

TEXAS CONSUMER FINANCE ASSOCIATION ANNUAL CONVENTION



JULY 10 – 12, 2019

JW MARRIOTT HILL COUNTRY RESORT AND SPA
SAN ANTONIO, TEXAS

Back to Basics: Communicating with Customers, Credit Reporting,
Bankruptcy and Guaranteed Offers of Credit!

and

On the Horizon: The Payment Provisions Under the “Payday,
Vehicle Title, and Certain High-Cost Installment Loans” Rule

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I. COMMUNICATING WITH CONSUMERS

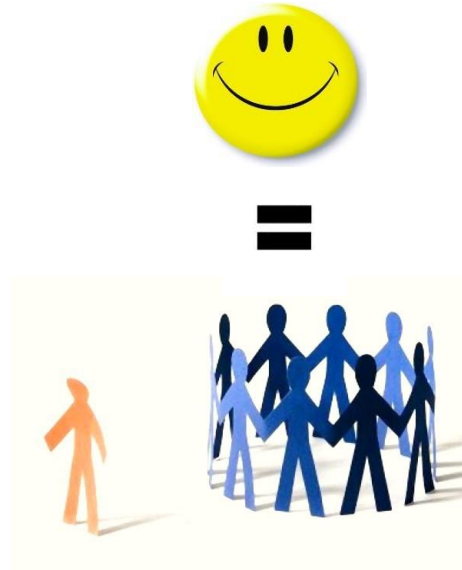
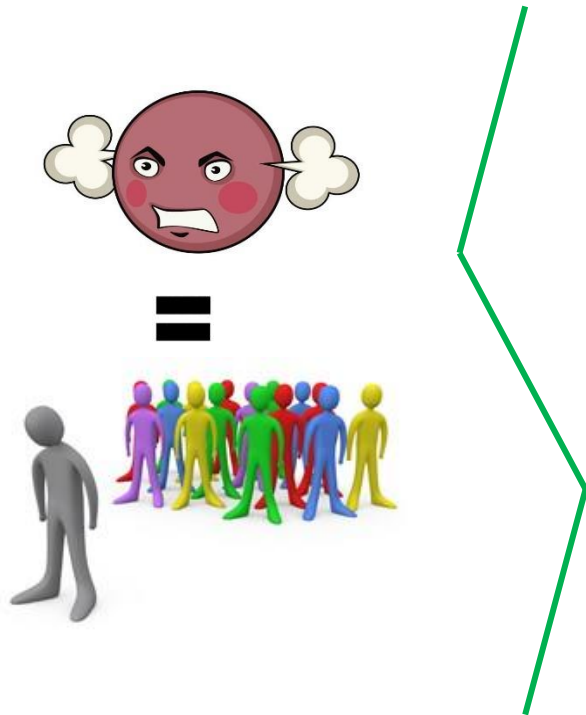


- A.** Collections – debt collection and servicing
 - 1.** Fair Debt Collection Practices Act
 - a. 1st party vs. 3rd party collections
 - b. Harassment or abuse, false or misleading representations and unfair practices
 - c. Texas passes debt buyer legislation effective September 1, 2019

- B.** Marketing – solicitation and telemarketing
 - 1.** The role of the Telephone Consumer Protection Act
 - a. Cell phones, Text messaging and Snail Mail
 - b. The automatic telephone dialing system

- C.** Proposed Regulation F – Carl Galant will cover

II. CREDIT REPORTING



- A. Fair Credit Reporting Act
 1. Furnisher Rule
 2. Direct Disputes – not EOSCAR
- B. Fraud Alerts and Security Freezes
- C. Industry Best Practices

III. BANKRUPTCY



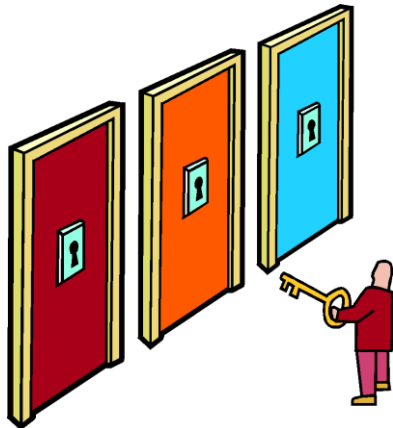
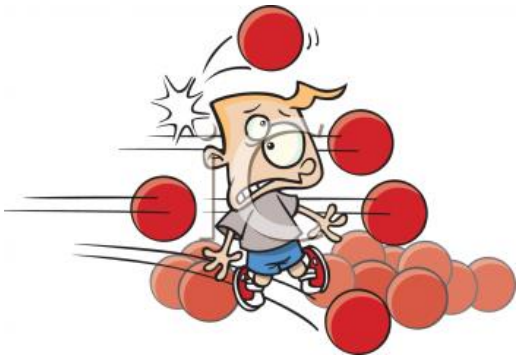
- A. Avoiding Violation of the Automatic Stay
 - 1. Default in a confirmed plan where payment is to be made directly by the Debtor, not the Trustee

IV. GUARANTEED OFFERS OF CREDIT



- A. The Basic Fair Credit Reporting Act rule
- B. Unsolicited Loan Act of 2018

V. STATUS OF CFPB'S PAYMENTS PROVISIONS



- A. Is there or is there not a stay in effect of the CFPB's Payments Provisions under the Small Dollar Loan Rule?
1. The CFPB's June 1, 2019 announced Rule restating the Payments Provisions effective date of August 19, 2019
 2. Order of Judge Lee Yeakel in *Community Financial Services Association of America, Ltd. And Consumer Service Alliance of Texas v. Consumer Financial Protection Bureau, et al*, dated May 30, 2019



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