

# Legal Issues and Regulatory Compliance Conference

Sunday, May 7, 2023

10:00 AM - 7:00 PM

## **Registration and CLE Desk**

*Location: Zilker Foyer*

12:30 PM - 1:45 PM

## **COMPLIANCE CONVERSATIONS TRACK: RESPA Section 8 and Lead Generation**

*Location: Texas Ballroom 5*

This session will feature a moderator-facilitated discussion where attendees can ask questions and exchange information to learn how peers are approaching compliance challenges related to the Real Estate Settlement Procedures Act (RESPA) Section 8 and Lead Generation.

Speaker

**Jim M. Milano**, *Attorney at Law, McGlinchey Stafford*

12:30 PM - 1:45 PM

## **LITIGATION FORUM TRACK: TCPA and RESPA/TILA Litigation, Origination and Servicing**

*Location: Zilker Ballroom 2*

This session highlights recent cases and litigation developments related to the Telephone Consumer Protection Act (TCPA), the Real Estate Settlement Procedures Act (RESPA), Truth in Lending Act (TILA), and Origination and Servicing.

Speakers

**Simon A. Fleischmann**, *Partner, Locke Lord LLP*

**Ari Karen, Esq.**, *Partner, Mitchell Sandler, LLC*

**Trip X. Riley, III**, *Partner, Saul Ewing*

**Justin Wiseman**, *Vice President, Managing Regulatory Counsel, Mortgage Bankers Association*

1:45 PM - 2:00 PM

**Refreshment Break**

*Location: Zilker North Lobby*

2:00 PM - 3:15 PM

**COMPLIANCE CONVERSATIONS TRACK: TRID Pricing and Challenges**

*Location: Texas Ballroom 5*

This session features a moderator-facilitated discussion where attendees can ask questions and exchange information to learn how peers are approaching compliance challenges related to TILA/RESPA Integrated Disclosures (TRID), Pricing and Challenges.

Speaker

**Richard B. Horn**, *Managing Partner, Garris Horn LLP*

2:00 PM - 3:15 PM

**EMERGING ISSUES TRACK: Repurchases, Buybacks and Working with Investors**

*Location: Zilker Ballroom 4*

This session highlights strategies to effectively work with investors to remediate non-performing loans or contest repurchase demands. Panelists discuss the compliance and legal considerations, including underwriting standards, disclosures, and reps and warranties to manage repurchases and buybacks.

Speakers

**James Brody**, *Senior Partner, Garris Horn LLP*

**John K. Carson**, *SVP, General Counsel, Cherry Creek Mortgage Co., Inc.*

**Katherine Katz**, *Partner, Cooley LLP*

2:00 PM - 3:15 PM

**LITIGATION FORUM TRACK: FDCPA and FCRA**

*Location: Zilker Ballroom 2*

This session features highlights recent cases and litigation developments relating to the Fair Debt Collection Practices Act (FDCPA) and the Fair Credit Reporting Act (FCRA).

Speakers

**Simon A. Fleischmann**, *Partner, Locke Lord LLP*

**Joseph H. Hickey**, *Member, Dykema Gossett PLLC*

**Michael Hogue**, *Shareholder, Greenberg Traurig, LLP*

3:15 PM - 3:30 PM

**Refreshment Break**

*Location: Zilker North Lobby*

3:30 PM - 4:45 PM

**COMPLIANCE CONVERSATIONS TRACK: Fair Lending**

*Location: Texas Ballroom 5*

This session features a moderator-facilitated discussion where attendees can ask questions and exchange information to learn how peers are approaching compliance challenges related to fair lending.

Speakers

**Mitch Kider**, *Chairman and Managing Partner, Weiner Brodsky Kider PC*

**David Stickney**, *Director, FTI Consulting, Inc.*

3:30 PM - 4:45 PM

**EMERGING ISSUES TRACK: Assumptions & Temporary Buydown Workshop**

*Location: Zilker Ballroom 4*

Mortgage financing strategies that include assumptions and temporary buydowns are key in a high interest rate environment. This session covers contractual considerations, numerous state and federal disclosure requirements, costs, and risks associated with these transactions. Furthermore, the panel discusses potential regulatory and program changes that could make limits on assumption fees feasible, or even profitable.

