



**Single
Rulebook
Q&A**

Question ID	2020_5458
Status	Final Q&A
Legal act	Regulation (EU) No 575/2013 (CRR)
Topic	Supervisory reporting - FINREP (incl. FB&NPE)
Article	99
Paragraph	-
Subparagraph	-
COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations	Regulation (EU) No 680/2014 - ITS on supervisory reporting of institutions (as amended)
Article/Paragraph	Annex V Part 1.5(m)
Date of submission	20/08/2020
Published as Final Q&A	19/03/2021
Disclose name of institution / entity	No
Type of submitter	Credit institution
Subject matter	Annex V reference to ESRB Recommendation on closing real estate data gaps
Question	Annex V to Regulation 680/2014, specifically Part 1.5(m) refers to 'ESRB recommendation on closing real estate data gaps' specifically to the 31 October 2016 version (ESRB/2016/14). Should this be interpreted as such that the definitions from ESRB/2016/14 are applicable for Finrep reporting, and the amended definitions from ESRB/2019/3 are not? Is this interpretation valid for both the currently applicable EBA framework 2.9 as well as for the announced (with final Annexes already available) EBA

	framework 3.0?
Background on the question	Per 13 August 2019 ESRB/2019/3 ‘amending Recommendation ESRB/2016/14 on closing real estate data gaps’ was published in the Official Journal of the EU, whereas the date the ESRB finalised it themselves was 21 March 2019. The amendments include new definitions of “CRE”, “CRE loan”, “RRE” and “RRE loan”, which we believe would have an impact on Finrep reporting based on the EBA framework 2.9 Finrep templates. For example the instruction for “Commercial real estate (CRE) loans” or the “LTV ratio” as provided by Annex V Part 2.239ix and 2.239x refer to paragraphs that have been amended by ESRB/2019/3. We identify however that Annex V Part 1.5(m) still defines ‘ESRB Recommendation on closing real estate data gaps’ separately and refers to the ESRB/2016/14 version. It therefore appears that the correct interpretation of the reporting instructions for Finrep, is that as well as for currently applicable reporting framework 2.9 as well as for Finrep reporting based on EBA framework 3.0, still the old definitions from ESRB/2016/14 should be followed.
EBA answer	The reference to ESRB/2016/14 is correct since the latest version of the recommendation as amended by ESRB/2019/3 and any following amending recommendations shall be considered.
Link	https://www.eba.europa.eu/single-rule-book-qa/qna/view/publicId/2020_5458

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