



**FORT SILL LEGAL ASSISTANCE**

## **Consumer Protection**



### **Seeking Help from the Consumer Financial Protection Bureau**

If you have had an issue with a bank, credit union, securities firm, payday lender, mortgage-servicing operation, foreclosure relief service, debt collector or any other financial company, the newly formed Consumer Financial Protection Bureau (CFPB) is a great resource available to help solve your problem. The CFPB was created in 2010 by the Dodd–Frank Wall Street Reform and Consumer Protection Act. The mission of the CFPB is to “make markets for consumer financial products and service work for Americans.” One of the CFPB’s core functions is to enforce Federal consumer financial laws through a complaint filing system.

#### **Consumer Protection Laws**

In order to determine whether the CFPB will help solve your issue, you need to determine if your rights as a consumer have been violated. There are numerous Federal laws in place to protect consumers, to include the Federal Truth in Lending Act, the Fair Credit Reporting Act, and the Fair Debt Collection Practices Act. If you are unsure of your rights, or want to discuss a specific consumer protection law, please feel free to make an appointment with a Legal Assistance Attorney. For a more detailed list of applicable Federal Consumer Protection Laws, go to <http://www.fdic.gov/regulations/laws/rules/6500-100.html>.

#### **Filing a Complaint with the CFPB**

If you believe your rights as a consumer have been violated, the CFPB’s complaint filing system is an easy tool that provides quick feedback. You can file a complaint with CFPB by going to [consumerfinance.gov/complaint](http://consumerfinance.gov/complaint). Once the CFPB determines that the complaint is within their jurisdiction, they forward the complaint to the “offending” financial institution. The institution then has 15 days to give a substantive response, and is expected to resolve and close all but the most complicated complaints within 60 days. Throughout the entire process the consumer can check the status of their complaint online or by phone. Once the consumer receives the response, they can either accept the explanation, or request further action from the CFPB. If further action is requested, a response specialist from the CFPB will investigate the complaint, gather evidence from the consumer and the financial institution, and potentially take further action through the CFPB’s enforcement arm.

In addition to providing the consumer with an individual response, the CFPB also documents each complaint within their extensive database. The CFPB uses this data to help guide the bureau when it undertakes its rule-making responsibility. Thus, the consumer complaint helps resolve the consumer’s individual problem, and also helps shape future consumer protections.

## **Resources Available Specifically for Service Members**

The government also recently created the Office of Servicemember Affairs, an organization within the CFPB. For a number of reasons, service members are often targeted by unscrupulous lenders. The Office of Servicemember Affairs helps service members combat the unique problems they face in regards to consumer protection violations, and provides a voice for service members within the CFPB. One of the primary goals of the Office of Servicemember Affairs is to prevent consumer protection violations by educating service members. The Office provides extensive resources on a variety of financial issues, in order to help service members avoid problems in the future. You can find more information at <http://www.consumerfinance.gov/servicemembers/>.

## **Other Resources for Reporting Consumer Complaints**

There are a variety of resources for reporting consumer issues, including the state Attorney General's (AG) office, the local Better Business Bureau (BBB), and the Federal Trade Commission (FTC).

### State Attorney General's (AG's) Office:

- The process for filing a complaint with the state AG's Office varies from state-to-state. However, most states provide an online complaint form that can be filled out by the consumer and submitted through the AG's website or through the mail. The AG's office may take action against an organization if it believes the organization is operating in violation of state law. Many states also compile complaints in order to educate the public about emerging scams or problem areas.

### Better Business Bureau (BBB):

- The BBB is a corporation consisting of a number of separately governed and incorporated local BBB organizations in the United States and Canada. It is not affiliated with federal, state, or local government, and has no direct affiliation with any consumer protection government authority. The BBB gathers and archives information it receives about businesses, both locally and nationally. It uses the information it gathers from consumers and other businesses to encourage businesses to become members. The BBB collects information on business reliability, alerts the public to frauds against consumers and businesses, provides information on ethical business practices, and acts as mutually trusted intermediaries between consumers and businesses to resolve disputes. A complaint can be filed with the BBB online at <https://www.bbb.org/consumer-complaints/file-a-complaint/get-started>.

### Federal Trade Commission (FTC):

- The FTC's complaint center, the Consumer Sentinel, is a clearing-house/data center for complaints. An online complaint can be filed at [https://www.ftccomplaintassistant.gov/FTC\\_Wizard.aspx?Lang=en&OrgCode=PU05](https://www.ftccomplaintassistant.gov/FTC_Wizard.aspx?Lang=en&OrgCode=PU05)

When a consumer files a complaint with the Consumer Sentinel, the complaint is searchable by law enforcement agencies, who may then decide to investigate individual cases. Generally, cases are investigated by the FTC if law enforcement agencies believe that the complaint is part of a larger scheme being run by the organization.

For more information about filing a consumer complaint, feel free to schedule an appointment with a legal assistance attorney.

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If you have questions concerning the information in this fact sheet, please call the Legal Assistance Office (580) 442-5058 or (580) 442-5059. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Fort Sill Legal Assistance Office is located on the 4<sup>th</sup> floor of Building 4700, Hartell Hall on Mow-Way Road.