Speakers

**Fred Gooch, Jr.**, *Docutech, A First American Company*

**Tara Healy**, **CMB, CML**, *Chief Compliance Officer, Cherry Creek Mortgage Co., Inc.*

**Howard Tolley**, *Utah Housing Corporation*

3:30 PM - 4:45 PM

**LITIGATION FORUM TRACK: Key State Cases and Bankruptcy**

*Location: Zilker Ballroom 2*

This session covers key state cases that impact compliance responsibilities with a focus on those that may indicate federal trends. In addition, bankruptcy activity is discussed.

Speakers

**Jarlath M. Curran**, *Member, Severson & Werson*

**Simon A. Fleischmann**, *Partner, Locke Lord LLP*

**Simon A. Fleischmann**, *Partner, Locke Lord LLP*

**Eric D. Houser, Esq.**, *Managing Partner, Houser LLP*

5:00 PM - 6:00 PM

**COMPLIANCE CONVERSATIONS TRACK: Loan Originator Compensation**

*Location: Texas Ballroom 5*

This session features a moderator-facilitated discussion where attendees can ask questions and exchange information to learn how peers are approaching compliance challenges related to the loan originator compensation rule.

Speakers

**Troy W. Garris**, *Co-Managing Partner, Garris Horn LLP*

**David K. Stein, Esq.**, *Partner, Taft Stettinius & Hollister LLP*

5:00 PM - 6:00 PM

**EMERGING ISSUES TRACK: Flood Insurance and Climate Risk**

*Location: Zilker Ballroom 4*

The impact of climate change is far reaching. The cost of disasters and mitigation is increasing but flood insurance coverage doesn't match it. Additional disclosure requirements are being contemplated, and lenders are increasingly under pressure to better understand their exposure. Join this session of expert panelists to discuss these trends and more.

Speakers

**John Burley**, *SF Legal, Deputy General Counsel, Principal, Fannie Mae*

**Matthew Eby**, *Founder and Executive Director, First Street Foundation*

**Suzanne Garwood**, *Executive Director and Associate General Counsel, Chase*

**Scott Giberson, Sr.**, *Principal, Flood Compliance, CoreLogic*

5:00 PM - 6:00 PM

**LITIGATION FORUM TRACK: Fair Lending**

*Location: Zilker Ballroom 2*

This session features highlights recent cases and litigation developments pertaining to Fair Lending.

Speakers

**Simon A. Fleischmann**, *Partner, Locke Lord LLP*

**Olivia Kelman**, *Partner, K&L Gates, LLP*

6:00 PM - 7:00 PM

**OPENING RECEPTION IN THE EXHIBIT AREA: Hill Country**

*Location: Zilker North Lobby*

Monday, May 8, 2023

7:30 AM - 5:00 PM

**Registration and CLE Desk**

*Location: Zilker Foyer*

8:00 AM - 8:30 AM

**Continental Breakfast**

*Location: Zilker North Lobby*

8:00 AM - 5:00 PM

**Exhibit Area Open**

*Location: Zilker North Lobby*

8:30 AM - 10:00 AM

**OPENING GENERAL SESSION: The Conundrum of AI Ethics**

*Location: Zilker Ballroom 2*

MBA's CEO Bob Broeksmit provides an update on MBA's recent work in Washington on behalf of its members, then welcomes Michael Rogers, award winning journalist, novelist and futurist. This compelling session highlights Artificial Intelligence (AI) and the ethics conundrum surrounding this game-changing

technology advancement. For years it has been said that AI improves efficiency, creates cost savings, and accelerates R&D. But, with virtually no U.S. government oversight, private companies are using AI to make a variety of determinations about employment, creditworthiness, health and more – with no rules or transparency to ensure there are safeguards against structural bias in the coding. Rogers discusses the economic reward versus the societal harm this advancement brings and what it means to the future of the mortgage industry.

