# Consumer Financial Protection Bureau Alert

October 2014

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For the complete index of all of Venable's articles and presentations on the CFPB and related topics, click here.

For more information on our CFPB Task Force, please click here.

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#### **Honors and Awards**

## Lessons from the CFPB's First Mortgage Servicer Rule Enforcement Action

Authors: Allyson B. Baker and Suzanne Fay Garwood

The CFPB's recent enforcement order for alleged violations of mortgage servicing rules signals the end of the leniency period that was initially promised when the rules were adopted last year. The enforcement action serves as an important reminder to servicers to review their existing policies and procedures to ensure they are current.

Read more about the enforcement order here.

### **Related Analysis**

There has been much activity in mortgage regulation in the past months, in addition to the CFPB's first ever enforcement action for alleged violations of mortgage servicing rules adopted in January 2013. Below is a collection of several articles, client alerts and presentations on happenings in the mortgage industry, published recently by Venable attorneys. We have also included a list of **upcoming events** where Venable attorneys will be speaking on related matters.

# Do You Have a Plan for Transferring Your Servicing Rights? You Probably Should...

Author: Suzanne Fay Garwood

In light of potential risks to consumers during the mortgage servicing transfer process, the CFPB has issued **Bulletin No. 2014-01**, which replaces **Bulletin No. 2013-01**. The Bulletin targets issues that the CFPB continues to believe pose a risk to consumers when the servicing of their mortgage is transferred. **To continue reading, click here.** 

# FTC Continues Enforcement Push on Mortgage Lead Generation

Authors: Jonathan L. Pompan and Alexandra Megaris

A recent settlement demonstrates the lead generation and mortgage advertising remain top priorities for the FTC, even though the Commission shares enforcement authority for nonbank mortgage advertising with the CFPB. Read the client alert to learn more about the implications of the settlement.

# Mortgage Lending: Important Lessons about Advertising, Affiliates, and Authorizations

Authors: Suzanne Fay Garwood, Allyson B. Baker, and Jonathan L. Pompan

A recent CFPB settlement with an online mortgage company, its affiliated appraisal company, and its chief executive officer reflects the CFPB's continued focus on mortgage lending and online advertising practices. As such, this enforcement action provides a window into potential pitfalls that third-party marketers – including online lead generators, mortgage lenders, and brokers – can encounter when advertising mortgages online. To continue reading, click here.

# Getting Ready for August 2015: What Is a Mortgage Application?

Author: Suzanne Fay Garwood

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Chambers USA Legal 500 Best Lawyers in America Martindale-Hubbell SuperLawyers Regulation which requires lenders to provide mortgage applicants with a new, integrated disclosure goes into effect in August 2015. **To learn more, click here.** 

### (Another) RESPA Enforcement and How to Self-Report

Author: Suzanne Fay Garwood

A Connecticut mortgage lender agreed to pay a civil money penalty for violating the Real Estate Settlement Procedures Act (RESPA), after self-reporting what it believed to be a violation for payment of unearned fees. To learn more about the CFPB's ruling, click here.

**Upcoming Events** 

### ACI's Conference on Prepaid Card Compliance – Chicago, IL

October 6 - 7, 2014

Venable partner Allyson Baker will present on "The CFPB and Prepaid Cards."

Click here to learn more about the event and to register.

### ARM-U - Washington, DC

October 14, 2014 | 1:00 - 2:00 p.m. ET

Venable partner Allyson Baker will present "How to Survive a CFPB Audit: Understanding the Scope of a CFPB Investigation" at ARM-U, a two-day training and networking seminar hosted by insideARM.com.

## Bridging the Gaps: An Advertising Law Symposium Hosted by Venable LLP – San Francisco, CA

October 20, 2014 | 8:00 a.m. - 5:15 p.m. PT

Please join Venable's advertising attorneys for an Advertising Law Symposium at the San Francisco Marriott Marquis on October 20, 2014. This all-day MCLE-accredited program is a valuable opportunity to exchange ideas and network with Venable attorneys, regulatory insiders, and top advertising law thought leaders. Key topics to be addressed include challenging competitor advertising, social media and ethics requirements, branded entertainment, digital media, gaming, health-related marketing claims, and FTC and CFPB regulations.

Space is limited so register for the free Symposium today.

To register for this symposium, please click here. In addition, guests are invited to the firm's one-year anniversary celebration of our San Francisco office at the Press Club.

# "CFPB Issues Consumer Advisory Concerning Virtual Currencies" for West LegalEdcenter

October 23, 2014 | 12:00 p.m. ET

Venable partners Allyson Baker and Ed Wilson will discuss the CFPB advisory about virtual currency. Learn about the CFPB's view of potential issues surrounding the use of virtual currency.

Click here to learn more about the event and to register.

Click here for a list of additional related events.

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