American Conference Institute’s
2nd Bank & Non-Bank Forum on
MORTGAGE SERVICING COMPLIANCE
Lessons Learned and Best Practices in an Era of Heightened Government Scrutiny for the Industry

June 25 – 26, 2014 • The Adolphus • Dallas, TX

Featured speakers include:

Richard K. Hayes
U.S. DOJ

James E. Elliott
Federal Trade Commission

Michael V. Powell
HUD OIG

Caroline C. Jones
Texas Department of Savings and Mortgage Lending

David Berenbaum
National Community Reinvestment Coalition (NCRC)

Thomas O. Freeburger
Calif. Housing Finance Agency

James A. Daross
Texas Attorney General’s Office

Paul Hanson
Minn. Department of Commerce

John Grisson
Wells Fargo Bank

Charles P. Beveridge
Prospect Mortgage, LLC

Justin T. Bradley
Resurgent Capital Services, LP

Sessions include:

• Federal and State Government Roundtable on the Current State of the Mortgage Servicing Industry, Regulatory and Enforcement Priorities at Both the National and State Levels, and How to Ensure Compliance in a Multi-Agency Environment

• Best Practices and Procedures for Complying with CFPB Loss Mitigation, Loan Modification and Error Resolution Requirements; and Navigating the Inconsistencies Amongst the CFPB Rules, HAMP Guidelines and State-Level Initiatives Regarding Loss Mitigation

• Meeting the Operational Demands Associated With Increased CFPB Supervision of Loan Servicing Transfers

• Right-Sizing Your Servicing Operations for the “New-Normal” – Implementing the Most Effective Enterprise-Wide Compliance System for Your Company and Best Methods of Testing the Procedures, Practices and Policies You Have In Place

• Lender Placed Insurance: Managing Regulatory Risk and Factoring in Recent LPI Class Actions

• TILA, RESPA and ECOA Update in the Mortgage Servicing Context

• The Present and Future of GSEs and Examining Industry-Wide Servicing Data Standards for GSE Loans Under the Uniform Mortgage Servicing Dataset

• Avoiding UDAAP Claims and Claims of Discriminatory Practices/Disparate Impact in the Context of Mortgage Servicing

• When is a Residential Mortgage Loan Servicer Considered a Debt-Collector and Thus Potentially Subject to Liability for Violations of the FDCPA?

• Navigating the Foreclosure and REO Process: The Latest Servicer-Related Issues and Challenges in Title Resolution and Property Dispositions

• Managing Third-Party Risk and Ensuring Compliance with SCRA

Be sure to also book for the Master Class: Residential Mortgage Class Actions in Federal Court – CAFA, Removal, Certification and Settlement

…..as well as:

William Doby
PennyMac

Gene Clark
5 Arches, LLC

John Burnett
Phoenix Collateral Advisors LLC

Robert J. Strupp
Baltimore Neighborhoods, Inc.

Ruth Lee
Titan Lenders Corp

Missy Zakett
Western Union Global Consumer Financial Services

Richard W. Koch
Morningstar Credit Ratings, LLC

John Baumbick
First American Title Insurance Company

Lydia A. Morley
U.S. Bank Legal Department

Jason H. Miller
Select Portfolio Servicing Inc.

Brian D. Schorr
Stewart Title Guaranty Company

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

- United States Attorney’s Office, E.D.N.Y.
- Federal Trade Commission
- Texas Department of Savings and Mortgage Lending
- National Community Reinvestment Coalition (NCRC)
- Calif. Housing Finance Agency
- Texas Attorney General’s Office
- Minnesota Department of Commerce
- HUD OIG
- Baltimore Neighborhoods, Inc.
- 5 Arches, LLC
- Titan Lenders Corp.
- Western Union Global Consumer Financial Services
- Morningstar Credit Ratings, LLC
- First American Title Insurance Company
- PennyMac
- Phoenix Collateral Advisors LLC
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- Select Portfolio Servicing, Inc.
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- U.S. Bank Legal Department
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- Middleberg Riddle Group
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- Locke Lord LLP
- Greenberg Traurig
- Gilbert Garcia Group, P.A.
- Pite Duncan, LLP
- McGlinchey Stafford