Speakers

**Robert D. Broeksmit, CMB**, *President & Chief Executive Officer, Mortgage Bankers Association*

**Brian McGrath**, *Partner, Hinshaw & Culbertson LLP*

**Michael Rogers**, *Author, Technology Pioneer and Futurist*

**Justin Wiseman**, *Vice President, Managing Regulatory Counsel, Mortgage Bankers Association*

10:00 AM - 10:15 AM

**Refreshment Break**

*Location: Zilker North Lobby*

10:15 AM - 11:30 AM

**GENERAL SESSION: A Discussion of Legal Issues with Industry Regulators**

*Location: Zilker Ballroom 2*

Join a panel of government regulators and enforcers to discuss recent activity and future priorities.

Speakers

**Mallory J. Garner**, *Senior Managing Director and General Counsel, PennyMac Financial Services, Inc.*

**Varda Hussain**, *Special Litigation Counsel, Fair Lending, U.S. Department Of Justice*

**Mark McArdle**, *Assistant Director of Mortgage Markets, Consumer Financial Protection Bureau (CFPB)*

**Nate Shultz**, *Chief of Staff, Office of Housing and Federal Housing Administration, U.S. Department of Housing and Urban Development*

**Wayne Streibich**, *Chair, Consumer Financial Services Practice, Blank Rome LLP*

11:30 AM - 12:45 PM

**LUNCH WITH FEATURED SPEAKER STEPHEN VLADECK: Behind the Scenes of the Supreme Court**

*Location: Texas Ballroom 2*

Join your peers for extended conversation while enjoying a delicious plated lunch before hearing from the featured guest speaker, author and law professor, Stephen Vladeck. This compelling session checks in on the Supreme Court and what's happening behind the scenes with its increasing use of the shadow docket practice, and concerns around the lack of transparency and public participation in the process.

Speakers

**Chris Hilliard**, *Chief Operating Officer and Founder, Winnow Solutions, LLC*

**Stephen I. Vladeck**, *Charles Alan Wright Chair in Federal Courts at the University of Texas School of Law, Author, University of Texas School of Law*

1:00 PM - 2:15 PM

**APPLIED COMPLIANCE TRACK: Managing to the Loan Originator Compensation Rule in a Purchase Market**

*Location: Zilker Ballroom 4*

With heightened competition by lenders to attract and retain productive loan originator talent, compliance with the Loan Originator Compensation (LO Comp) rule continues to be a hot topic. Our panel of experts use various hypothetical compensation plans and scenarios to illustrate what is, and is not, permissible under the LO Comp rule.

Speakers

**Richard J. Andreano, Jr., Esq., CMCP**, *Partner, Ballard Spahr LLP*

**R. Andrew Arculin**, *Blank Rome LLP*

**Laura LaRaia**, *Chief Legal Officer and Enterprise Risk Officer, MLD Mortgage Inc. d/b/a The Money Store*

**Jed Mayk**, *Partner, Hudson Cook, LLP*

1:00 PM - 2:15 PM

**EVOLVING RULES TRACK: FDCPA, TCPA and Changing Rules Around Debt Collection**

*Location: Texas Ballroom 5*

The CFPB and other regulators continue to focus on debt collection. Recent regulatory pronouncements, judicial decisions and CFPB opinions are creating new expectations. Join this panel to discuss how to comply with this shifting landscape and how to understand the developing trend.

Speakers

**Lauren E. Campisi**, *Partner, Hinshaw & Culbertson LLP*

**Anoush Garakani, Esq.**, *Partner, Alston & Bird, LLP*

**Robert M. Horwitz**, *Partner, Maddin Hauser, P.C.*

**Reid Manley**, *Partner, Burr & Forman, LLP*

**Andrew K. Stutzman**, *Co-Chair, Financial Services Litigation, Stradley, Ronon, Stevens & Young, LLP*

**Michael Waldron, Esq.**, *Founder & President, Compliance Solutions LLC*

1:00 PM - 2:15 PM

**KEY UPDATES TRACK: Major Litigation Update**

*Location: Zilker Ballroom 2*

Join our discussion of major litigation developments affecting mortgage lending. Panelists discuss impactful enforcement actions and significant court rulings, providing their thoughts on what these developments mean for mortgage lenders.

