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CFPB's Section 1071 Final Rule (Part 1): A General Overview

The Consumer Finance Podcast

SPEAKERS

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Please join Troutman Pepper Partner Chris Willis and his colleagues Lori Sommerfield, Addison Morgan, and Josh McBeain for the first installment of a special three-part series about the Consumer Financial Protection Bureau's (CFPB) new small business lending data collection and reporting final rule — the Section 1071 rule. Part 1 of this special series provides a general overview of the rule, including:

- What the rule is designed to do;
- The definition of a small business for the purpose of this rule;
- What types of small business lenders are covered;
- Covered and excluded credit transactions as defined by the rule;
- The three types of data required to be collected;
- Anti-discouragement provisions of the rule;
- Data collection and reporting requirements and what the CFPB intends to do with the collected data;
- Safe harbor provisions within the rule; and
- The differences between the proposed rule and the final rule.

Stay tuned for Part 2 of this special series that takes a deeper dive into the rule's data collection requirements and anti-discouragement provisions.

CFS Partner Lori Sommerfield brings more than two decades of experience in representing a wide range of banks, financial institutions, and financial services companies in fair lending and responsible banking regulatory compliance. She has extensive experience in helping clients navigate fair lending examinations and supervisory issues, and she has successfully represented clients in high-stakes fair lending regulatory investigations and enforcement actions. Prior to joining the firm, Lori held significant legal positions in federal government, in-house, and private practice settings (including two other nationally known law firms), which she leverages to effectively represent her clients' interests.

CFS Associate Addison Morgan represents several of the nation's preeminent financial institutions in litigation arising under the Fair Credit Reporting Act, Telephone Consumer Protection Act, Fair Debt Collection Practices Act, Federal Trade Commission Holder Rule, and other consumer protection state analogs. In addition to his litigation practice, Addison also provides regulatory compliance assistance to a wide array of companies across

the financial services industry.

CFS Associate Josh McBean focuses his practice on federal and state consumer and business lending and payments laws, including those applying to credit cards, installment loans, lines of credit, point-of-sale finance, and the development of digital financial service products. Before joining the firm, Josh served as in-house counsel to a major financial institution where he advised on an array of regulatory, legal, and compliance issues. He also worked at the Federal Reserve Bank of Minneapolis for several years, where he examined banks for compliance with consumer and business laws.

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