The government crackdown on mortgage servicing operations is increasing the pressure with regard to processes, paperwork, and communications with borrowers. In response, American Conference Institute’s 2nd Bank & Non-Bank Forum on MORTGAGE SERVICING COMPLIANCE will keep you one step ahead of the new regulatory scrutiny. In addition to unparalleled networking opportunities, this conference will provide attendees with the latest insights and expert advice from our exceptional faculty including on:

- Best Practices and Procedures for Complying with CFPB Loss Mitigation, Loan Modification and Error Resolution Requirements; and Navigating the Inconsistencies Amongst the CFPB Rules, HAMP Guidelines and State-Level Initiatives Regarding Loss Mitigation
- Meeting the Operational Demands Associated With Increased CFPB Supervision of Loan Servicing Transfers
- Right-Sizing Your Servicing Operations for the “New-Normal” – Implementing the Most Effective Enterprise-Wide Compliance System for Your Company and Best Methods of Testing the Procedures, Practices and Policies You Have In Place
- Lender Placed Insurance: Managing Regulatory Risk and Factoring in Recent LPI Class Actions
- TILA, RESPA and ECOA Update in the Mortgage Servicing Context
- The Present and Future of GSEs and Examining Industry-Wide Servicing Data Standards for GSE Loans Under the Uniform Mortgage Servicing Dataset
- When is a Residential Mortgage Loan Servicer Considered a Debt-Collector and Thus Potentially Subject to Liability for Violations of the FDCPA?
- Navigating the Foreclosure and REO Process: The Latest Servicer-Related Issues and Challenges in Title Resolution and Property Dispositions
- Managing Third-Party Risk and Compliance
- Ensuring Compliance with Servicing Requirements, Standards & Protections Under SCRA (Servicemembers’ Civil Rights Act)

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

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DAY ONE – Wednesday, June 25, 2014

7:15 Registration and Continental Breakfast

8:00 Chair’s Welcome Remarks

Lauren E. Campisi  
Member  
McGlinchey Stafford PLLC

8:05 Federal and State Government Roundtable on the Current State of the Mortgage Servicing Industry, Regulatory and Enforcement Priorities at Both the National and State Levels, How to Ensure Compliance in a Multi-Agency Environment, and How to Best Prepare for the Second Half of 2014

Richard K. Hayes  
Deputy Chief, Civil Division  
Office of the United States Attorney, E.D.N.Y.

James E. Elliott  
Assistant Regional Director  
Southwest Region  
Federal Trade Commission

Michael V. Powell  
Special Agent in Charge  
Joint Civil Fraud Division  
HUD Office of the Inspector General

Caroline C. Jones  
Deputy Commissioner/General Counsel  
Texas Department of Savings and Mortgage Lending

David Berenbaum  
Chief Program Officer  
National Community Reinvestment Coalition (NCRC)

Thomas O. Freeburger  
Assistant General Counsel  
California Housing Finance Agency

James A. Daross  
Assistant Attorney General  
Consumer Protection Division  
Texas Attorney General’s Office

Paul Hanson  
Chief Examiner  
Minnesota Department of Commerce

Moderator:

Wendy Walter  
Routh Crabtree Olsen, P.S.

10:00 Morning Break

10:10 Best Practices and Procedures for Complying with CFPB Loss Mitigation, Loan Modification and Error Resolution Requirements; and Navigating the Inconsistencies Amongst the CFPB Rules, HAMP Guidelines and State-Level Initiatives Regarding Loss Mitigation

John Grissom  
Managing Counsel  
Wells Fargo Law Department  
Consumer Lending and Corporate Regulatory Division

Robert J. Strupp  
Executive Director  
Baltimore Neighborhoods, Inc.

Brett Foster  
Locke Lord LLP

Michelle Garcia Gilbert  
Gilbert Garcia Group, P.A.

