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# MORTGAGE SERVICING COMPLIANCE

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November 21-22, 2013 • Washington Plaza Hotel • Washington, DC

Featured speakers include:

*Richard Hayes*  
U.S. DOJ

*Valerie H. Chu*  
United States Attorney's Office,  
S.D. Calif.

*Joel R. Ibañez*  
HUD

*Amber Anderson Villa*  
Mass. Attorney General's Office

*Thomas O. Freeburger*  
Calif. Housing Finance Agency

*James A. Daross*  
Texas Attorney General's Office

*Justin J. Lowe*  
Mass. Attorney General's Office

*Mitch Hochberg*  
Fenway Summer LLC

*Mallory J. Garner*  
PennyMac

*Scott Nardi*  
EverBank

*Michelle Leigh*  
SunTrust Bank

*Karen M. Saez*  
First American Title Insurance  
Company

*S. Michael Gray*  
Springleaf Finance, Inc.

Sessions include:

- Federal and State Government Roundtable on Mortgage Servicing: National Standards, CFPB Final Rules, Preparing for and Responding to Regulation and Enforcement, and How to Ensure Compliance in a Multi-Agency Environment
- Restrictions on "Dual-Tracking" and New Servicer Requirements Relating to Loss Mitigation and Loan Modification
- Error Resolution, Information Requests, and Direct Access/Continuity of Contact with Servicer Personnel
- New Requirements Governing Monthly Mortgage Statements and Rate Adjustments
- Forced-Place Insurance: Everything You Now Need to Know
- Complying with "Prompt" Payoff Crediting and Payoff Statement Requirements, and CFPB Demands for "Accurate and Accessible Documents and Information"
- CFPB Examination Procedures: Regulation Z - TILA and ECOA
- CFPB Close Supervision of Loan Servicing Transfers
- Enterprise-Wide Compliance Systems: What Will the Government Be Looking For and How To Implement the Best Program/Platform for Your Company
- Examining Industry-Wide Servicing Data Standards for GSE Loans Under the Uniform Mortgage Servicing Dataset)
- Navigating the Foreclosure and REO Process: The Latest Servicer-Related Issues and Challenges in Title Resolution and Property Disposition
- Ensuring Compliance with Servicing Requirements, Standards & Protections Under Servicemembers' Civil Rights Act
- When is a Residential Mortgage Loan Servicer Considered a Debt-Collector and Thus Potentially Subject to Liability for Violations of the FDCPA?
- Avoiding UDAAP Claims and Claims of Discriminatory Practices/Disparate Impact in the Context of Mortgage Servicing

*Sharon McMahon*  
PHH Mortgage Corporation

*Lydia A. Morley*  
U.S. Bank Legal Department

...as well as:

*Kevin Willen*  
U.S. Bancorp

*Josh St. Romain*  
Phoenix Collateral Advisors LLC

*Christina Moore*  
Envoy Mortgage, Ltd.

*Richard Koch*  
Morningstar Credit Ratings LLC

*Karim Hatata*  
Liberty Home Equity

*Eric Selk*  
HOPE NOW Alliance

*William C. Hultman*  
MERCORP Holdings, Inc.

*Robert W. Johnson*  
Residential Credit Solutions, Inc.

*Greg Kuroda*  
Cenlar FSB

*Vincent Danzi*  
OneTitle National Guaranty

*Todd Hill*  
Financial Services Roundtable

*Michael Schulte*  
LoanCare

*Loretta Salzano*  
ComplyShare, LLC

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## Here's just some of the agencies, organizations, and companies already booked on to attend:

United States Dept. of Justice, E.D.N.Y.	HOPE NOW Alliance	Skadden, Arps, Slate, Meagher & Flom LLP	Franzen & Salzano, P.C.
United States Attorney's Office, S.D. Calif.	Residential Credit Solutions, Inc.	Patton Boggs LLP	Jones Day
HUD	Cenlar FSB	Stevens & Lee	Robinson & Cole LLP
Mass. Attorney General's Office	OneTitle National Guaranty Company	Weiner Brodsky Kider PC	Troutman Sanders LLP
Calif. Housing Finance Agency	Fenway Summer LLC	Pilgrim Christakis LLP	Thompson Hine LLP
Texas Attorney General's Office	First American Title Insurance Company	The Wolf Firm	Pierson Law LLC
PennyMac	Newbold Advisors	RCO Legal, P.S.	BuckleySandler LLP
EverBank	Springleaf Finance, Inc.	Spilman Thomas & Battle, PLLC	K&L Gates
SunTrust Bank	Morningstar Credit Ratings	Dickinson Wright PLLC	Hunton & Williams LLP
US Bancorp	MERSCORP Holdings, Inc.	Sirote & Permutt, PC	Peirson Patterson LLP
Phoenix Collateral Advisors LLC	The Financial Services Roundtable	Arnold & Porter LLP	ComplyShare, LLC
Envoy Mortgage, Ltd.	Akerman Senterfitt	Ballard Spahr LLP	LoanCare
PHH Mortgage Corporation	McCalla Raymer	Alston & Bird LLP	
Liberty Home Equity	Palmer, Lombardi & Donohue LLP	Varga Berger Ledsky Hayes & Casey	

**ATTENTION MORTGAGE SERVICING PROFESSIONAL:** The dynamics have changed for mortgage servicers and their counsel, most notably with the CFPB issuing a newly proposed set of rules for mortgage servicers which will officially go into effect in January 2014. As a result, it is more important than ever that bank and non-bank mortgage servicing companies know all they can to (i) best ensure that they avoid compliance violations and exposure to potential litigation, and (ii) implement the most cost-effective compliance systems and programs for their particular circumstances.

That is why you cannot afford to miss **American Conference Institute's Bank & Non-Bank Forum on MORTGAGE SERVICING COMPLIANCE**. In addition to unparalleled networking opportunities, this conference will provide attendees with the latest insights and expert advice from our exceptional faculty including on:

- Federal and State Government Roundtable on Mortgage Servicing: National Standards, CFPB Final Rules, Preparing for and Responding to Regulation and Enforcement, and How to Ensure Compliance in a Multi-Agency Environment
- Restrictions on "Dual-Tracking" and New Servicer Requirements Relating to Loss Mitigation and Loan Modification
- Error Resolution, Information Requests, and Direct Access/Continuity of Contact with Servicer Personnel
- New Requirements Governing Monthly Mortgage Statements and Rate Adjustments
- What Do the New Rules Say about "Forced-Place" Insurance?
- Complying with "Prompt" Payoff Crediting and Payoff Statement Requirements, and CFPB Demands for "Accurate and Accessible Documents and Information"
- CFPB Examination Procedures: Regulation Z - TILA and ECOA
- CFPB Close Supervision of Loan Servicing Transfers
- Enterprise-Wide Compliance Systems: What Will the Government Be Looking For and How to Implement the Best Program/Platform for Your Company
- Examining Industry-Wide Servicing Data Standards for GSE Loans Under the Uniform Mortgage Servicing Dataset
- Navigating the Foreclosure and REO Process: The Latest Servicer-Related Issues and Challenges in Title Resolution and Property Disposition
- Ensuring Compliance with Servicing Requirements, Standards & Protections Under Servicemembers' Civil Rights Act
- When is a Residential Mortgage Loan Servicer Considered a Debt-Collector and Thus Potentially Subject to FDCPA?
- Avoiding UDAAP Claims and Claims of Discriminatory Practices/Disparate Impact in Context of Mortgage Servicing

This event will fill up quickly, so register now by calling 1-888-224-2480, faxing your registration form to 1-877-927-1563, or registering online at [www.AmericanConference.com/MortgageServicing](http://www.AmericanConference.com/MortgageServicing)

## WHO YOU WILL MEET

- In-House Counsel for Mortgage Servicers and Lenders
- Operations & Compliance Professionals for Mortgage Servicers and Lenders
- Private Practice Attorneys Specializing in:
  - Mortgage Servicing
  - Mortgage Banking
  - Foreclosure & Bankruptcy Law
  - Regulatory Compliance

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## Day One: Thursday, November 21, 2013

### 7:15 Registration and Continental Breakfast

### 8:00 Chair's Welcoming Remarks

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*William P. Heller*

Chair, National Consumer Finance Litigation  
& Compliance Practice Group  
Akerman Senterfitt

