



CONSUMER FINANCE

Kaufman & Canoles' Consumer Finance Practice Group is dedicated to the representation of national and regional banks, mortgage companies, loan servicers, community banks, credit unions, card issuers and other secured and unsecured lenders in regulatory compliance and complex consumer, class action and bankruptcy litigation. We also represent furnishers of credit, debt buyers and holders, collection agencies and asset recovery specialists. We work closely with in-house counsel to identify realistic solutions, provide pragmatic advice and achieve solid, cost-effective results.

WHO WE ARE

Every provider of consumer financial services and products faces a virtual minefield in today's regulatory climate, and such challenges do not exist in a vacuum. Understanding the regulations that govern this industry, interpreting industry guidance (or lack thereof) and predicting the impact of the shifting political winds, whether at the state or federal level, are all crucial skills vital in assisting our clients navigate their business. Kaufman & Canoles' Consumer Finance Practice Group, regional leaders with national reputations, is a paramount team of lawyers focused exclusively on consumer regulatory compliance and litigation. Our team consists of attorneys who are regularly involved in all aspects of banking and consumer finance compliance and litigation. We understand our clients' business objectives and develop practical solutions to effectively handle the disputes we are retained to resolve.

WHAT WE DO

Kaufman & Canoles' Consumer Finance Practice Group represents lenders, servicers, debt holders, furnishers of credit and investors in consumer credit litigation and class actions related to residential mortgage origination, servicing and default. It also represents lenders, debt holders, furnishers of credit and credit card issuers in consumer disputes, claims made under the FDCPA, FCRA, SCRA, ECOA, TCPA, unfair and deceptive trade practices, debt collection violations, identity theft, privacy issues, bankruptcy and fiduciary-related claims.

Our Consumer Finance attorneys regularly advise clients in fair lending, UDAAP and regulatory and compliance matters involving the CFPB, DOJ and federal and state agencies, as well as counseling clients on state and federal regulatory compliance obligations, including licensing fees, record retention, advertising obligations and restrictions, disclosure requirements and anti-predatory lending laws.

Members of Kaufman & Canoles' Consumer Finance Practice Group are also frequent guest speakers at industry events, including but not limited to, the Mortgage Bankers Association's regulatory and litigation conferences and the American Conference Institute's annual consumer finance, class action and residential mortgage conferences. The team can cover any consumer finance matter in Virginia, North Carolina, Maryland or the District of Columbia.

REPRESENTATIVE MATTERS

- Represent lenders, servicers and investors in mortgage litigation and class actions related to issues arising under consumer foreclosure disputes (including HAMP, HARP and MHA programs), alleged fraudulent mortgages, loan documentation and servicing issues, FHA and VA requirements, predatory lending, MERS and assignment issues and claims brought pursuant to TILA, HOEPA, RESPA
- Advise clients on compliance issues related to FHA, VA, FCRA, FDCPA, ECOA, Reg B, TILA, HMDA, RESPA, TCPA, SCRA, fair lending and UDAAP, among others
- Assist and advise clients facing inquiries and investigations involving CFPB, DOJ and other federal and state agencies
- Represent banks, lenders (home loan, auto, card, etc.), mortgage servicers, online lenders, third party vendors, data brokers and background screening companies in consumer disputes and claims made under FDCPA, FCRA, SCRA, TCPA, unfair and deceptive trade practices, debt collection violations, identity theft, privacy issues, bankruptcy and fiduciary-related claims
- Advise lenders, brokers, servicers and other settlement service providers, including counseling clients on state and federal regulatory compliance obligations, including licensing fees, record retention, advertising obligations and restrictions, disclosure requirements and anti-predatory lending laws
- Represent creditors in state and federal criminal forfeiture proceedings