• Ensuring compliance with the new CFPB requirements related to:
  - Loss Mitigation  
    - Processing applications for loss mitigation options  
    - Issuing notices for loss mitigation options  
    - Servicer notification of foreclosure alternatives  
    - “Fair and prompt review” of loss mitigation applications  
    - Servicer responses to incomplete/complete loss mitigation applications  
    - Issuing rejections of loss mitigation applications; and handling borrower appeals
  - Loan Modification  
    - Processing applications for loan modifications  
    - Considering and responding to proposed alternatives to foreclosure
  - Error Resolution  
    - Processing and responding to error and information requests
  - Recent enforcement trends and arising litigation relating to these requirements
  - Examining the consumer response to this new regulation – are consumers taking advantage of these new protections? What types of consumer complaints are being seen and how to avoid them
  - Implementing loss mitigation processes/procedures that are easy, efficient and cost-effective while simultaneously meeting all governing requirements
  - Assessing the recent/potential issues/implications of progressive clients providing blanket approvals for attorneys to contact financial institutions regarding loss mitigation
  - Understanding and navigating the inconsistencies between the CFPB Rules, HAMP and varying State Laws regarding loss mitigation
11:30 Meeting the Operational Demands Associated With Increased CFPB Supervision of Loan Servicing Transfers

Charles P. Beveridge  
Vice President / Associate General Counsel  
Prospect Mortgage, LLC

John Burnett  
President  
Phoenix Collateral Advisors

Allyson B. Baker  
Venable LLP  
(former Enforcement Attorney with the Consumer Financial Protection Bureau (CFPB)

- What do the new CFPB rules require with regard to:  
  - Managing and addressing consumer risks related to loan servicing transfers  
  - The submission of pre-transfer “informational plans”  
  - The staffing and training of employees responsible for handling servicing transfer communications and processes  
- How has the industry responded and what enforcement and/or litigation trends have arisen from these new requirements?  
- 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?  
- How have the new CFPB servicing rules raised barriers to entry for new servicers?  
- What implications have these barriers had (or what implications are they likely to have) on current servicer operations, practices and procedures?  
  - Employing aggressive growth strategies in light of the lack of competition  
  - Managing the increased operational risks that come with expanding your business  
  - Best practices for hiring and training new staff, and implementing and maintaining compliance systems/internal controls, etc.

2:35 Lender Placed Insurance: Managing Regulatory Risk and Factoring in Recent LPI Class Actions

Lydia A. Morley  
Senior Corporate Counsel  
U.S. Bank Law Division

Jennifer Gray  
Greenberg Traurig, LLP

Albert J. Rota  
Jones Day

- How has the servicing industry responded to new forced-place insurance requirements thus far?  
- What action have we seen from the CFPB in enforcing these new regulations thus far?  
- What action do we anticipate from the CFPB and how to best prepare  
- Balancing enforcement concerns vs. litigation concerns in making the decision to issue forced-place insurance

3:40 Afternoon Break

3:50 TILA, RESPA and ECOA Update in the Mortgage Servicing Context

Fielder F. Nelms  
Smith, Stern, Friedman & Nelms, P.C.

Marsha L. Williams  
Middleberg Riddle Group

R. Scott Adams  
Spilman Thomas & Battle, PLLC

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• Importance of policies, procedures, training and a compliance management system
• Focusing on risk to the consumer as opposed to risk to the financial institution
• Reliance on data gathered through channels other than direct examination
• Amendments to RESPA set forth new requirements for specific forms and borrower inquiries – do they replace those requirements set forth by the Qualified Mortgage Rule? How do they work with the QMR?

4:55 The Present and Future of GSEs and Examining Industry-Wide Servicing Data Standards for GSE Loans Under the Uniform Mortgage Servicing Dataset

Ruth Lee
Executive Vice President
Titan Lenders Corp

Chris Christensen
PeirsonPatterson, LLP

• 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 implications will the new UMSD requirements/standards have on servicer business processes?
• 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 UMSD requirements?