Speakers

**Aaron Chastain, AMP**, *Partner, Bradley Arant Boult Cummings LLP*

**Michael O'Connor**, *EVP, General Counsel, Legal Department, LoanCare*

**Matthew P. Previn**, *Partner, Paul Hastings LLP*

**Michelle L. Rogers**, *Partner, Cooley LLP*

2:15 PM - 2:30 PM

**Refreshment Break**

*Location: Zilker North Lobby*



2:30 PM - 3:45 PM

**APPLIED COMPLIANCE TRACK: RESPA - Lead Generation and the CFPB's New Advisory Opinion**

*Location: Zilker Ballroom 4*

The panel discusses recent trends in marketing arrangements subject to RESPA, including effects from the CFPB's recent RESPA Advisory Opinion and court cases to watch. Among other topics, the discussion touches on lead generation activities, marketing service arrangements, co-marketing initiatives, and online/social media advertising. Speakers present and analyze fact patterns on issues of top concern and offer practical advice on operationalizing the rules.

Speakers

**Holly Spencer Bunting**, *Partner, Mayer Brown LLP*

**Jerra H. Ryan, CMCP**, *Vice President, Firstline Compliance, LLC*

**Matthew Sheldon**, *Partner, Co-Chair of the Banking & Consumer Financial Services Practice, Goodwin*

2:30 PM - 3:45 PM

**EVOLVING RULES TRACK: Employment Law Updates on Dual Employment, Managing Layoffs and Key Trends**

*Location: Texas Ballroom 5*

A changing business environment can bring new employment legal challenges. Join this panel of experts to discuss how to manage these business changes, react to FHA allowing for dual employment compensation and other key trends like remote work considerations.

Speakers

**Russell R. Bruch**, *Partner, Morgan Lewis & Bockius LLP*

**Daniella Casseres, Esq.**, *Partner, Mitchell Sandler, LLC*

**Meredith Dante**, *Partner, Ballard Spahr LLP*

**Jerry Hager**, *Executive Vice President, Legal, AmeriHome Mortgage, a Western Alliance Bank Company*

2:30 PM - 3:45 PM

**KEY UPDATES TRACK: Key Servicing Updates - Top Challenges Facing Servicers**

*Location: Zilker Ballroom 2*

Mortgage servicers face significant risk in today's market and regulatory environment. Come join a panel of experts to discuss the challenges servicers face and recommendations to mitigate that risk. Discussion topics will include UDAAP/Fair Servicing, New York's Foreclosure Abuse Prevention Act (FAPA), assumptions, and expected changes to loss mitigation waterfalls.

Speakers

**Chava Brandriss**, *Partner, Davis Wright Tremaine, LLP*

**Diana M Eng**, *Partner, Blank Rome LLP*

**Samuel I. Racoosin**, *Managing Director and Associate General Counsel, Chase*

**Nanci L. Weissgold**, *Co-Chair, Financial Services & Products Group and Co-Leader, Consumer Financial Services Team, Alston & Bird, LLP*

4:00 PM - 5:00 PM

**APPLIED COMPLIANCE TRACK: TRID**

*Location: Zilker Ballroom 4*

Determining what complies with TILA-RESPA Integrated Disclosures (TRID) requires a detailed understanding and knowledge of the practical considerations involved with any real estate transaction. Join our expert panel as they discuss real world examples that highlight the requirements and demonstrate a decision-making framework to ensure compliance.

