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Articles + Publications | December 4, 2023

In Case You Missed It: Consumer Financial Services Law Monitor — November in Review

Our team published new content and podcasts to the *Consumer Financial Services Law Monitor* throughout the month of November. To catch up on posts you may have missed, click on the links below:

Consumer Financial Protection Bureau (CFPB)

Biden Issues First Executive Order Directing Federal Agencies to Establish New Standards to Promote Safe and Secure Use of AI

Big Tech in the CFPB's Crosshairs: Bureau Proposes to Supervise Larger Technology Companies Offering Digital Wallets and Payment Apps

Federal Agencies Announce Increased Regulations Z and M Dollar Thresholds for Exempt Consumer Credit and Lease Transactions, and Higher Threshold for Exemption from Mortgage Loan Appraisal Requirements

Medical Debt Under the Microscope: Insights from the CFPB's 2022 FDCPA Report

October Consumer Litigation Filings: Mixed Bag

Fair Debt Collection Practices Act (FDCPA)

\$225,000 Punitive Damages Award Upheld Where Creditor Repeatedly Contacted Customer After Being Notified of Attorney Representation

Undated Model Debt Violation Notice Does Not Violate the FDCPA

Federal Magistrate Recommends Dismissal of FDCPA and FCRA Case on Statute of Limitation and Reasonableness of Reporting Grounds

Second Circuit Affirms Dismissal of FDCPA Case Holding Plaintiff Prompted Communication at Issue

Illinois Federal District Court Grants Summary Judgment Holding Use of a Local Area Code by a Non-Local Debt Collector Does Not Give Rise to a FDCPA Claim

Telephone Consumer Protection Act (TCPA)

Arizona Federal District Court Holds MMS's Are Not Prerecorded Messages Under the TCPA Unless They Play Automatically

Regulatory Enforcement + Compliance

Biden-Harris Administration Amends Higher Education Act to Address College Closures and Withholding Transcripts

FTC Issues Report to Congress on the Fraud Threats Faced by Older Consumers

Opportunity Financial Scores Big Win in CA DFPI's "True Lender" Lawsuit

Cryptocurrency + Fintech

NY DFS Amendments to Cybersecurity Regulations

Well, California Has Decided to Regulate Crypto

FinCEN to Shed Light on Illicit Use of Virtual Currency Mixing Through Enhanced Record Keeping and Reporting Requirements.

Understanding the DOJ's Groundbreaking \$4.3B Settlement with Foreign Cryptocurrency Exchange Binance.com

Banking

At Fair Lending Conference, DOJ Officials Discuss the "Combatting Redlining Initiative": Progress Made and the Road Ahead

Florida Senator Introduces Bill Regulating Bank Model Lending and Loan Programs Based on Voluntary Tips

Update: Members of National Credit Union Trade Associations Overwhelmingly Vote to Merge

Podcasts

The Consumer Finance Podcast: The Impact of State Licensing Laws

The Consumer Finance Podcast: CFPB and DOJ Joint Statement on Immigration Status and Credit Underwriting

The Consumer Finance Podcast: The NYDFS Updates Its Stringent Cybersecurity Regulations. Is This a Bellwether of Coming Industry Change?

The Consumer Finance Podcast: The Role of General Counsel in Advising Boards of Directors on the Use of Al

Payments Pros: The Future of Payments – Exploring FedNow with the Payments Professor

Weekly Consumer Financial Services Newsletter

Troutman Pepper Weekly Consumer Financial Services Newsletter - November 7, 2023

Troutman Pepper Weekly Consumer Financial Services Newsletter - November 13, 2023

Troutman Pepper Weekly Consumer Financial Services Newsletter - November 21, 2023

Troutman Pepper Weekly Consumer Financial Services Newsletter - November 27, 2023

RELATED INDUSTRIES + PRACTICES

- Consumer Financial Protection Bureau (CFPB)
- Consumer Financial Services
- Digital Assets + Blockchain
- Fair Credit Reporting Act (FCRA)
- Fair Debt Collection Practices Act (FDCPA)
- Financial Services Litigation
- Telephone Consumer Protection Act (TCPA)