9:15 When Is a Residential Mortgage Loan Servicer Considered a Debt-Collector and Thus Potentially Subject to Liability for Violations of the FDCPA?

William Doby
Deputy General Counsel, Mortgage Operations
PennyMac

Roland P. Reynolds
Palmer, Lombardi & Donohue LLP

Kara A. Czaniik
Graydon Head

Andrew G. Yates
Lane Powell PC

• 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

10:40 Navigating the Foreclosure and REO Process: The Latest Servicer-Related Issues and Challenges in Title Resolution and Property Dispositions

John Baumbick
Senior Underwriting Counsel
First American Mortgage Services
A division of First American Title Insurance Company
Defending Against Residential Mortgage Class Actions in Federal Court – CAFA, Removal, Certification, Settlement and Beyond

Gene Clark
Chief Legal Officer
5 Arches, LLC

Brian D. Schorr
Vice President National Underwriting
Stewart Title Guaranty Company - Stewart Lender Services

Ari M. Charlip
Dickinson Wright PLLC

- The Impact of Servicing Transfers on Compliance With Federal and State Requirements
- Foreclosure and REO Process
- Risk Factors for REO Management
- Potential Liability and Litigation Exposure

11:55 Networking Luncheon for Speakers and Delegates

12:50 Managing Third-Party Risk and Compliance

Richard W. Koch
Senior Vice President
Structural Credit Ratings
Operational Risk Assessment Group
Morningstar Credit Ratings, LLC

Missy Zakett
Vice President,
Enterprise Banking and New Industry Sales
Western Union Global Consumer Financial Services

Michael R. Pfeifer
Pfeifer & de la Mora, LLP

Nanci L. Weissgold
K&L Gates LLP

- Third Party Oversight
- Monitoring conduct of third-party service providers ("TPSP")

2:05 Ensuring Compliance with Servicing Requirements, Standards & Protections Under SCRA (Servicemembers’ Civil Rights Act)

James P. Berg
Parker Ibrahim & Berg LLC

J. P. Sellers
Mackie Wolf Zientz & Mann, P.C.

Genail M. Anderson
Pite Duncan, LLP

- Understanding the specific protections afforded to service-members 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 members?
- 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?

3:00 Main Conference Ends – Master Class Begins

Master Class:
(separate registration required)
Defending Against Residential Mortgage Class Actions in Federal Court – CAFA, Removal, Certification, Settlement and Beyond
June 26, 2014 (3:00 p.m. – 5:00 p.m.)

Check back for speakers at AmericanConference.com/MortgageServicing

For federal class actions against residential mortgage lenders and servicers based on consumer protection/fraud, the areas of removal, certification and settlement have created uncertainty and obstacles to mounting rigorous and complete defenses in federal court. This master class will guide you through today’s procedural complexities of residential mortgage class actions and meticulously prepare you for how to defend and manage such actions in these high-stake venues. Immense yourself in this unique opportunity to obtain the pragmatic strategies, solutions, and working tools needed to master the CAFA, jurisdictional, removal, certification, and settlement aspects that materially change practice and standards in borrower class actions. This class will be divided in 3 parts:

- Removal Under CAFA/Federal Court Jurisdiction
- Certification
- Settlements

Join our experts at this class on all things “residential mortgage class action” related and obtain a nuanced understanding of the parties involved, both private and government, as well as recent emerging litigation trends. This class will leave you well versed on all the key issues in residential mortgage class actions.

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Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

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You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4 – 8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

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Unparalleled Learning and Networking
ACI understands that gaining perspectives from – and building relationships with – your fellow delegates during the breaks can be just as valuable as the structured conference sessions. ACI strives to make both the formal and informal aspects of your conference as productive as possible.
## American Conference Institute’s 2nd Bank & Non-Bank Forum on

**MORTGAGE SERVICING COMPLIANCE**

*Lessons Learned and Best Practices in an Era of Heightened Government Scrutiny for the Industry*

June 25 – 26, 2014 • The Adolphus • Dallas, TX

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

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- 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.

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- 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.

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