Speakers

**Jennifer Dozier**, *Partner, Franzen and Salzano, PC*

**Suzanne Garwood**, *Executive Director and Associate General Counsel, Chase*

**Colgate Selden**, *Partner, Blank Rome LLP*

**David Stickney**, *Director, FTI Consulting, Inc.*

4:00 PM - 5:00 PM

**EVOLVING RULES TRACK: Shifting Views of Agency Power - Key Developments and Impact on Rulemaking**

*Location: Texas Ballroom 5*

This panel explores the big changes in administrative law and what that means for rulemaking and mortgage regulation. They will also touch on how the changes in the makeup and direction of the Supreme Court affect decisions and trends impacting agency interpretation and regulation in the mortgage lending industry.

Speakers

**Blake Chavis**, *VP, Associate General Counsel, Flagstar Bank, N.A.*

**Brian S. Levy, Esq.**, *Of Counsel, Katten & Temple, LLP*

**Mark E. Rooney**, *Partner, Hudson Cook, LLP*

**Levi William Swank**, *Partner, Goodwin*

4:00 PM - 5:00 PM

**KEY UPDATES TRACK: Loss Mitigation Post-Pandemic**

*Location: Zilker Ballroom 2*

Join this panel of experts to discuss loss mitigation after the pandemic, including MBA's white paper on the Future of Loss Mitigation advocating for the preservation of many loss mitigation flexibilities. The panel discusses the challenges servicers face with the evolving regulatory environment and recommendations for servicers to mitigate that risk as the industry emerges from the pandemic.

Speakers

**Brendan Kelleher**, *Associate Director, Loan Administration, Mortgage Bankers Association*

**Jonathan Kolodziej, AMP, CMCP**, *Partner, Bradley Arant Boult Cummings LLP*

**H. Joshua Kotin**, *Partner, Cooley LLP*

**Marissa Yaker, Esq.**, *Deputy General Counsel, Regulatory Affairs, Padgett Law Group*

5:00 PM - 6:00 PM

**NETWORKING RECEPTION: Austin City Limits**

*Location: Zilker Terrace*

8:00 PM - 9:30 PM

**MBA Advocacy Reception (Open to MAA members; sign up at the door)**

*Location: Sipping Springs Patio*

Tuesday, May 9, 2023

7:30 AM - 5:00 PM

**Registration and CLE Desk**

*Location: Zilker Foyer*

8:00 AM - 8:30 AM

**Continental Breakfast**

*Location: Zilker North Lobby*

8:00 AM - 5:00 PM

**Exhibit Area Open**

*Location: Zilker North Lobby*

8:30 AM - 10:00 AM

**GENERAL SESSION: CFPB at a Crossroads?**

*Location: Zilker Ballroom 2*

The CFPB has been active and vocal, yet also has produced little in the way of traditional rulemaking and regulatory guidance under Director Chopra. At the same time, it faces challenges to its continued existence at the Supreme Court and is under attack for overreach in other legal challenges. This panel discusses the CFPB's pronouncements around its UDAAP authority, its attempts to regulate through registries, as well as the possible fallout from the next Supreme Court term.

Speakers

**John Coleman**, *Partner, Orrick, Harrington & Sutcliffe, LLP*

**Mallory J. Garner**, *Senior Managing Director and General Counsel, PennyMac Financial Services, Inc.*

**Thomas M. Hefferon**, *Partner, Goodwin*

**Bill Killmer**, *SVP, Legislative and Political Affairs, Mortgage Bankers Association*

**Sabrina Rose-Smith**, *Partner, Goodwin*

**Chelsey Trevino**, *Senior Director, FTI Consulting, Inc.*

**Justin Wiseman**, *Vice President, Managing Regulatory Counsel, Mortgage Bankers Association*

10:00 AM - 10:15 AM

**Refreshment Break**

*Location: Zilker North Lobby*

10:15 AM - 11:45 AM

**FAIR LENDING TRACK: Key Cases and Managing Fair Lending Investigations**

*Location: Zilker Ballroom 4*

This expert panel covers the changing landscape of fair lending. Attend to hear about key cases handled by these attorneys that impact fair lending law.

