

DEPARTMENT OF COMMERCE
OFFICE OF THE COMMISSIONER OF BANKS
NON-DEPOSITORY INSTITUTIONS DIVISION
ENFORCEMENT SECTION

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

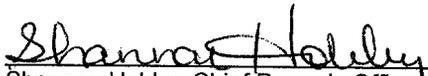
The Department of Commerce and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Department of Revenue agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

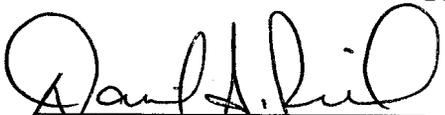
E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. **Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed. The**

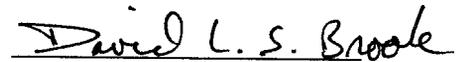
OFFICE OF THE COMMISSIONER OF BANKS

agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

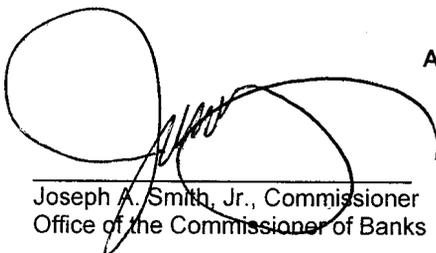
APPROVAL RECOMMENDED

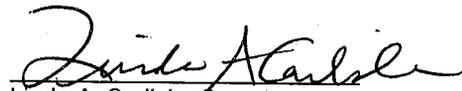

Shannon Hobby, Chief Records Officer
Department of Commerce


David A. Picard, Enforcement Director
Enforcement Section


David Brook, Director
Division of Historical Resources

APPROVED


Joseph A. Smith, Jr., Commissioner
Office of the Commissioner of Banks


Linda A. Carlisle, Secretary
Department of Cultural Resources

**DEPARTMENT OF COMMERCE
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NON-DEPOSITORY INSTITUTIONS DIVISION
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ITEM 47885. AGENCY INVESTIGATION FILE.

Records in paper and electronic formats, including e-mail, gathered as part of agency investigations in response to consumer complaints, financial intelligence, and referrals. File includes complaint forms, financial statements, loan documents, examination reports, correspondence, web and database search results, photographs, notes and other related investigative records. (Comply with applicable provisions of G.S. 53-99 and G.S. 53B (Financial Privacy Act) regarding confidentiality of records)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Purdue. Scan in office appropriate paper records and transfer scanned images to Investigative Management System Database (IMS) (Electronic) File (Item 49123). For records obtained directly from licensee, return to licensee 3 years after investigation or case is closed or transfer to Abandoned Records File (Item 49255) for records determined to be abandoned by licensee. Destroy in office remaining records 3 years after investigation or case is closed.

ITEM 49123. INVESTIGATIVE MANAGEMENT SYSTEM (IMS) DATABASE (ELECTRONIC) FILE.

Electronic records concerning investigations managed by the division. Electronic file includes work log entries, records of interviews, evidence logs, spread sheets, links to other agency databases, and other investigative related data. Various data are entered into this database from Agency Investigation File (Item 47885).

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently.

ITEM 49254. DIVISION DIRECTOR'S CORRESPONDENCE FILE.

Records in paper and electronic formats, including e-mail, received or sent by the Director concerning the implementation, management, and administration of the division. File includes correspondence with staff and Commission, licensees, state and federal agencies, including law enforcement agencies. (Comply with applicable provisions of G.S. 53-99 and G.S. 53B (Financial Privacy Act) regarding confidentiality of records)

DISPOSITION INSTRUCTIONS: Transfer records to the State Records Center after 3 years. Paper records will be held for agency in the State Records Center for 3 additional years and then transferred to the custody of the Archives. Electronic records, including e-mail, will be transferred immediately to the custody of the Archives. Contact the Government Records Branch, Electronic Records Unit, prior to the transfer of electronic records.

ITEM 49255. ABANDONED RECORDS FILE.

Records in paper and electronic formats, including e-mail, received from a licensee as part of an agency investigation in response to consumer complaints, financial intelligence, and referrals, and determined by agency to have been abandoned by the licensee following closure of the investigation.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Purdue. Following final resolution of the investigation or case, and after all reasonable efforts have been expended to return the records to the licensee, transfer records to the State Records Center and records will be held for 3 additional years and then destroyed (upon securing written approval from agency prior to destruction).