

Annual Report to the Director

2024



OMBUDSMAN'S
OFFICE

Advocating for Fair Process in Consumer Financial Protection

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Message

I am pleased to present our FY2024 annual report to the Director of the Consumer Financial Protection Bureau, pursuant to the CFPB Ombudsman’s Office [Charter](#).

In beginning to describe our work for the year, we recall our ombudsman standards of practice of independence, impartiality, and confidentiality, which are evergreen in nature. Most plainly, “evergreen” describes a tree which has the same elements and structure over time, similar to a webpage or section of a report that does not change. These definitions are much like our standards of practice which are ever relevant and foundational to our work and serve as a framework as we advocate for fair process in new ways each year.

This year, the Ombudsman in Practice section describes our inreach (internal engagement), including an updated chart reflecting new, regular meetings that we have across the CFPB. The section also discusses our outreach engagement with external stakeholders. Next, we discuss some broader, impactful topics in the Demonstrating the Ombudsman in Practice section, which illustrate the various ways we can assist on topics, such as: providing feedback on resources for potential industry whistleblowers; confirming surveys are from the CFPB; and offering feedback and suggestions on a wide variety of draft CFPB materials prior to their public release.

We also have a section on our third annual post-examination survey of supervised entities, which describes the survey format, includes a further description of the entities surveyed, and provides a representative set of survey participants’ unattributed feedback and recommendations.

We again used the FAQ format for our Analyzing the Individual Inquiries section to answer questions, such as when individuals contact us for assistance on redress stemming from CFPB enforcement actions. We also include two individual inquiry examples, one from a consumer and one from an entity, that describe the issue shared with our office, the CFPB process, what happened, and how we assisted.

The Ombudsman in Brief section includes longer summary versions of various topics from this year, including: adding documentation to consumer complaints submitted on the telephone, providing information on 711 for Telecommunications Relay Service users, and distinguishing between new and duplicate consumer complaints.

Lastly, our Systemic Reviews section has a discussion on CFPB information collections which describes: information collections subject to the Paperwork Reduction Act; the PRA approval

process for information collection; where to learn about the opportunity to comment on CFPB information collections; and sharing collected information within the CFPB.

Looking ahead, we demonstrate our continued commitment to flexibility, creativity, and forward thinking in our new set of two-year strategic goals.¹ For example, our office will continue to be active in the broader ombudsman profession, by holding leadership positions in the federal interagency ombudsman organization the [Coalition of Federal Ombuds](#), and hosting and facilitating regular discussions with ombuds peers nationwide.

As we start the new fiscal year, our evergreen professional standards of practice are unchanging as we continue to advocate for fair process in consumer financial protection.

Wendy Kamenshine
Ombudsman

November 15, 2024

¹ See [Appendix 1](#).

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Ombudsman in Practice

The CFPB Ombudsman’s Office is an independent, impartial, and confidential resource and our mission is to advocate for fair process in consumer financial protection. The Ombudsman² informally assists in resolving process issues with the CFPB that are: mentioned in individual inquiries received from consumers, financial entities, consumer or trade groups, and others; highlighted in interactions with groups; or observed by the Ombudsman. This section revisits the ombudsman standards of practice that are foundational to our work, outlines our work process, shares how we connect through inreach (or internal engagement) with the CFPB, and describes our outreach with external stakeholders.

Ombudsman Professional Standards of Practice

The core standards of ombudsman practice are independence, impartiality, and confidentiality. Taken together, these foundational tenets and the adherence to them enable an ombudsman to advocate for fair process and are essential to all aspects of our work:

Independence: We are outside of the CFPB’s business lines, reporting to the CFPB’s Deputy Director and then to the Director, which ensures our independence at the CFPB. It also allows us to act as an early warning system and serve as a catalyst for change.

Impartiality: We do not advocate for one side, the inquirer or the CFPB, but instead we advocate for fair process in consumer financial protection.

Confidentiality: We have put safeguards in place to preserve confidentiality. We will not share identifying information outside the Ombudsman’s Office unless the inquirer indicates that we can. We also may have to share it if there is: a threat of imminent risk of serious harm; the inquirer raised an issue of government fraud, waste, or abuse; or if required by law.

² In this report, “Ombudsman” refers to the office, the staff, or the person.

Our Work Process: How We Assist by Advocating for Fair Process

The Ombudsman uses an array of methods to assist consumers, financial entities, consumer or trade groups, and others who contact us for assistance or where we identify opportunities to assist. As such, the assistance we offer exists within a flexible framework that may be adapted to most effectively address an inquirer’s distinct process concerns as they develop. This section describes some of the ways that this flexible framework allows us to tailor the steps we take to try to best assist in resolving a particular process issue and enables us to advocate for fair process.

