



State of Washington

DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CREDIT UNIONS

P.O. Box 41200 • Olympia, Washington 98504-1200

Courier mail address: 150 Israel Rd. S.W., Tumwater, WA 98501

• Telephone (360) 902-8701 • TDD (360) 664-8126 • Toll-free FAX (877-330-6870) •
<http://www.dfi.wa.gov>

July 19, 2007

DCU Interpretive Letter I-07-03

Dear "A":

Re: Credit union names

Question Presented

You have requested guidance regarding whether a state-chartered credit union is required to include the words "credit union" in public signage, under the Washington State Credit Union Act, Chapter 31.12 RCW (Act) and related rules¹. For purposes of this letter, we are narrowly construing "signage" to mean signs on credit union buildings, or "building signage." This letter is not intended to address the requirements for identifying the credit union through other media, such as advertising, "branding," letterhead or websites.

Answer

A state-chartered credit union is not required to use the words "credit union" on building signage, under the Act and related rules.

However, the Division of Credit Unions (DCU) requests that you please:

1. notify the DCU of your intent to use a trade name² for signage;
2. avoid any names that are misleading, inaccurate, deceptive, or misrepresent the credit union's services³; and

¹ This letter is not intended to address the legal requirements or restrictions placed on signage and the use of trade names under other existing law.

² A "trade name" is "any name used in the course of business that ...differs in any respect from the name registered with the Secretary of State." For more information on trade names, see <http://dol.wa.gov/business/faqtradename.html>.

³ Please be aware that any sign or advertising, regardless of whether it contains the words "credit union," must not be misleading to consumers, and must not be an "unfair or deceptive act or practice" within the meaning of RCW 19.86.020.

July 19, 2007

“A”

Page 2

3. continue to use the credit union’s full official “charter” name on all communications with the DCU and other government agencies, on corporate documents filed with the Secretary of State, and in legal documents (e.g., contracts, consumer disclosures, loan documents, etc), as this letter only addresses building signage.

Discussion of Relevant Law

The Washington State Credit Union Act, at RCW 31.12.025, requires the use of the words “credit union” in a credit union’s name, but we have consistently interpreted that requirement as applying to the charter name, not to the use of a trade name on building signage. This guidance parallels that of the NCUA on the responsibilities of credit unions regarding signage.⁴

If you have any general questions regarding this interpretive letter, please do not hesitate to contact me. This letter is meant to provide general guidance only. The Department of Financial Institutions does not provide legal advice.

Sincerely,



Linda K. Jekel
Director of Credit Unions

cc: “B”

⁴ See NCUA Opinion Letters, dated 11/5/2001 and 9/22/1997 @ www.ncua.gov/RegulationsOpinionLaw/opinion_letters