### 8:05 Federal and State Government Roundtable on Mortgage Servicing: National Standards, CFPB Final Rules, Preparing for and Responding to Regulation and Enforcement, and How to Ensure Compliance in a Multi-Agency Environment

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*Joel R. Ibañez*

U.S. Department of Housing and Urban Development  
(HUD)  
Office of Housing Counseling

*Richard Hayes*

Affirmative Enforcement Chief Civil Division  
New York-Eastern District  
United States Department of Justice

*Valerie H. Chu*

Assistant United States Attorney  
Southern District of California

*Amber Anderson Villa*

Assistant Attorney General  
Consumer Protection Division  
Mass. Attorney General's Office

*Thomas O. Freeburger*

Assistant General Counsel  
California Housing Finance Agency

*James A. Daross*

Assistant Attorney General  
Consumer Protection Division  
Texas Attorney General's Office

*Justin J. Lowe*

Assistant Attorney General  
Consumer Protection Division  
Mass. Attorney General's Office

*Mitch Hochberg*

Partner and General Counsel  
Fenway Summer LLC

*Michelle Leigh*

Group Vice President  
Regulatory Compliance-Consumer & Mortgage Banks  
Servicing Operations & Default Management  
SunTrust Bank

Moderator:

*John D. Socknat*

Partner  
Ballard Spahr LLP

- CFPB's Final Servicing Rules finally effective January 2014 – what significant changes are on the horizon & how will they affect your business processes?
- What should the industry be doing to ensure that these new changes are implemented efficiently?
- What types of servicers will be affected/targeted? What types of servicers will be excluded from these new rules? What qualifies as a "small servicer" under the new rules?
- What has the CFPB been doing to ensure servicers are falling in line?
- How to best prepare for CFBP examinations/audits?
- What will they be looking for/expecting in terms of internal compliance programs?
- How is the CFPB making use of newly implemented "Consumer Complaint Database/Portal?"
  - How are complaints received?
  - What types of complaints are being received?
  - Implications?
  - What now?
- Examining the interplay and inconsistencies between the National (49 State Attorneys General) Servicing Settlement and the new CFPB Servicing Rules
  - Navigating the differences between the requirements set forth by both so as to ensure compliance with all governing servicing standards
- Examining the interplay and inconsistencies between the national mortgage servicing standards/rules and the varying, individual state laws and state-level servicing requirements, programs and initiatives
  - How to best navigate the differences between federal and individual state-level requirements so as to ensure compliance with all governing servicing standards
  - Knowing if/when you are exempt under the "small servicer" exemption; if so what specific servicing requirements are you exempt from; which requirements do the CFPB say you must still comply with even if you qualify as a small servicer? What does your particular state say with regard to this?
  - If you cross over the "small servicer" threshold, how long will you have to comply with the servicing requirements that you are no longer exempt from?
  - How are government agencies policing this?
- What compliance initiatives have the individual states been taking in response to the recent robo-signing scandal? Who has been minding the store? - How have the states been policing servicers to ensure that they are complying with new rules governing the certification process to institute foreclosure?

### 10:00 Morning Coffee Break

### 10:10 Restrictions on "Dual-Tracking" and New Servicer Requirements Relating to Loss Mitigation and Loan Modification

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*Sharon McMahan*

Staff Attorney  
PHH Mortgage Corporation

*Richard W. Koch*

Senior Vice President  
Structured Credit Ratings  
Operational Risk Assessment Group  
Morningstar Credit Ratings, LLC