A good time to contact the Ombudsman is when an individual or entity: tried the regular avenues within the CFPB for resolution and for some reason those avenues did not work to resolve the process issue; wants to highlight a concern in confidence; is not sure where in the CFPB to obtain an answer; would like to suggest that we review a broader process concern; or, wants to make the Ombudsman aware of an issue already shared with the CFPB that we may be studying. Contacting the Ombudsman is completely voluntary and there is no cost to use our resource. There also is no referral necessary.

The Ombudsman’s process is the same whether an individual or entity contacts us about a question, concern, or complaint regarding a CFPB process.³ See [Appendix 2](#). First, we may ask follow-up questions to further understand the information provided. Depending on what we learn, we may decide to research additional information by: reviewing applicable laws, regulations, policies, and data; contacting other stakeholders to gather further viewpoints; or connecting with the CFPB to gather additional perspectives.

After conducting any additional research, we assess what approach would best assist the CFPB and the public and how best to advocate for fair process. This analysis could include, for example, the type of inquiry, context of the issue, or pervasiveness of the issue. At times, the Ombudsman may consult with the inquirer on the approach.

We then use a toolbox of resources to try to informally resolve each issue. Keeping in mind our ombudsman standards of practice, we advocate for fair process rather than for someone’s desired outcome, although these sometimes overlap. The circumstances surrounding each inquiry inform the type of resolution tool or tools that we use.

³ The Ombudsman does not assist in resolving issues as between consumers and companies.

We may seek to resolve an individual or systemic issue by providing feedback and making recommendations to the CFPB. To assist, we also can: facilitate discussions, brainstorm and evaluate options and resources, share our independent analyses, offer an impartial perspective,⁴ ensure confidentiality of someone’s identity,⁵ and engage in shuttle diplomacy,⁶ among other options. This flexibility and adaptability in our resource set, along with our foundational ombudsman standards of practice, allows us to assist a wide range of stakeholders on various types of issues.

The Ombudsman’s Internal and External Engagement

The Ombudsman conducts both internal engagement with the CFPB, or inreach, and external engagement with external stakeholders, or outreach. We adapt our inreach and outreach methods to take into consideration the needs of our new and longstanding internal and external stakeholders. Together with our foundational ombudsman standards of practice, our inreach and outreach efforts enable us to assist consumers, financial entities, consumer or trade groups, and others in resolving process issues with the CFPB by analyzing interrelated information and then using our toolbox of resources to advocate for fair process.

Outreach: How We Connect with External Stakeholders

As an independent resource, we conduct our own outreach with external stakeholders to share information about our resource⁷ and to learn more about how those stakeholders engage with the CFPB. Consumer and industry groups as well as financial entities that wish to request an outreach engagement with the Ombudsman may contact our office directly at CFPBOmbudsman@cfpb.gov or (855) 830-7880.

⁴ For example, the Ombudsman participates in some CFPB working groups in an advisory capacity by providing feedback as the CFPB considers initiatives and activities, but the Ombudsman is not part of the decision-making process.

⁵ As described above, we will not share an inquirer’s identifying information outside the Ombudsman’s Office unless the inquirer indicates that we can. We also may have to share it if there is: a threat of imminent risk of serious harm; the inquirer raised an issue of government fraud, waste, or abuse; or if required by law.

⁶ Shuttle diplomacy is a technique used in alternative dispute resolution in which we convey information, questions, and observations back and forth between stakeholders, sometimes without sharing their identities, to assist in resolving an issue.

⁷ [Appendix 3](#) includes sample issues from our work over the years.

There are various ways to engage with our office whether: connecting with us for the first time; requesting to meet at a regular cadence; or informing a group's membership about the Ombudsman. See [Appendix 4](#). In addition, [Appendix 5](#) provides information on speaking engagements, Ombudsman Interactives, office hours, and table information we offer for conferences.

To assist our external stakeholders most effectively, the Ombudsman plans, develops, and engages in outreach efforts to convey how we may assist and to be aware of current developments. Moreover, in accordance with the ombudsman standard of impartiality, we also endeavor to balance our outreach efforts over time to ensure fairness in our engagement with the public. We conduct outreach with a wide array and geographic extent of external stakeholders, such as consumer, trade, and other groups and their memberships, and through multiple settings, such as meetings at stakeholder conferences, speaking engagements for stakeholder panels, or other stakeholder presentation opportunities. By balancing our outreach, we strive to give as many stakeholders as possible an opportunity to engage with the Ombudsman.

