Chapter DFI–SL 5

NET WORTH REQUIREMENTS

Note: Chapter S–L 5 was renumbered chapter DFI–SL 5 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, July, 1998, No. 511.

DFI–SL 5.01 Net worth requirement. (1) LEVEL TO BE MAINTAINED. (a) *General provision.* Except as provided in par. (b), an association shall at all times maintain a net worth ratio in an amount not less than 6.0%.

(b) *Exceptions.* The division may require an association to maintain a net worth ratio higher than that specified in par. (a) if the division determines that the nature of the association's operations otherwise entails a risk requiring a greater net worth ratio to assure the association's stability.

(2) ACTIONS TO RE–ESTABLISH COMPLIANCE. (a) *Generally.* If an association's net worth ratio falls below the level required under sub. (1), the division may, by order issued under s. DFI–SL 2.04, direct the association to adhere to a specific written plan established by the division to correct the association's net worth ratio deficiency. In addition to any other provisions, the plan may:

1. Require the association to maintain an increased level of liquidity specified by the division.

2. Require the association to cease or limit specified expenditures.

3. Prevent the association from originating or purchasing loans of one or more types.

4. Prevent the association from making specified investments, including investments under ch. DFI–SL 13, 14 or 15, and investments otherwise permitted under s. 215.13 (26), Stats.

5. Prevent the association from filing applications for branch offices.

6. Prevent the association from opening customer savings accounts of any specified class, category or amount, or at any specified interest rate.

7. Prevent the association from accepting additions to existing savings accounts, except under such conditions as may be specified by the division.

(b) *Additional measures pertaining to stock associations.* Unless the association receives the division's prior written approval, no stock association may pay a dividend to stockholders or otherwise distribute any profits when its net worth ratio is, or if upon such payment or distribution would be, below that required under sub. (1).

Note: This section interprets or implements s. 215.24, Stats.

History: Cr. Register, June, 1989, No. 402, eff. 7–1–89; **CR 23–039: renum. (1) (a) (intro.) to (1) (a) and am., r. (1) (a) 1., 2. Register March 2024 No. 819, eff. 4–1–24.**

DFI–SL 5.02 Other powers retained. Nothing in this chapter shall limit the division's authority to take such other remedial measures as it may deem necessary to safeguard the interests of the public and the association.

Note: This section interprets or implements s. 215.03 (2), Stats.

History: Cr. Register, June, 1989, No. 402, eff. 7–1–89.