*Kerry P. McInerney*  
Sirote & Permutt, PC

*Norman H. Roos*  
Robinson & Cole LLP

- Dual tracking: When and under what circumstances can a servicer pursue foreclosure against a delinquent borrower?
  - How long must the loan be in default before a servicer may initiate foreclosure proceedings?
  - Servicers now prohibited from initiating foreclosure if borrower has submitted complete loss mitigation application – what implications will this have on servicer business processes?
  - What size/type of servicer do these requirements apply to?
- CFPB now requires single application for all loss mitigation options:
  - What information must be included in this single loss mitigation application?
  - What implications will this requirement have on servicer business processes?
- New requirements governing a servicer's notification of foreclosure alternatives:
  - When and under what circumstances must a servicer reach out to delinquent borrowers with written notice of loss mitigation options?
  - What information must specifically be provided in these written notices?
  - When should a servicer offer a short-term forbearance plan to a delinquent borrower?
- Servicers required to conduct a “fair and prompt review” of loss mitigation applications
  - What exact steps must servicers take to sufficiently satisfy this requirement?
  - How much time do servicers have to acknowledge and respond to incomplete/complete loss mitigation applications?
  - What constitutes an incomplete application? What are the servicer's obligations if they find/determine that an application is incomplete?
- When and under what circumstances can a servicer reject a loss mitigation application?
  - What steps/processes must a servicer engage in prior to and at time of rejection?
  - If additional information is sought from the borrower for processing of their application, how much time does the borrower have to supply the needed documents/info before the servicer can issue a rejection?
  - What information must servicer provide to borrower along with rejection?
  - When can a borrower appeal a servicer's rejection? What steps must the borrower take to do so; what steps must the servicer take when faced with an appeal?
- What do the new rules require with regard to applications for loan modifications?
  - When is a servicer required to consider and respond to a borrower's application for loan modification?
  - How much time must a borrower be given to accept a proposed alternative to foreclosure before the servicer can initiate foreclosure proceedings?
  - What effect does a loss mitigation agreement have on the servicer's ability to foreclose on a property?

## 11:15 Error Resolution, Information Requests, and Direct Access/Continuity of Contact with Servicer Personnel

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*Scott Nardi*  
SVP, Enterprise Deputy Chief Compliance Officer  
EverBank

*James Milano*  
Weiner Brodsky Kider PC

*Nanci L. Weissgold*  
K&L Gates LLP

- Understand what constitutes a notice of error or information request
- Determine which errors are covered errors and which are included in the catch-all provision
- Know the proper response time for acknowledgement of receipt of error or information request
- Find out the requirements to complete and settle an investigation
- Learn what factors determine if the notice of error or information request is not applicable, duplicative, overbroad, or untimely
- Get the specifics on what the notice to the borrower needs to include
- Servicing rules place new requirements on servicers to ensure direct access to servicer personnel and continuity of contact
  - How to implement and maintain the best system, policies and procedures to effectively ensure direct access and continuity of contact

## 12:10 Meeting New Requirements Governing Monthly Mortgage Statements and Rate Adjustments

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*Lydia A. Morley*  
Senior Corporate Counsel  
U.S. Bank Legal Department

*Alan S. Wolf*  
The Wolf Firm

*Lance E. Olsen*  
RCO Legal, PS

- What information must these monthly statements include?
- When and under what circumstances may a servicer provide a coupon book in lieu of monthly statements?
- What additional information must be included in the statement of a delinquent borrower? At what point does the delinquent borrower become entitled to this additional information?
- Servicers to provide “early warning” before borrower interest rate adjusts
- How far in advance must a servicer issue warning of a first time interest rate adjustment?
  - What information must this warning/disclosure contain?
- When must a servicer provide notice that a rate adjustment has caused payment to change

## 1:05 Networking Luncheon for Speakers and Delegates

2:05 **“Forced-Place” Insurance?: Everything You Now Need to Know and Comply With**

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*Pam Holland*  
Managing Director  
Newbold Advisors

*Loretta Salzano*  
Franzen & Salzano, P.C. / ComplyShare, LLC

*Richard A. Freshwater*  
Thompson Hine LLP

*Ronald L. Rubin*  
Hunton & Williams, LLP

- When must a servicer provide advance notice that a forced-place insurance policy has been taken out for the borrower's home?
- What information must this notice include?
- Servicers must have “reasonable basis” for concluding that borrower lacks such insurance before purchasing new forced-place policy – what steps/processes must servicers take and what must they show to establish this “reasonable basis?”
- What are the servicer's obligations if they retroactively receive evidence that forced-place policy was not needed?
- What must a servicer show to demonstrate that all charges for such forced-place insurance are “bona fide and reasonable?”

3:00 **Complying With “Prompt” Payoff Crediting and Payoff Statement Requirements, and CFPB Demands for “Accurate and Accessible Documents and Information”**

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*Greg Kuroda*  
Vice President and Assistant Counsel  
Cenlar FSB

*William C. Hultman*  
Legislative Affairs  
MERSCORP Holdings, Inc.