The Ombudsman's initial outreach with an external stakeholder is the beginning of an ongoing connection. We have open channels of communication with our stakeholders so they can reach us on any given process issue and we also can hear as many perspectives as possible. After the initial outreach with an external stakeholder, the Ombudsman seeks to build upon that connection by offering further engagement.

While an individual, company, group, or other entity may not need to use our resource now, if they are familiar with how we can assist from our outreach programs, they can call upon us to assist in the future.

In 2015, we launched the Ombudsman Forum as another avenue for consumer, trade, and other groups to share feedback on their CFPB interactions as we, in turn, provide feedback and recommendations to the CFPB. For these events, Ombudsman staff lead facilitated discussions, which allow participants to share feedback on various process topics as well as offer their recommended solutions to any process concerns. In keeping with our ombudsman standards of practice of independence, impartiality, and confidentiality, the Forums are closed to the press, the public, and CFPB staff. After the Forum, we share participants' feedback and recommendations, without attribution, with the CFPB. A revised set of Frequently Asked Questions about our Ombudsman Forums is in [Appendix 6](#).

A few years ago, we adjusted our in-person Ombudsman Forums to the COVID-19 pandemic environment and adopted a virtual setting. We hosted a virtual Forum with consumer-focused

organizations in the Midwest and Northeast regions.⁸ As described in our [Mid-Year Update](#), in the Spring of 2024, we planned to host an in-person Ombudsman Forum for the first time since the COVID-19 pandemic. The topics included: How You Interact with the CFPB; CFPB Assistance and Information for Consumer Populations; Artificial Intelligence: Challenges and Opportunities for Processes Impacting Consumers; CFPB Assistance and Information for Consumers in Languages Other than English; and Availability and Access to Information about the CFPB Redress Process. We decided to defer our event due to a combination of factors: we received fewer than expected registrations; those registrations did not provide a broad representation of group types; and the groups were from one geographic area, New York, which was our selected location. As such, we could not provide unattributed feedback and recommendations to the CFPB, which is central to our Ombudsman Forum program.

Going forward, as we consider additional avenues for engagement next year, we recently added a temporary staff resource as an Acting Outreach Specialist. As part of our new two-year strategic goals,⁹ we plan to build upon our Ombudsman Forum, Ombudsman Interactives,¹⁰ and other outreach initiatives, and welcome feedback and suggestions to CFPBOmbudsman@cfpb.gov.

Inreach Within the CFPB: Connecting with Internal Stakeholders

The Ombudsman's inreach takes two forms, initial and ongoing. Our initial inreach introduces the Ombudsman to new CFPB staff through introductory meetings or presentations and via introductory emails. In these introductions, we describe our resource, how we approach our work, and how we may be of assistance. We strive to ensure that when we contact someone at the CFPB to discuss a process issue, it is not the first time the person has heard of the Ombudsman.

At the same time, the Ombudsman maintains a series of meetings throughout the CFPB with leadership and staff of the divisions and offices, whether monthly, bi-monthly, or quarterly. This regular and continuing engagement ensures we can promptly connect with the right CFPB contacts to address process issues, while also giving us the opportunity to maintain awareness about current CFPB activities. In addition, in these meetings we provide feedback based on perspectives we are hearing, offer feedback in conjunction with proposed initiatives, describe

⁸ [FY2021 Annual Report](#), pp. 15-18, and [FY2022 Annual Report](#), pp. 23-26.

⁹ See [Appendix 1](#).

¹⁰ Modeled after the Ombudsman Forums, Ombudsman Interactives is a facilitated discussion held with attendees at consumer, trade, and other group's conferences. The discussions give participants an opportunity to confidentially provide feedback on process topics and offer their recommended solutions. We select topics for discussion in advance based on process issues previously shared with the Ombudsman by the convening groups or the CFPB. The sessions are available by request on a first-come, first-served basis and are subject to the Ombudsman's budget and availability.

updates on our work, and share recommendations. The figure below shows our inreach meetings and how we expanded on these meetings in FY2024.

