumer Affairs Division.

 [You may download the Department's Consumer Complaint or Inquiry Form in MS Word or Adobe PDF format below.](#)

Written complaints should be mailed or faxed to:

Legal and Consumer Affairs Division
Georgia Department of Banking and Finance
 2990 Brandywine Rd., Suite 200
 Atlanta, GA 30341-5565
 Fax: (770) 986-1657

Consumers with disabilities, which would make it very difficult to describe their complaint in writing, may send us the important documents and then call the Department to describe the problem with the regulated entity, (770) 986-1633.

- [CSBS Examiner](#)
- [Take our Website Survey](#)
- [Guide to Financial Services Issues for Senior Citizens](#)

How do I ...


- [File a Complaint or Inquiry](#)


Related Links


- [Consumer Resource List Brochure](#)
- [Georgia Fair Lending Act Resources](#)

Processing of Filed Complaints

Upon receipt of a written complaint, the Department will research applicable state and federal laws and then contact the financial institution. A copy of the consumer's complaint will be sent to the financial institution for a response. The financial institution is generally given 15 business days to provide a written response to the Department. The consumer will receive a copy of the initial letter from the Department to the financial institution and will be informed of the Department's findings once the investigation is complete. This process can take anywhere from 3 weeks to 60 days. Depending on the complexity of the issues involved, however, this process may take longer. The length of time it takes to resolve a matter will depend on the complexity of the issues, whether we find that we need additional information, and the volume of complaints the Department receives. If you have an emergency situation such as an imminent loss of your home, please inform us by telephone.

 **Confidential Complaints:** If the consumer does not wish to have his/her complaint presented to the financial institution, the Department will honor that request. This request needs to be clearly stated in the complaint. Confidential complaints filed by a consumer will not receive a response from the Department. Instead, the complaint may be filed for review by Department examiners at the next regularly scheduled examination. The Department's findings will not be available to the consumer unless a final order is issued in an administrative proceeding.

 **Resolution of Complaints:** The Department does not have authority over all financial institutions operating within the state of Georgia and does not have the authority to mediate banking or other complaints. If after review of the complaint, the Department determines it does not have appropriate authority over the complaint, the complaint will be forwarded to the appropriate state or federal agency or the consumer will be informed of the Department's inability to resolve the problem.

 **Factual Disputes:** The consumer may need to seek legal counsel to resolve a problem with a financial institution. Situations where the complainant and the financial institution cannot agree on what actually happened, and where there is no documentation sufficient to verify either party's claim, are classified as factual disputes. The Department does not have the authority to act as a judge in these instances. Additionally, not all problems can be resolved through regulatory assistance. In these instances, the Department may suggest the resolution of the complaint be pursued through private legal counsel or other mediation or arbitration. Persons without the means to hire counsel may qualify for Legal Aid assistance. You may want to check your loan documents to see if any method of dispute resolution is included.

For More Help

Other agencies of State and Federal government are available to answer questions or complaints involving financial institutions. Please see below to see whether you need to forward your complaint to another regulatory agency. A good resource for consumer information from the federal government is located at www.Consumer.gov.

Information about cybercrime can be found at www.cybercrime.gov.

National and Federal Referral Information

The following is a list of large, regional national banks and federal thrifts that are **not** regulated by the Georgia Department of Banking and Finance. If your institution is listed below, please contact the appropriate regulatory authority to resolve your complaint.

NATIONAL BANKS

Complaints involving the following national banks (or subsidiaries) should be routed to the Office of the Comptroller of the Currency (OCC):

- [Bank of America](#) (Mortgage complaints also)
- Fleet Credit Cards now belong to Bank of America
- [Bank One](#) (Mortgage Complaints also)
- [J.P. Morgan Chase Bank](#) & Affiliates (Mortgage complaints also)
- [SouthTrust Bank](#) (as of 1/1/2005 merged into Wachovia Bank)

- [Wachovia Bank](#) (Mortgage Complaints also)
- [Wells Fargo Bank, N.A.](#) & some Affiliates (Mortgage complaints also)

[Go to OCC's webpage concerning procedures for filing complaints](#)

You can reach one of the OCC Customer Assistance Specialists by calling toll free, 1-800-613-6743, Monday - Thursday, 9:00a.m. to 4:00p.m., Central Time, and on Friday, from 9 a.m. to 3 p.m. Central Time or by sending an email to Customer.Assistance@occ.treas.gov.

FEDERAL SAVINGS BANKS

Complaints involving the following federal savings banks (thrifts) and their subsidiaries should be routed to the Office of Thrift Supervision (OTS)

- Washington Mutual Finance
- Washington Mutual Home Loans
- Homeside Lending- division of [Washington Mutual Bank](#)

Written complaints to OTS involving one of the above institutions should be sent to the San Francisco Office at the following address:

Office of Thrift Supervision
Attention: Consumer Affairs
P.O. Box 7165
San Francisco, CA 94120
(650) 746-7000 ext. 7098
(650) 746-7001 Fax

Complaints on the following bank should be sent to the OTS in Atlanta, GA:

- NetBank ([Inquiries Concerning NetBank](#))

Office of Thrift Supervision
Southeast Regional Office
P.O. Box 105217
Atlanta, GA 30348-5217
(404) 888-5631
Fax: (404) 888-8599

[Go to the OTS's webpage concerning procedures for filing complaints](#)

or E-mail the OTS at: consumer.complaint@ots.treas.gov

For your protection and the security of your personal information, a signed authorization is required before the OTS will conduct a formal complaint investigation.

Associated Document(s):

 [DBFComplaintInquiryForm.doc](#)

 [DBFComplaintInquiryForm.pdf](#)

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