



FREE TELECONFERENCES FOR ABA MEMBERS

Planning for 2011: Finding Opportunities in Business Banking

Tuesday, November 30 at 12 Noon ET

With companies large and small slowly emerging from the recessionary setbacks, banks need to carefully evaluate the opportunities for quality business during the coming year. Join us and learn which companies and industries record greater optimism and expansion plans. [Register now.](#)

COMMERCIAL SPOTLIGHT

Top Five Red Flags That Could Lead to a Lender Liability Lawsuit

Tricia R. DeLeon, Commercial Litigation Partner, Bracewell & Giuliani LLP

Janelle S. Forteza, Commercial Litigation Associate, Bracewell & Giuliani LLP

Commercial lenders know that they must treat their borrowers fairly and when they do not, they can be subject to litigation under a variety of legal claims, including lender liability claims. Lender liability lawsuits are not as common as they were 25 years ago; however, there has been a recent resurgence of such suits and those claiming that lenders have "deepened the insolvency" of the bankrupt borrower. In the current economic climate, it is important for commercial bankers to...[Read more.](#)

THE REGULATORY CONNECTION

Deposit Gathering After the Dodd-Frank Act

Mark Tenhundfeld, Senior Vice President, ABA Office of Regulatory Policy

The Dodd-Frank Act (DFA) contains two provisions that may result in significant changes in the cost of deposits and the means by which deposits are gathered. First, the DFA removes the current prohibition against paying interest on demand deposit accounts. Second, it directs the FDIC to conduct a study of "core" and "brokered" deposits. For several reasons, banks should be thinking now about how to position themselves in light of these provisions. [Read more.](#)

LEGISLATIVE UPDATE

Winds of Change

James Ballentine, Senior Vice President, ABA Grassroots and Political Operations

The winds of change have blown through Washington with an historic change of congressional power in the U.S. House of Representatives. Taking into account the members of Congress who are retiring or assuming another office, there will be over 100 new representatives in the House. How will the shift in leadership affect the financial services industry

QUICK LINKS

[ABA's Center for Commercial Lending & Business Banking](#)

[Commercial Insights Archive](#)

[ABA Commercial Network Forum for Commercial Bankers and Lenders. Connect Now!](#)

UPCOMING EVENTS

November 16
[How to Use Market Data: Solutions for Hard to Value Assets](#)

February 20-23
[ABA National Conference for Community Bankers](#)

March 20-25
[ABA National and Graduate Commercial Lending Schools](#)

April 10-12
[ABA Real Estate Lending Conference](#)

RESOURCES

[ABA Credit Refreshers Library- Commercial Credit Training](#)

[ABA eLearning Courses](#)

and the small business agenda? [Read more.](#)

SALES AND MARKETING

Small Businesses and Middle Market Companies Living in Two Different Economies

Bernie Kuechler, Barlow Research Associates

The most recent recession impacted many aspects of business banking including a soft credit market, weakening customer relationships and lower profitability. After three years of poor sales and profits, the results of the most recent Fourth Quarter Barlow Research Economic Pulse survey shows better days ahead for middle market companies but very little recovery for small businesses. [Read more.](#)

The Misunderstood and Underserved Small Business/Micro Market

Linda O'Connell, Barlow Research Associates

With more than 26 million entities reporting business income on their federal tax returns, it is important to clearly define the parameters of the small business market. The larger small business usually receives greater attention from their primary bank, but who is taking care of the smaller micro or SOHO (small office/home office) company? Are they being underserved by the financial services industry. [Read more.](#)

RISK MANAGEMENT INSIGHTS

New Small Business Jobs Act: More Tools for SBA Lenders, Borrowers

Karen G. Mills, Administrator, U.S. Small Business Administration

President Obama recently signed into law the Small Business Jobs Act, the most significant piece of small business legislation in more than a decade. While the Jobs Act strengthens many tools to help small businesses grow and create jobs, one of the ways the law is already having an impact is through enhancements to the SBA's loan programs. And, that impact will only continue to grow as we implement all of the provisions of the new law. With that in mind, and in the spirit of our popular 7(a) program, here are seven ways the Jobs Act can help you start or increase SBA lending at your bank. [Read more.](#)

Vaulting to Value: Valuing Bank Branch Properties

*David W. Beshears, MAI, Managing Partner, Beshears and Associates
Ted Anglyn, MAI, CCIM, President, Anglyn Property Advisors, LLC*

Today's turbulent financial and real estate markets present challenging issues in valuing bank branches, which are one of a bank's most important assets in retail operations. The number of commercial banks and saving institutions has dropped by nearly 50 percent over the past 20 years, from 15,158 institutions in 1990 to 7,830 in June of 2010. Of the existing banks, 829 or over 10 percent are listed as problem institutions with 139 having failed this year and 140 failing in 2009. Despite the consolidation in the number of institutions, the number of bank branches has...[Read more.](#)

Management and the Numbers

Rex Beach, Managing Director, Shockproof! Training

[for Small Business Banking](#)

[ABA Works on Commercial Real Estate](#)

[Barlow Research](#)

[Certified Lender Business Banker \(CLBB\) Certification](#)

COMMERCIAL INSIGHTS STAFF

[Robert C. Seiwert](#)

Managing Editor

[Sheryl Johnson](#)

Editor

[Carrie Clark](#)

Associate Editor

ABA's Commercial Insights is free to all ABA member bank employees. ABA Members: To unsubscribe and to manage your subscriptions, please visit [ABA E-mail Bulletins](#) and check or uncheck the appropriate boxes. For other inquiries, please email [Commercial Insights](#), or call 1-800-BANKERS.

American Bankers Association, 1120 Conn. Ave NW, Wash. DC 20036

In this month's credit refresher, we review the management essentials that must be in place and working effectively for a borrower to perform successfully in its competitive environment. [Read more.](#)