FIGURE 1: REGULAR INREACH MEETINGS WITH THE CFPB, FY2024

Monthly Meetings	
Deputy Director	Office of Consumer Response, Telephone Contact Center
Executive Secretary	
Chief Risk Officer	Office of Finance and Procurement
Operations Division	Office of Human Capital
Division of Supervision, Enforcement, and Fair Lending, Front Office	Office of Intergovernmental Affairs
	Office of Legislative Affairs
Office of Consumer Response, cross-office managerial leadership	Office for Older Americans
Office of Consumer Response, Stakeholder Services	Office of Private Sector Engagement**
	Office of Public Engagement**
	Office of Supervision Examinations***
Bi-monthly Meetings	
Chief of Staff	Office of Community Affairs
Division of Consumer Response and Education**	Office of Fair Lending and Equal Opportunity
Division of External Affairs**	Office of Financial Education
Division of Supervision, Enforcement, and Fair Lending	Office of Media Relations
Office of Advisory Boards and Councils	Office of Minority and Women Inclusion
Office of Communications**	Office of Servicemember Affairs
	Disability and Accessibility Program
Quarterly Meetings	
Director*	Office of Consumer Response, Investigations Section
Research, Monitoring, and Regulations Division***	Office of Enforcement
Legal Division***	Office of Planning, Policy, and Strategy
Office of the Chief Data Officer	Office of Supervision Examinations, Regional Directors
Office of Consumer Populations	
<p>* The Ombudsman has quarterly meetings with the Director on the calendar and can schedule other meetings, as needed.</p> <p>** As of October 2023, the CFPB split the Division of Consumer Education and External Affairs into two divisions, the Division of Consumer Response and Education and the Division of External Affairs, and renamed a few offices.</p> <p>*** For these divisions and offices, we have two regular inreach meetings with different people and purposes.</p> <p>Note: The Ombudsman meets with CFPB components not listed above on an as-needed basis.</p>	

These new inreach opportunities broaden our ability to explore process topics, receive outreach suggestions, and share information about our work. Moreover, these connections provide additional avenues for us to facilitate resolutions and quickly resolve cross-cutting issues.

This year, we also continued to meet with some CFPB offices in a team-to-team format to meet new team members, share again about our resource, and learn about the latest work in those offices. In addition, we participated in larger division or office meetings to do presentations about our work and describe how we can assist in resolving process issues.

In FY2025, we anticipate continuing to develop ways to communicate about our resource and otherwise connect internally with the CFPB.

Demonstrating the Ombudsman in Practice

This section provides examples of how we used our toolbox of resources this year, such as providing feedback, facilitating discussions, and suggesting changes, as we assisted in resolving CFPB process issues. In keeping with our ombudsman professional standard of confidentiality, whether in presentations or writing, we provide examples in a format that gives greater understanding of our work, but retains anonymity of the inquirers. The selections below also demonstrate how we tailor the way to best assist in a situation depending on the circumstances.

Offering Feedback and Suggestions on Draft CFPB Materials – In our role, we have the opportunity to provide feedback to the CFPB on information that the agency plans to share publicly. This year, we provided comments on a wide variety of topics. As in previous years, some of our feedback centered around clarity for the public as well as consideration of the public’s expectations in engaging with the CFPB. As described in this year’s [Mid-Year Update](#), we provided feedback on: a blog post entitled “[Ensuring consumers aren’t pushed into medical payment products](#),” a press release entitled “[CFPB Extends Compliance Dates for Small Business Lending Rule](#),” a guide for consumers; and an agency conference presentation. This year, we also provided feedback, for example, on: blog posts entitled “[Debt collectors that take advantage of surviving spouses and their vulnerabilities](#)” and “[CFPB launches public comment process for open banking standard setter recognition](#),” an email blast to CFPB listservs on “Filing Instructions for the Nonbank Registration Regulation;” a Consumer Advisory entitled “[Help is available for people facing housing problems because of a contract for deed](#),” the updated “Supervisory Appeals Process,”¹¹ as well as consumer information regarding an enforcement action.

Confirming Surveys Are from the CFPB – Over time, consumers have contacted our office about a survey they received and asked us whether it is actually a CFPB survey to which they should respond. This year, we received another such inquiry. Information regarding some CFPB surveys is in a few places on [consumerfinance.gov](#), but the CFPB does not provide information on all of its surveys on the website. The CFPB’s telephone contact center, (855) 411-2372, has specific information regarding one annual survey. Otherwise, the telephone contact center shares with callers that the CFPB generally does conduct surveys. As we understand it, consumers cannot request to participate in a CFPB survey. We provided feedback to the CFPB

¹¹ “[Supervisory Appeals Process: Update](#),” 89 Fed. Reg. 13263 (February 22, 2024).

regarding the availability of information on CFPB surveys and will continue to review this topic in FY2025.

Assisting Limited English Proficient Consumers – This year, as the CFPB considered additional ways to support Limited English Proficient (LEP) consumers, we shared a compilation over time of our feedback and recommendations to the Bureau to assist these consumers. We also provided the feedback and recommendations that participants shared in our previous Ombudsman Forums to further support LEP consumers, for the CFPB’s consideration.