Speakers

**Andrew Glass**, *Partner, K&L Gates, LLP*

**Jonice Gray Tucker**, *Partner, Paul Hastings LLP*

**Richard B. Horn**, *Managing Partner, Garris Horn LLP*

**Sheila M. Strong, CMCP**, *Partner and Co-founder, Strong Estrada PLLC*

10:15 AM - 11:45 AM

**KEY UPDATES TRACK: State Licensing and Examination Challenges**

*Location: Zilker Ballroom 2*

State regulatory supervision and licensing issues grow more complicated and labor intensive each year. As more of your company's resources are devoted to preparing for exams and managing dozens of individual, branch, and company licenses, it is imperative to have the latest insights and strategies from the experts. Attend this panel of seasoned legal and regulatory compliance professionals for insights into the latest developments and hear their suggestions for navigating the patchwork of different state laws and regulations.

Speakers

**Krista Cooley**, *Partner, Mayer Brown LLP*

**William Kooper, MPA**, *Vice President of State Governmental Affairs and Industry Relations, Mortgage Bankers Association*

**Melissa Koupal, CMCP**, *Managing Partner, Regulatory Affairs, loanDepot.com, LLC*

**Haydn J. Richards, Jr.**, *Partner, Bradley Arant Boult Cummings LLP*

**Katy L. Ryan**, *Partner, Orrick, Harrington & Sutcliffe, LLP*

10:15 AM - 11:45 AM

**RESPONSIBLE DATA USAGE TRACK: The Evolving Landscape of Data Privacy**

*Location: Texas Ballroom 5*

Evolving technology and increasingly sophisticated methods of data collection have led state and federal lawmakers to focus on data privacy. As methods for collecting and using data develop, industry participants must react to a myriad of rapid technological and regulatory changes. The panel will discuss recent changes to the CPRA, federal data privacy legislation, and the recent focus on the use of AI and dark patterns on the federal and local level.

Speakers

**Gabriel Acosta**, *Regulatory Specialist, Mortgage Bankers Association*

**Amanda Lawrence**, *Partner, Orrick, Harrington & Sutcliffe, LLP*

**Sanford (Sandy) P. Shatz**, *Of Counsel, McGlinchey Stafford*

**David Shirk, CMCP**, *Managing Member, Shirk Law PLLC*

11:45 AM - 1:00 PM

**Networking Lunch**

*Location: Texas Ballroom 2*

1:00 PM - 2:15 PM

**FAIR LENDING TRACK: Key Compliance Considerations**

*Location: Zilker Ballroom 4*

Compliance in fair lending is more important than ever. Attend this session to hear key compliance pointers and how to manage fair lending risk as well as tools to affirmatively reach diverse and underserved markets.

Speakers

**Mitch Kider**, *Chairman and Managing Partner, Weiner Brodsky Kider PC*

**Jeff P. Naimon**, *Partner, Orrick, Harrington & Sutcliffe, LLP*

**Tori Shinohara**, *Partner, Mayer Brown LLP*

**Vernon Tanner, CRCM**, *VP - Real Estate Governance, AML/BSA, 1st Franklin Financial Corporation*

1:00 PM - 2:15 PM

**KEY UPDATES TRACK: State Law and Enforcement Trends**

*Location: Zilker Ballroom 2*

Get the latest updates on key cases and enforcement trends from state to state. This panel examines developing legal precedents that could have a larger impact on the industry down the road and offers thoughts on how to comply.

Speakers

**Jeffrey P. Barringer**, *Member, McGlinchey Stafford*

**Lisa Ernesti**, *Lead Counsel, Wells Fargo Home Mortgage*

**Joseph T. Lynyak, III**, *Partner, Dorsey & Whitney LLP*

**Keisha Whitehall Wolfe**, *Counsel, Orrick, Harrington & Sutcliffe, LLP*

1:00 PM - 2:15 PM

**RESPONSIBLE DATA USAGE TRACK: Data Security and How to Protect Consumer Information**

*Location: Texas Ballroom 5*

The mortgage industry is responsible for handling incredible amounts of consumer data. The sophistication of bad actors has led to complex requirements on data security. Attend this panel of industry experts to learn about the practical and regulatory challenges to collecting and using data. These experts discuss changes to the FTC Safeguards Rule and other federal updates, the NY DFS Cybersecurity Amendments, and the CPRA.