*Vincent G. Danzi*  
Senior Vice President and General Counsel  
OneTitle National Guaranty Company

*Jonathan N. Ledsky*  
Varga Berger Ledsky Hayes & Casey

- When are servicers required to credit a borrower's account?
- How must servicers treat partial mortgage payments?
- If partial payments are placed in a suspense account, what information must be provided to the borrower and when?
- When must servicers provide statements to borrowers in response to payoff balance requests?
- What types of policies and procedures does the CFPB require servicers to have in place in order to sufficiently comply with this requirement?
- How long are servicers required to retain servicing records after discharge or transfer of a loan?
- How quickly are servicers expected to be able to compile full servicing files?
  - In response to borrower and investor requests?
  - In response to agency requests/audits?

- In response to court requests and/or in connection to foreclosure proceedings?

4:00 **Afternoon Break**

4:10 **CFPB Examination Procedures Part 1: Regulation Z - TILA**

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*Debra Lee Hovatter*  
Spilman Thomas & Battle, PLLC

*Ari M. Charlip*  
Dickinson Wright PLLC

*Christopher Christensen*  
Peirson Patterson LLP

- Loan servicers' daily policies and procedures used to detect TILA errors and violations promptly:
  - organizational charts, process flowcharts, policies and procedures, loan documentation and disclosures, checklists, worksheets, and even computer programs
- Loan originators' and servicers' internal controls:
  - whether steps are taken to follow up on previously identified deficiencies; whether the work performed is accurate; whether significant deficiencies, and the root cause of the deficiencies, are included in reports to management/board; and whether corrective actions are timely and appropriate
- Transactional testing:
  - sample closed-end and open-end transactions
- Tips, best practices and first-hand accounts of how to best ensure compliance with the CFPB examination directives

5:05 **CFPB Examination Procedures Part 2: Equal Credit Opportunity Act**

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*Michael Schulte*  
Senior Vice President/Corporate Counsel  
LoanCare (a Division of FNF Servicing, Inc.)

*Paul H. Schieber*  
Stevens & Lee, PC

*John C. Lynch*  
Troutman Sanders LLP

- Policies, procedures, and internal controls pertaining to the evaluating and pricing of applications for credit (including, but not limited to those regarding loan servicing, modifications, collections, and loss mitigation)
- Focus Areas in Compliance Management Review
  - Whether the creditor's credit operations vary by any of the prohibited bases (e.g., lack of presence in minority neighborhoods);
  - Whether underwriting or pricing guidelines contain any unusual criteria that could have a possibly negative disparate impact on a protected class (e.g., underwriting or price models that use ZIP codes); and
  - Whether creditor's policies, procedures, or guidelines are vague or unduly subjective
- Tips, best practices and first-hand accounts of how to best ensure compliance with the CFPB examination directives

5:50 **Conference Adjourns**

## Day Two: Friday, November 22, 2013

### 7:30 Continental Breakfast

### 8:00 Meeting the Demands Associated With CFPB Close Supervision of Loan Servicing Transfers

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*Josh St. Romain*  
Operations Director  
Phoenix Collateral Advisors LLC

*Mallory J. Garner*  
General Counsel, Mortgage Operations  
PennyMac

*William P. Heller*  
Akerman Senterfitt

*Anthony J. Laura*  
Patton Boggs LLP

- What will the CFPB be primarily focusing on with regard to its monitoring of loan transfers?
- Submission of Informational Plans:
  - prepare and submit informational plans describing how the servicers will be managing consumer risks related to upcoming servicing transfers
  - Tips and best practices for crafting such informational plans
  - What will the CFPB want to see included in these plans?
  - How promptly will servicers be expected to provide such plans?
- Examination of Policies and Procedures:
  - tips and best practices
  - Ensuring that employees are trained to handle consumer communications in the context of servicing transfers
  - Tips and best practices for adequately staffing and training employees to comply with CFPB servicing transfer requirements
- Enforcement: What supervisory and/or enforcement action has the CFPB been taking against servicers found to have engaged in acts or practices that are unfair, deceptive, or abusive, or that otherwise violate federal consumer financial laws and regulations as they apply to loan servicing transfers? What types of corrective or remedial measures can servicers expect to endure from the CFPB under such circumstances?