Providing Feedback on the CFPB’s Website – Occasionally, the Ombudsman provides feedback to the relevant CFPB office about the information provided on consumerfinance.gov, including suggested modifications, additions, or corrections to the existing text. The feedback is from our own observations as well as from the public who may indicate in individual inquiries to our office that they are not able to locate certain information on the CFPB’s website.

Engaging with the Office of Inspector General – Over time, we have shared with the CFPB and external stakeholders about the Ombudsman’s regular engagement with the [Office of Inspector General \(OIG\)](#) for the CFPB. For example, if an individual inquirer highlights a concern of possible government fraud, waste, or abuse, we provide them with the [OIG’s hotline](#).¹² If an inquirer describes a possible CFPB process issue with the OIG, the OIG refers the inquirer to the Ombudsman.

Optimizing the CFPB Complaint Process for Individuals Experiencing Homelessness – This year, we observed that individuals experiencing homelessness may encounter a process issue when engaging with the CFPB’s complaint process. As we understand it, the CFPB requires a mailing address for all consumer complaint submissions, whether submitted on consumerfinance.gov, by phone, or through the postal mail. Individuals experiencing homelessness may not have access to a permanent address that they may reference for the CFPB’s consumer complaint process. We offered this feedback for the CFPB’s consideration.

Providing Feedback on Resources for Potential Whistleblowers – As in years prior, we received questions about how an inquirer can raise whistleblower concerns which we continue to refer to the CFPB’s [Whistleblower Line](#). This CFPB resource provides email, telephone, and postal mail contact points for “current or former industry employees and industry insiders to reach out to [the CFPB] about possible violations of consumer financial

¹² As described in the Ombudsman Professional Standards of Practice section above, the Ombudsman also may have to share information with the OIG if the inquirer raised an issue of government fraud, waste, or abuse.

rights.” This year, we provided feedback about how individuals can expect to engage with the [Whistleblower Line](#). Further, based on our feedback, the CFPB updated information provided to callers who wish to be whistleblowers and call the CFPB’s main number, (855) 411-2372, instead of the [Whistleblower Line](#). In addition, we gave feedback on the whistleblower information provided on [consumerfinance.gov](#).

Connecting with Peer Federal Financial Regulatory Agency Ombudsman Offices –

Over time, inquirers have contacted our office, for example, when their consumer complaint has been transferred between agencies. The Ombudsman meets quarterly with the other federal financial regulatory agency ombudsman offices, [Office of the Comptroller of the Currency](#), [Federal Deposit Insurance Corporation \(FDIC\)](#), [Federal Reserve](#), and [National Credit Union Administration](#), to discuss a variety of cross-cutting and emerging issues. With this continuing connection with our peers, we can assist inquirers with obtaining assistance from the appropriate agency, whether the CFPB or elsewhere.¹³

¹³ As described elsewhere in this report, we will not share identifying information outside the Ombudsman’s Office unless the inquirer indicates that we can.

Post-Examination Survey

In FY2022, we launched our post-examination survey of CFPB supervised entities.¹⁴ The post-examination survey serves as a confidential avenue for supervised entities to share their feedback and recommendations on the CFPB examination process after participation in a supervisory examination.¹⁵ In turn, the Ombudsman’s Office provides survey participants’ unattributed feedback and recommendations to the CFPB.

Format of the Post-Examination Survey

The post-examination survey incorporates a learning mindset so that we can further understand the entity’s experience. As part of this approach, we use three process areas to obtain participants’ feedback and recommendations, as follows:¹⁶

Supervision materials and resources – Includes topics such as information availability, functionality, and content for review by entity representatives who will engage with any part of the examination.

Interpersonal communications – Includes communications between entity representatives and anyone at the CFPB before, during, or after an examination, using any medium or format.

End of the examination – Includes topics such as timing, knowledge of outcomes or resolutions, clarity in expectations of closure, and awareness of the appeals process.

Entities each meet with at least two members of the Ombudsman’s Office for a scheduled one-hour survey session on the phone. In keeping with the way we approach all of our work, we use informal issue resolution techniques and, as such, have a conversational, dialogue approach for the survey. For each of the three process areas above, we ask survey participants: (1) what worked well? (2) what did not work well, if anything? and (3) what would you change moving forward? This format allows for issue identification without presuming a problem area in any

¹⁴ The history and development of our post-examination survey is in our [FY2020 Annual Report](#), pp. 14-17, and [FY2021 Annual Report](#), pp. 13-15.

