

How to Avoid Lender Liability Claims: Compliance, Regulatory Issues & Best Practices



Wednesday, MAY 14, 2014

2:00 pm – 3:30 pm Central

Lender liability lawsuits are becoming more prevalent – especially in consumer lending. Liability issues arise at all stages in the lender-borrower relationship from initial loan advertising, through loan documentation, and finally with collections. Lenders often repeat mistakes which permit borrowers to raise genuine (and sometimes spurious) complaints. Large civil judgments and regulatory fines have been obtained against lenders based on violations of statutory provisions (such as the Truth-in-Lending Act, Equal Credit Opportunity Act, Fair Debt Collection Practices Act, etc.) and common law theories of unfair, deceptive or abusive lending, or collection practices. In addition, the CFPB is imposing stricter standards in this area.

This webinar will explain how to avoid lender liability claims, and will review best practices used by other institutions. Although this program will address both commercial and consumer loans, the majority of time will be spent on consumer loans because that is the regulatory focus at this time.

HIGHLIGHTS

- Unfair, deceptive, or abusive acts or practices related to lender liability claims
- Common mistakes that cause lender liability claims
 - Loan advertising
 - Loan structuring and documentation
 - Collection process
- Truth-in-Lending Act review
- Equal Credit Opportunity Act review
- Fair Credit Reporting Act review
- Fair Debt Collection Practices Act review

- **TAKE-AWAY TOOLKIT**
 - CFPB's exam procedures for the Truth-in-Lending Act, the Equal Credit Opportunity Act, the Fair Credit Reporting Act, the Fair Debt Collection Practices Act, and UDAP violations
 - Employee training log
 - Quiz you can administer to measure staff learning and a separate answer key

Attendance verification for CE credits provided upon request.

WHO SHOULD ATTEND?

This informative session will be useful for all lending personnel including loan officers, loan operations staff, collection personnel, compliance officers, attorneys, and managers.

ABOUT THE PRESENTER – Elizabeth Fast, JD, CPA, Bankers Choice

Elizabeth Fast is a partner with Spencer Fane Britt & Browne LLP where she specializes in the representation of financial institutions. Elizabeth is the head of the firm's training division. She received her law degree from the University of Kansas and her undergraduate degree from Pittsburg State University. In addition, she has a Master of Business Administration degree and she is a Certified Public Accountant. Before joining Spencer Fane, she was General Counsel, Senior Vice President, and Corporate Secretary of a \$9 billion bank with more than 130 branches, where she managed all legal, regulatory, and compliance functions. She is a member of the Missouri State Banking Board by appointment of the Governor.

THREE REGISTRATION OPTIONS

1. LIVE WEBINAR

Member Price \$230
NonMember Price \$275

The **live webinar** option allows you to have **one telephone connection for the audio portion and one Internet connection (from a single computer terminal)** to view online visuals as the presentation is delivered. You may have as many people as you like listen from your office speaker phone. Registrants receive a toll-free number and pass code that will allow entrance to the seminar. The session will be approximately 90 minutes, including question and answer sessions. Seminar materials, including instructions, PIN number, and handouts will be emailed to you prior to the broadcast. You will need the most-current version of Adobe Reader available free at www.adobe.com.

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2. ON-DEMAND WEB LINK & FREE CD ROM*

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The archived webinar is a recording of the live event, including audio, visuals, and handouts. We even provide the presenter's email address so you may ask follow-up questions. Approximately one week prior to the webinar, you will receive an email with the archived webinar link. This webinar link can be viewed anytime 24/7, beginning 6 business days **after** the webinar and will expire 6 months after the live program date.

As an added bonus, you will also receive a FREE audio/visual CD ROM.* The CD ROM includes the original audio/visual presentation, the question and answer sessions, and the handouts. Use the archived webinar or this "off-the-shelf" training program for those that could not attend the live seminar and for future training.

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3. BOTH LIVE WEBINAR & ON-DEMAND WEB LINK (INCLUDES FREE CD-ROM*)

Member Price \$300
NonMember Price \$350

Options 1 and 2

The archived webinar (including the free CD ROM) may **ONLY** be ordered for 6 months following the webinar. Neither the link nor CD will be available after this time.

***CD ROM for Mac and PC use only**

Convenient! Listen on your iPad, iPhone, Android - Instructions will be emailed to you with the on-demand link .

Note: All materials are subject to copyright. Transmission, retransmission, or republishing this webinar to other institutions or those not employed by your financial institution is prohibited. Print materials may be copied for eligible participants only.

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TO REGISTER

- **By Mail: Community Bankers Financial Education, 455 S. Junction Road, Suite 101, Madison, WI 53719**
- By Fax: 608 / 833-8114 QUESTIONS - call 608/ 833-2384
- **On Line: [Click Here](#) Your Log-In ID Number is the same as your bank's FDIC Cert. Number.**

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