### 9:00 Enterprise-Wide Compliance Systems: What Will Regulators Expect and How To Implement the Best Program/Platform for Your Company or Client

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*Karim Hatata*  
Compliance Leader  
Liberty Home Equity Solutions, Inc.

*S. Michael Gray*  
Assistant General Counsel  
Springleaf Finance, Inc.

*Albert J. Rota*  
Jones Day

*Brian McCormally*  
Arnold & Porter LLP

- Enterprise-wide compliance programs/platforms - "EGRC Platforms" (Enterprise Governance, Risk and Compliance Platforms): Taking a look at the latest and most highly proven software in the marketplace; what they offer and what would work best for your circumstances
- What level of sophistication will the CFPB be looking for in these systems when conducting examinations/audits?
- Will the level of sophistication vary depending upon the size and type of servicer?
- How to best ensure that the system you implement will integrate and align your companies' risk management and compliance operations/processes
- Servicing entities that have not had to comply with stringent servicing rules (such as some smaller, non-bank entities) likely already have internal compliance programs in place - how will they now adapt them to comply with the new CFPB requirements/standards?

### 10:00 Morning Coffee Break

### 10:10 Examining Industry-Wide Servicing Data Standards for GSE Loans Under the Uniform Mortgage Servicing Dataset

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*Christopher Christensen*  
Peirson Patterson LLP

*Additional speaker from Freddie Mac to be announced*

- Examining how Freddie Mac and Fannie Mae have been working together at the direction of the Federal Housing Finance Agency to implement the Uniform Mortgage Data Program (UMDP)? What are the components of this program? Where are the GSEs in the process of implementing this program?
- What steps have the GSEs been recently taking to expand the program to include industry-wide servicing data standards called the Uniform Mortgage Servicing Dataset (UMSD)?
- What will this standard dataset entail? What is it expected to cover in terms of standardized definitions, formats and valid data values? How will this UMSD affect data exchanges between servicers and investors?
- What implications will the new UMSD requirements/standards have on servicer business processes?
- What proposed industry-wide benefits will these standards provide? How do the GSEs propose that these standards will increase data quality and consistency, enhance disclosure for investors and regulators, and reduce miscommunication between stakeholders?
- What steps should GSE mortgage servicers take to ensure compliance with these new data standards while also keeping down costs and improving overall operational efficiency?
- Who will be subject to these standards? Who will be exempt?
- When will GSE loan servicers be expected to begin complying with these uniform data standards? Where are the GSEs in the development and enforcement process and where are they going?
- How have GSEs been working with servicers/how do they plan to work with servicers to understand the challenges and adoptability in data collection?

- What types of corrective or remedial measures can servicers expect to face for non-compliance with these UMDS requirements?

10:50 **Navigating the Foreclosure and REO Process: The Latest Servicer-Related Issues and Challenges in Title Resolution and Property Disposition**

*Karen M. Saez*  
SVP & Chief Underwriting Counsel,  
Centralized Businesses  
First American Title Insurance Company

- Examining the latest title issues and challenges arising in the foreclosure and REO processes
- Tips, strategies and best practices for servicers in resolving and cleaning up such title issues for property disposition
- Navigating the interplay and inconsistencies between the National Mortgage Settlement standards, CFPB Servicing Rules and individual state legislation relating to foreclosures and document execution

11:20 **Servicemembers' Civil Rights Act: Ensuring Compliance with Servicing Requirements, Standards & Protections**

*Eric Selk*  
Executive Director  
HOPE NOW Alliance

*Todd Hill*  
Director of Government Affairs  
Housing Policy Council  
The Financial Services Roundtable

*Kevin S. Willen*  
Vice President & Deputy Director, Regulatory Services  
U.S. Bancorp