¹⁵ The CFPB provides information on its examination program in a document entitled “[An Introduction to CFPB’s Exams of Financial Companies](#)” (January 2023).

¹⁶ The Ombudsman will not collect, analyze, or report on examiner performance or the specific details of any given supervisory examination for the post-examination survey.

part of the process. In addition, we tailor any follow-up questions to the information provided by the entity.

In our two-page explainer document,¹⁷ we share with survey participants that the survey is not an avenue to express disagreement with an examination finding or to discuss any issues with examiner performance. Moreover, if during the survey call an entity raises a process concern that it would like to try to address, a different Ombudsman's Office colleague will follow up to try to assist so as to take it out of the survey context.

To uphold our professional ombudsman tenet of confidentiality, protect the confidentiality of supervisory information, and enable the participants to speak candidly with the Ombudsman's Office, we will not share with anyone outside of the Ombudsman's Office which entities or entity representatives we surveyed.

Entities Surveyed

The Supervision, Enforcement, and Fair Lending (SEFL) Division provided the Ombudsman's Office with a list of entities with an FY2023 examination mail date along with the entities' associated points of contact (POCs). We invited 100 percent of the entities on SEFL's list to participate in our survey. We sent the entity's POC an email and followed up one time if we did not hear back. If the entity's POC expressed interest in participating in the survey, but did not confirm a date and time, we followed up. If the listed POC provided a new POC, we followed up with that person. Each survey invitation included our explainer document that described the survey.

Similar to previous years, if the entity had more than one CFPB examination with an FY2023 mail date, we invited the entity to participate regarding the one product line which we determined would further assist us in achieving balance among our group of survey participants.

Of the entities we invited to complete the survey, approximately 53 percent participated.¹⁸ We also had one entity that declined to participate. The survey response rate is the number of entities that completed the survey compared with the entities that received an invitation.¹⁹

¹⁷ See [Appendix 7](#) which we updated as of this writing.

¹⁸ We also had a few entities that expressed interest in completing the survey, but we did not hear from them further after our follow up.

¹⁹ The survey response rate does not include: (1) examined entities for which the CFPB did not provide a point of contact; (2) more than one entry for entities that had different product lines examined with a mail date for our current survey; and (3) entities where we received an electronic notification that the entity point of contact did not

We had depositories and nondepositories that participated in the survey.²⁰ Entities from each of the CFPB's four regions participated and the survey also included a variety of different product lines.

Survey Participants' Unattributed Feedback and Recommendations

This Fall, the Ombudsman provided the CFPB with a summary of survey participants' unattributed feedback and recommendations, for the agency's consideration.²¹

We provide a representative set of participants' feedback and recommendations in the figures below. Some of the participants' perspectives below may be similar and some may differ on the same topic based on the participants' experiences with the CFPB's examination process. To uphold confidentiality, we may provide additional feedback and recommendations over time as we complete more survey years and can aggregate more data.

open our secure email to participate in the survey after some number of months. This year, the CFPB provided contact information for all examined entities.

Our response rate is an estimate because we are continuing to receive electronic notifications indicating that the entity point of contact did not open our secure email to participate in the survey. As such, our response rate could have a corresponding increase.

²⁰ The CFPB describes “[i]nstitutions subject to CFPB supervisory authority,” to include depository institutions which are “banks, thrifts, and credit unions with assets over \$10 billion, as well as their affiliates” as well as “nondepository mortgage originators and servicers, payday lenders, and private student lenders of all sizes” and “the larger participants of other consumer financial markets as defined by CFPB rules.” (<https://www.consumerfinance.gov/compliance/supervision-examinations/institutions/>)

²¹ Some of the feedback and recommendations in this document are the same or similar to participants' feedback and recommendations from our survey beta test in FY2020 and our first two survey years.

