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File number: 59297-2/2022  
Contact:  
Subject: Decision number H-FK-I-B-43/2022. on termination of consumer protection procedure.

**Resolution number: H-FK-I-B-43/2022.**

As a result of the conclusion of the consumer protection procedure at **OTP Bank Plc.** (registered office: 1051 Budapest, Nádor utca 16.) ("the Bank") by the **National Bank of Hungary** (registered office: 1013 Budapest, Krisztina krt. 55., establishment: 1013 Budapest, Krisztina krt. 6.) ("MNB") based on the request of \*\*\*\*\* (address:\*\*\*\*\*) (Client) dated 15th of November, 2021, the MNB passes the following

**Resolution**

**I. The MNB calls on the Bank to comply at all times with the legislative provisions on replying to consumer complaints.**

**II. The MNB obliges the Bank to eliminate the revealed deficiency, thus stating its reasoned opinion on the objection with regard to the complaint concerning the operation of SmartBank application with the proviso that the Bank is obliged to notify the MNB about the measure taken to eliminate the deficiency –by sending its response and the documents verifying that it has been sent – until 30<sup>th</sup> of April, 2022.**

**III. With regard to the breach of legislative provisions about full response to the complaint, the MNB imposes a consumer protection fine of HUF 200.000 (two hundred thousand Hungarian forint) on the Bank.**

No procedural charges have incurred during the MNB procedure.

The imposed consumer protection fine has to be paid to the account number 19017004-01678000-30900002 of the MNB within 30 days after the resolution becoming enforceable by indicating "consumer protection fine" as a comment and the number of the resolution.

In the absence of the voluntary payment of the fine, the rules of administrative enforcement are applied. In the event the deadline for the payment of the supervisory fine is missed, default interest will be charged, the extent of which will be calculated at the rate of 365th of the double of the central bank rate in effect on the date of imposition after every calendar day following the date of imposition. After the late payment of default interest, no further default payment can be charged.

The default interest has to be paid to the cited account of the MNB by indicating the number of the resolution and the comment "default interest". In case of failure to pay debts will be collected in a way of enforcement procedure. The tax authority shall enforce the fine imposed and unpaid in the MNB's final decision in a manner of taxes, as well as the default interest due to the fact of unpaid or overdue fine.

No appeal can be made against the resolution, at the same time, the Client, or other party of the proceedings with respect the provision applicable to him/her, may initiate administrative proceeding against the resolution within 30 days of the publication of the decision citing violation of law.

Legal representation is mandatory. The application shall be submitted to the MNB addressed to the Budapest-Capital Regional Court. (The assistance service of form's submission: <https://www.mnb.hu/felugyelet/engedelyezes-es-intezmenyfelugyeles/hatarozatok-es-vegzesek-keresese>.)

The submission of the application has no suspensory effect on the entry into force of the decision, but the plaintiff can request immediate legal protection.

The court will, in principle, decide the trial out of court. The hearing will be taken, if the plaintiff requests that in the application. There is no place for excuse, if the request is not made.

**Dated: Budapest, 7<sup>th</sup> of April, 2022.**

**ELECTRONICALLY SIGNED DOCUMENT**