Speakers

**Gabriel Acosta**, *Regulatory Specialist, Mortgage Bankers Association*

**Bart Huffman**, *Partner, Holland & Knight LLP*

**Wendy Lee**, *EVP, Chief Legal Officer, Sagent*

**Amy S. Mushahwar**, *Partner, Alston & Bird, LLP*

**Kim Phan**, *Partner, Troutman Pepper*

2:15 PM - 2:30 PM

**Refreshment Break**

*Location: Zilker North Lobby*

2:30 PM - 3:45 PM

**FAIR LENDING TRACK: LEP Business Opportunities**

*Location: Zilker Ballroom 4*

The evolving socio demographic makeup of the country reflects Latino household formation and population growth far exceeds the average, eclipsed only by multiracial households, while the non-Hispanic white population has declined by 3% over the last decade. The regulatory landscape is responding, evidenced by the expanded race and ethnicity (“disaggregated”) HMDA dataset, FHFA’s requirements to ask consumers their language preference and to transmit the data. This panel shares practical tips to navigate this evolving landscape and capture market share.

Speakers

**Arlyn J Kalinski**, *VP of Compliance, LEP Program & Community Engagement Strategies, Guaranteed Rate, Inc.*

**Dave M. Rosamond**, *Executive Director and Assistant General Counsel, JP Morgan Chase*

**Lonzo Sheffield, IV**, *SVP of Compliance, Crosscountry Mortgage Inc.*

**Joshua Weinberg**, *CMCP, President, Firstline Compliance, LLC*

2:30 PM - 3:45 PM

**KEY UPDATES TRACK: FCRA and Credit Reporting Challenges**

*Location: Zilker Ballroom 2*

The Fair Credit Reporting Act (FCRA) remains a focus for federal and state regulators and favorite target of the plaintiff’s bar. This panel discusses various regulatory, compliance, and litigation developments under the FCRA and analyzes recent CFPB advisory opinions and consent orders arising under the FCRA. In addition, these experts discuss the increase in FCRA litigation and focus on claims arising from bankruptcy and trial period plan reporting, and best practices for handling these claims.

Speakers



**Justin Bradley**, *Deputy General Counsel, NewRez LLC*

**Ryan DiClemente**, *Partner, Saul Ewing*

**Fedor Kamensky**, *Partner, Weiner Brodsky Kider PC*

**Leslie Sowers**, *Partner, Husch Blackwell LLP*

**Badri Sridhar**, *Managing Director, FTI Consulting, Inc.*

2:30 PM - 3:45 PM

**RESPONSIBLE DATA USAGE TRACK: The Changing Landscape Around Appraisals**

*Location: Texas Ballroom 5*

Tackling bias in residential appraisals remains a major focus of the current Administration. Join this panel to discuss the appropriate role for lenders to play in this effort, and lenders' obligation to detect and report bias given the constraints of appraiser independence. Learn of potential new guidelines around reconsideration of value and the impact on lenders.

Speakers

**Kari Hall**, *Partner, Paul Hastings LLP*

**Bob Jaworski**, *Of Counsel, Holland & Knight LLP*

**Matt Jones**, *Associate Vice President of Government Housing Finance, Mortgage Bankers Association*

**Timothy P. Ofak**, *Partner, Weiner Brodsky Kider PC*

4:00 PM - 5:00 PM

**COMPLIANCE OFFICE HOURS: Q&A Sessions**

Have questions or topics to discuss? Join compliance experts for questions on these topics: State Licensing: Hill Country A Fair Lending: Zilker Ballroom 4 FDCPA/FCRA: Zilker Ballroom 2 LO Compensation: Hill Country B RESPA: Hill Country C Servicing: Hill Country D Data Privacy and Security: Texas Ballroom 5