FIGURE 2: SURVEY PARTICIPANTS' FEEDBACK AND RECOMMENDATIONS: SUPERVISION MATERIALS AND RESOURCES

<p>What worked well?</p>	<p>What did not work well, if anything?</p>
<ul style="list-style-type: none"> • Early notice of examination; clear about resources/tools to be examined • Consistent timeframes to request additional documents and receive responsive materials; daily reconciliation of deliverables • Clearly communicated information requests • Reasonable intervening time between entity's receipt of information request and time to respond • Straightforward and well-organized Examination Manual • Informative supervisory resource materials that are frequently consulted • Easier than before to understand and navigate portal 	<ul style="list-style-type: none"> • Confusing or unclear requests for data • Duplicate follow-up information requests; unclear if insufficient coordination among examination team members or because the entity did not sufficiently respond previously • Same standard timeframes for response to data/document requests with differing amount of detail required • Unaware of timeframes for the CFPB to respond to information from entity • Requested format challenging to produce some responsive information • Difficulty uploading documents; notifications in portal do not have the type of request or topic
<p style="text-align: center;">What would you change moving forward?</p> <ul style="list-style-type: none"> • Give entities more advance notice of requests for large datasets; consider requesting large datasets in stages; and provide more time upfront to respond to large information requests rather than just the opportunity to request flexibilities • Share more information early in the examination process about the structure for requesting extensions as well as other flexibilities and any standardized timing for deliverables • Deliver prompt feedback to entities on responses to requested information • Incorporate more specifics to clarify and refine broad requests for information • Increase technology efficiencies in the use of the new portal, for example, by: creating the ability to export information to spreadsheet programs; streamlining the ability to upload short responses; and including additional specific reference details to assist in identifying requested information • Improve coordination in the tracking of initial and follow-up requests for information to avoid duplicate requests, or provide clarification regarding additional information needed for entities' prior responses 	

FIGURE 3: SURVEY PARTICIPANTS' FEEDBACK AND RECOMMENDATIONS: INTERPERSONAL COMMUNICATIONS

<p style="text-align: center;">What worked well?</p> <ul style="list-style-type: none"> • Good working relationships with Field Managers and Examiners-in-Charge • Examination team was responsive, fair, interactive, and collaborative • Transparent/forthcoming in communicating early about potential findings to allow time for clarifications • Meetings held prior to onsite portion of examination to discuss data requests • Some flexibility in deadlines for more complex information requests • Entities felt empowered to raise issues • Constant communication during the onsite, including a shared daily tracker as well as daily, weekly, and <i>ad hoc</i> meetings • Open to entity's feedback on follow-up information requests • New email alert notification in portal helpful to stay informed 	<p style="text-align: center;">What did not work well, if anything?</p> <ul style="list-style-type: none"> • No advance notice of the expanded scope of the examination creating staffing challenges • Duplicate requests by different examination team members for the same information as well as new requests for information already provided • Difficulties with clarifying information provided without open dialogue • Extended timeframes for CFPB responses to entity questions • Lack of familiarity with some areas of entities' business operations • Some challenges with determining how to escalate concerns or obtain substantive explanations to questions • Occasional issues with using portal
<p>What would you change moving forward?</p> <ul style="list-style-type: none"> • Provide more clarity in general CFPB examination procedures, to include setting clear expectations for the duration of an examination and establishing common understanding of examination terminology • Consolidate and review follow-up questions from examination team members to remove duplicate questions or identify responses to questions that entity previously provided • Consider discussing likely findings and the rationale for positions taken regarding the issues found with entity during the course of the examination, where possible, as it would allow entity to address issues sooner than receipt of the supervisory letter • Establish a protocol to track and reconcile requests for information on a daily basis to ensure that the entity and CFPB maintain a clear understanding of items delivered and items outstanding • Ensure that the examination team includes some members having experience with entity's business 	

FIGURE 4: SURVEY PARTICIPANTS' FEEDBACK AND RECOMMENDATIONS: END OF THE EXAMINATION

<p style="text-align: center;">What worked well?</p> <ul style="list-style-type: none"> • Clearly communicated timing for final report and process to close the examination • Opportunity to ask questions/discuss entities' clarifying information about informal examination findings • Straightforward summary of informal findings; no surprises • Ongoing dialogue and regular updates after end of onsite portion of the examination • Transparent about the status of Headquarters' decisions • Productive exit meeting; helpful in setting expectations for closing examination and having an understanding of next steps • Final examination report timely and well-structured; clear as to closed/open items • Examination team open, transparent about remediation steps • Timeframes for entity to close matters sufficient, realistic 	<p style="text-align: center;">What did not work well, if anything?</p> <ul style="list-style-type: none"> • No clear communication about end of examination timing or findings to expect • Examination results with unexpected findings or findings that entity understood were resolved • Difficult to address and remediate some issues identified as violations without clear basis provided • Challenges with delays throughout • Some findings in the report unclear • Limited opportunities for entity to provide additional information/clarifications in meetings before issuance of final report • Lack of clarity about timeframes for closing findings that remain outstanding/under review after examination closure • No schedule of upcoming examinations after examination conclusion • Some entities unaware of appeals process
<p>What would you change moving forward?</p> <ul style="list-style-type: none"> • Develop clear communications about and distinct timeframes for the closure of examinations • Provide a formal schedule in advance of the next examination cycle year, similar to other regulators, to share insights about the timing and scope of upcoming examinations to assist entities with resource planning, where possible • Be more transparent about the timing of decision-making, enabling entities to provide more detailed information to their Board of Directors • Share timely and specific information about the types of remediation entities should take to promptly take action and address issues • Improve communications after the end of the examination regarding the status of findings that are still under CFPB review • Ensure that all entities are informed about the availability of the appeals process 	

