

# Aldrich & Bonnefin, PLC\*, Counsel for Bankers' Compliance Group® Presents Commercial Lending—Loan Participations

*March 2024*

**A**s financial institutions look to increase liquidity in more challenging economic times, or for ways to diversify or even grow their loan portfolios, the interest in selling and buying participation interests in commercial loans increases. Institutions both large and small may also look to participations as a way of dealing with lending limit issues. Whatever the motivation, an institution buying or selling participations must carefully analyze the risks and benefits of a transaction and aggressively negotiate the terms of each transaction in an effort to protect its interests.

With this in mind, Aldrich & Bonnefin, PLC is pleased to invite you and your commercial lending team, as well as your documentation and auditing staff, to our Loan Participations Seminar.

During this Seminar we will review the various due diligence and regulatory issues that should be considered by the parties to a loan participation, as well as documentation and other issues related to participations from the competing viewpoints of lead lenders and participants. We will round out our day discussing recent developments and hot topics, such as court cases addressing whether loan syndications qualify as securities, and other recent laws and developments that impact loan participations and sales.

## SEMINAR HIGHLIGHTS

- **Due Diligence and Regulatory Issues**
  - Loan participations and other multi-lender arrangements
  - Lending limits and Regulation W issues
  - Appraisal and flood insurance issues
- **Loan Participation Agreement – Participant's View**
  - Due diligence issues
  - True participation v. credit participation
  - Key provisions in loan participation agreement
- **Loan Participation Agreement – Lead Lender's View**
  - Administration of the participation
  - Servicing the loan
  - Retaining control over the loan
- **Recent Developments and Hot Topics**
  - Securities issues for loan participations and syndications
  - NCUA's amendments to loan participation and sale regulations
  - Recent California regulations impacting commercial loans made by non-banks
  - Status of true lender and "Valid When Made" rules

## WHO SHOULD ATTEND?

Please invite your chief credit officer, credit administrators, loan officers and processors, compliance officers, and auditors involved with loan participations.

**We have scheduled only  
Recording Playbacks with Live Q&As for this Seminar.**



Joel N. Cook, Esq., a principal of Aldrich & Bonnefin, PLC\*, joined the firm in October 2011. As manager of the firm's Corporate Practice Group, Mr. Cook's practice focuses on corporate law, commercial lending matters (including commercial and real estate loans, loan participations and loan workouts) as well as regulatory compliance. Mr. Cook obtained his law degree from Loyola Law School of Los Angeles. Prior to becoming an attorney, Mr. Cook worked as a banker for nine years in various roles with a large national bank and had extensive dealings with the Office of the Comptroller of the Currency.



John Davis, Esq. joined Aldrich & Bonnefin, PLC\* in May 2017 as a Summer Associate and remained with the firm as a law clerk until he became an Associate Attorney in June 2019. Mr. Davis is part of the firm's Banking Operations & Fintech and Corporate Practice Group, specializing in corporate and commercial lending matters. Mr. Davis also regularly advises clients on matters related to data privacy and information security laws, including with regard to the Gramm-Leach-Bliley Act, the California Consumer Privacy Act, and the California Consumer Privacy Rights Act.

**ALDRICH  
&  
BONNEFIN**

Professional Law Corporation\*

**BANKERS' COMPLIANCE GROUP®**

phone: 800.742.3600

fax: 949.474.0617

Email: [info@bankerscompliancegroup.com](mailto:info@bankerscompliancegroup.com)



\* Janet Bonnefin is retired from the practice of law with the firm

**SEMINAR RECORDING PLAYBACKS - BCG MEMBERS ONLY**  
**(Continuing education credit will be provided only to the registrant)**

	DATE AND TIME	REGISTRATION CLOSE DATE
RECORDING PLAYBACK #1	Wednesday, March 13, 2024, 8:30 a.m. - 3:00 p.m.	Friday, March 8, 2024, 12:00 p.m.
RECORDING PLAYBACK #2	Thursday, March 14, 2024, 8:30 a.m. - 3:00 p.m.	Monday, March 11, 2024, 12:00 p.m.
RECORDING PLAYBACK #3	Wednesday, March 27, 2024, 8:30 a.m. - 3:00 p.m.	Friday, March 22, 2024, 12:00 p.m.
RECORDING PLAYBACK #4	Friday, March 29, 2024, 8:30 a.m. - 3:00 p.m.	Tuesday, March 26, 2024, 12:00 p.m.

**LOGIN INFORMATION:** Registrants will receive an email two business days prior to the Recording Playback Date with the login information. Registrants also will receive a second email when the pin is activated and the Seminar materials are available to download. There will be live question and answer sessions both during and at the end of the presentation.

## REGISTRATION

**MEMBERS:** To register for this Seminar, please contact your institution's BCG Main Contact, or if you are authorized, log in at <http://register.bankerscompliancegroup.com/subadmin> and select "Register for Events." We recommend that you register as soon as possible as registrations are accepted on a first-come, first-serve basis.

## MATERIALS

For this Seminar, portions of Standard Procedures Manual #03, *Commercial Lending*, will be updated. BCG members will receive the updated SPM through their membership subscription to Compliance Companion® by the first week of March 2024. As noted above, registered attendees will be able to download the Agenda and Discussion Outline prior to the Seminar.

## ACCREDITATION

**(Continuing education credit will be provided only to the registrant)**

**MCLE:** Aldrich & Bonnefin, PLC certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing MCLE. This activity has been approved in the amount of **4.75** hours.

**CRCM:** American Bankers Association (ABA) Professional Certifications has approved Commercial Lending - Loan Participations for: 2.5 CRCM credits. APPROVED NON-ABA CE search for training will appear as: Aldrich & Bonnefin, PLC | Commercial Lending - Loan Participations

**CPE:** Aldrich & Bonnefin, PLC follows Continuing Education (CE) regulations as outlined in the California Accountancy Act. CE credit may be obtained for Certified Public Accountants and Public Accountants. This activity is eligible for **4.75** hours of CPE Continuing Education credit.