Wednesday, May 10, 2023

7:30 AM - 9:00 AM

**COMMITTEE MEETING: Legal Issues, Regulatory Compliance and Quality Assurance (Open to MBA Members; Closed to Media)**

*Location: Texas Ballroom 2*

8:00 AM - 12:00 PM

**Registration and CLE Desk**

*Location: Zilker Foyer*

9:00 AM - 9:30 AM

**Continental Breakfast**

*Location: Zilker North Lobby*

9:15 AM - 11:15 AM

**LEGAL ETHICS: The First Question – Who is Your Client?**

*Location: Texas Ballroom 5*

This interactive program uses hypotheticals to address the most basic question preceding any conflicts (and many other ethics and privilege) analyses: who is your client? After discussing client identity when representing the government, partnerships, associations, insureds, estates and bond deal participants, the program focuses on client identity in the corporate context. Among other things, the program addresses client identity within the corporate entity, within a corporate family, during corporate stock and asset sale transactions, and when dealing with corporate employees.

Speakers

**Julie K. Kind**, *Director, Program Development, Mortgage Bankers Association*

**Thomas E. Spahn**, *Counsel, McGuireWoods LLP*

9:30 AM - 11:00 AM

**DRIVERS OF INNOVATION TRACK: FinTech and Innovative Loan Products**

*Location: Zilker Ballroom 4*

The shift to a purchase market and quickly rising rates are fueling innovations, while increased regulatory complexity needs must be managed. This panel discusses both the innovations we are seeing in mortgage products and design as well as developments in how to comply.

Speakers

**Chris Hilliard**, *Chief Operating Officer and Founder, Winnow Solutions, LLC*

**Jason W. McElroy**, *Partner, Weiner Brodsky Kider PC*

**Tobias P. Moon**, *Partner, Chapman and Cutler*

9:30 AM - 11:00 AM

**FAIR LENDING TRACK: SPCPs and Other Strategies to Reach the Underserved**

*Location: Zilker Ballroom 2*

Special Purpose Credit Programs can be powerful tools to address the minority homeownership gap. This comprehensive session will explore the importance of designing Special Purpose Credit Programs that strengthen communities and increase sustainable homeownership within the bounds of regulation.

Speakers

**Laura Arandes**, *Managing Associate General Counsel for Fair Lending, Anti-Predatory Lending, and Equity Issues, Freddie Mac*

**Elizabeth Kemp**, *Deputy General Counsel, Fannie Mae*

**Justin Wiseman**, *Vice President, Managing Regulatory Counsel, Mortgage Bankers Association*

11:00 AM - 11:15 AM

**Refreshment Break**

*Location: Zilker North Lobby*

11:15 AM - 12:30 PM

**CLOSING SUPER SESSION**

*Location: Zilker Ballroom 4*

The conference wraps up with a facilitated super session featuring top legal and compliance experts. Bring your questions from the many issues discussed at the conference. Every topic is fair game in this popular session that will address legislation and litigation as well as regulatory requirements.

Speakers

**Suzanne Garwood**, *Executive Director and Associate General Counsel, Chase*

**Kate Goodman**, *Special Counsel, Cooley LLP*

**Reid F. Herlihy, Esq.**, *Partner, Ballard Spahr LLP*

**Melissa Malpass**, *Senior Associate, Alston & Bird, LLP*

**Bob Niemi, CMB**, *Director of Government Affairs and CMB Society Secretary, Weiner Brodsky Kider PC*

**Loretta Salzano**, *President, Franzen and Salzano, PC*

**David Shirk, CMCP**, *Managing Member, Shirk Law PLLC*

**Steven vonBerg**, *Counsel, Orrick, Harrington & Sutcliffe, LLP*

**Joshua Weinberg, CMCP**, *President, Firstline Compliance, LLC*