Financial Institutions Regulatory

Regulatory Development, Implementation and Defense

Offit Kurman
Attorneys At Law
Trust. Knowledge. Confidence.

FINANCIAL INSTITUTIONS REGULATORY ATTORNEYS

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Offit Kurman's Financial Institutions Regulatory Practice Group offers legal representation and counseling to ensure our clients remain compliant, effective, and successful in light of ongoing regulatory changes. From representing clients before federal and state agencies to advising businesses on corporate transactions regarding the latest rules affecting their industries, our approach combines attorney insight across practice areas with the goal of enhancing the value of each client's business.

- **Regulatory Representation:** We represent mortgage lenders, brokers, servicers, and related companies before federal and state regulatory authorities, including the CFPB, HUD, the Department of Justice, FDIC, FTC, the Federal Reserve, state Attorneys General during investigations and enforcement proceedings.
- **Federal and State Compliance:** We assist clients in implementing policies and procedures in compliance with various federal regulations and agency guidelines, including TRID, Qualified Mortgage Rules, HUD FHA Mortgagee guidelines, RESPA Anti-Kickback provisions, FCRA and FACTA Act requirements, FinCen Anti-Money Laundering requirements and Privacy rules. We also develop and review disclosures, policies, and procedures to comply with state consumer protection and mortgage banking requirements.
- **Loan Originator Compensation and Other Employment Matters:** Our attorneys are authorities on compensation and related wage, employment, and classification issues for loan officers, branch managers and other mortgage industry participants.
- **Litigation, Mediation, and Arbitration:** We represent clients on claims pertaining to consumer protection statutes, and collaborate with our employment litigation team to defend clients on employment and labor claims that often also implicate regulatory issues.
- **Financial Institutions M&A:** We assist financial institutions on mergers and acquisitions, including applications for mortgage company change in controls, as well as other corporate transactions such as mortgage loan purchase and sale agreements and joint ventures.
- **Compliance Audits and Due Diligence:** We review our clients' compliance management practices to ensure ongoing compliance with regulatory requirements, and help our stay ahead of issues as they occur in real time. We also advise clients through state or federal regulatory audits.
- **Licensing and Agency Approvals:** We advise clients on state lender, servicer, broker and other licensing requirements. We also assist with license applications, HUD FHA, and other agency approvals.
- **Corporate Operations:** We provide advice on corporate governance, taxation, labor and employment matters, and intellectual property and trademark protection, with an eye toward relevant law and governing authorities.
- **Fair Lending Reviews:** In addition to defending our clients against claims of unfair lending practices, we identify fair lending issues and help lenders draft and implement updated policies.
- **Privacy and Data Security:** Drawing on legal proficiency in the field of cybersecurity and privacy laws, we help our clients protect their and their customers' sensitive data, respond to threats as they happen, and act quickly in the aftermath of a breach.
- **Product Development:** We work alongside our clients to design all types of consumer finance products, address uncertainties, and correct compliance errors before product launch.

We continuously monitor legal developments, publish articles and participate in industry and bar association groups on consumer finance issues. In addition, we are active members of various national and local organizations involved in the consumer financial services industry.