*Roland P. Reynolds*  
Palmer, Lombardi & Donohue LLP

- Understanding the specific protections afforded to servicemembers and their families to protect them from eviction from housing while on active duty – what specific SCRA protections/requirements must mortgage servicers be aware of when servicing loans held by former, current and/or future military service member's?
- How to best ensure compliance with all specific requirements under the SCRA
- Avoiding simple mistakes and common pitfalls made by servicers of military servicemember loans which could potentially result in extremely costly litigation/settlement
- How to utilize the Department of Defense website/database to most efficiently search the status of military servicemember mortgage loans so as to best avoid violations and potentially huge lawsuits
- What other compliance tools may be used to efficiently avoid SCRA violations by mortgage servicers?
- What sorts of functions and/or internal protections will government agencies be looking for when examining internal servicer compliance programs and their likelihood of catching/avoiding/correcting such SCRA violations

12:30 **Networking Lunch for Speakers and Delegates**

1:30 **When Is a Residential Mortgage Loan Servicer Considered a Debt-Collector and Thus Potentially Subject to Liability for Violations of the FDCPA?**

*Robert W. Johnson*  
SVP/General Counsel  
Residential Credit Solutions, Inc.

*Adam Silver, Esq.*  
McCalla Raymer

*Katrina Christakis*  
Pilgrim Christakis LLP

*Richard Gottlieb*  
BuckleySandler LLP

- Understanding whether you are exempt as a “loan servicer” from the FDCPA, or whether you qualify as a “debt collector” under the statute and are thus subject to its requirements
- Was the particular mortgage in “default” at the time when taken for servicing?
- If you do qualify as a debt collector, what requirements are you subject to?
- How to avoid violations under the FDCPA when servicing mortgage loans
- Examining potential inconsistencies between federal and state laws relating to mortgage servicers and debt collectors, and navigating the interplay between both

2:45 **Avoiding UDAAP Claims and Claims of Discriminatory Practices/Disparate Impact in the Context of Mortgage Servicing**

*Christina Moore*  
Associate General Counsel  
Envoy Mortgage, Ltd.

*Darren M. Welch*  
Skadden, Arps, Slate, Meagher & Flom LLP

*Matthew P. McGuire*  
Alston & Bird LLP

- Avoiding recent targeting by advocacy groups by ensuring equal treatment and handling of loss mitigation, loan modification and foreclosure processes, proceedings and determinations when servicing loans of borrowers across varying economic and geographic sectors
- CFPB recently files first “Abusive Practices” Enforcement Action – sheds some light on the Dodd-Frank ambiguous “abusive practices” standard – What are the implications? What should servicers look out for?
- Supreme Court recently decided to hear first ever disparate impact case under the Fair Housing Act - What are the potential implications of this decision on fair lending/fair servicing?

3:45 **Conference Ends**

American Conference Institute, the creator of the renowned forum on  
Residential Mortgage Litigation and Regulatory Enforcement, now brings you its:



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# MORTGAGE SERVICING COMPLIANCE

November 21-22, 2013 • Washington Plaza Hotel • Washington, DC

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YES! Please register the following delegate for Bank & Non-Bank Forum on MORTGAGE SERVICING COMPLIANCE

### CONTACT DETAILS

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I would like to receive CLE accreditation for the following states: \_\_\_\_\_ . See CLE details inside.

FEE PER DELEGATE	Register & Pay by Sep 30, 2013	Register & Pay by Oct 31, 2013	Register after Oct 31, 2013
<input type="checkbox"/> Conference Only	\$1995	\$2095	\$2295
<input type="checkbox"/> I cannot attend but would like information on accessing the ACI publication library and archive			

### PAYMENT

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Please quote the name of the attendee(s) and the event code 809L14 as a reference.

For US registrants:

Bank Name: HSBC USA

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UPIC Routing and Transit Number: 021-05205-3

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### Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

### Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

### Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other ACI conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. ACI reserves the right to cancel any conference it deems necessary and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by ACI for changes in program date, content, speakers, or venue.

### Hotel Information

**American Conference Institute** is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "ACI - MORTGAGE SERVICING" conference to receive this rate.

Venue: Washington Plaza Hotel  
Address: 10 Thomas Circle, NW, Washington, DC 20005  
Reservations: 202-842-1300 or 800-424-1140

### Incorrect Mailing Information

If you would like us to change any of your details please fax the label on this brochure to our Database Administrator at 1-877-927-1563, or email data@AmericanConference.com.

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