Continuing the Post-Examination Survey

We look forward to our next survey and plan to invite entities with an FY2024 examination mail date to participate. To maintain the confidentiality of potential survey participants, supervised entities that have feedback or questions about our survey program may contact our office directly at CFPBOmbudsman@cfpb.gov or (855) 830-7880.

Analyzing Individual Inquiries to the Ombudsman

The Ombudsman assists in resolving individual inquiries that pertain to a particular person, company, or group's process issue from their CFPB interactions.

General Information

How does the public contact the Ombudsman?

The public may contact the Ombudsman by email (CFPBOmbudsman@cfpb.gov), toll-free number (855) 830-7880, or with a U.S. area code (202) 435-7880. As of this writing, we also updated the contact information on our webpage to include information for Telecommunications Relay Service (TRS) users to dial [711](#).

We do not open email attachments unless we requested them. The Ombudsman also requests that inquirers first contact the office by email or telephone before sending letters so the inquirer does not incur unnecessary cost.

Who contacts the Ombudsman for assistance?

Individuals who contacted the Ombudsman on their own behalf include, for example, people contacting the office about a consumer complaint, seeking information on how to submit such a complaint, or seeking a CFPB resource for direct assistance. We also receive inquiries from: attorneys, representatives, and third parties; parties not authorized to receive information concerning a consumer complaint;²² financial entities; businesspersons; consumer and trade groups; and local, state, and federal government, as well as Congressional offices.

Who does the Ombudsman hear from the most?

By volume, to date, we have had more individuals than companies or groups who contact the Ombudsman for assistance. At the same time, there are more consumers than companies or

²² The Ombudsman does not provide consumer complaint information to anyone not authorized to receive it.

groups. In addition, we record each contact as one inquiry whether it is from one individual or a group that could represent thousands of individuals or companies.

Do inquirers contact the Ombudsman from all over the United States?

Yes. This year, inquirers contacted the Ombudsman from 50 states, Washington, D.C., Puerto Rico, and the U.S. Virgin Islands, as well as from other countries.

Do more inquirers contact the Ombudsman with a complaint or to ask a question?

Over time, the majority of inquirers have contacted the Ombudsman with a question rather than a complaint. Of our FY2024 inquiries, 56 percent were questions and 23 percent were complaints.²³ The remaining inquiries were for courtesy copies to the Ombudsman, topics of concern, and feedback on CFPB and non-CFPB topics.

Inquiries: A Year In Review

How many individual inquiries did the Ombudsman receive this year?

In FY2024, we received a total of 2,398 inquiries.²⁴ The figure below shows the change in the number of inquiries to the Ombudsman since the office opened in 2011.

²³ All percentages in the Analyzing Individual Inquiries to the Ombudsman section are rounded up to the nearest whole number if 0.5 or greater, or rounded down if less than 0.5.

²⁴ Inquiries do not include Ombudsman outreach and the broader issues received in connection with such outreach.

FIGURE 5: INDIVIDUAL INQUIRIES RECEIVED BY THE OMBUDSMAN'S OFFICE



Why does the number of individual inquiries increase or decrease in any particular year?

There are many possible factors as to why the number of individual inquiries increases or decreases in any given year, such as the public becoming aware of the CFPB or the Ombudsman, new initiatives, or changes in the marketplace.

What kinds of individual inquiries did the Ombudsman receive about the consumer complaint process this year?

We continued to hear some of the same concerns and complaints about the consumer complaint process this year, as in previous years. The CFPB's consumer complaint process is designed to obtain a response from the company, as described on consumerfinance.gov/complaint. After receiving a company's response, the CFPB provides the consumer with an opportunity to share feedback with the CFPB and the company. Many of the individuals contacting the Ombudsman over time, including in FY2024, did not think that the company response was satisfactory and expected that the CFPB would do more on their individual consumer complaint. Some individuals also did not seem to understand the CFPB's consumer complaint process. As we have discussed in previous annual reports, there continues to be some misconceptions about what the CFPB's consumer complaint process does or does not provide for the individual consumer. See [Appendix 8](#).

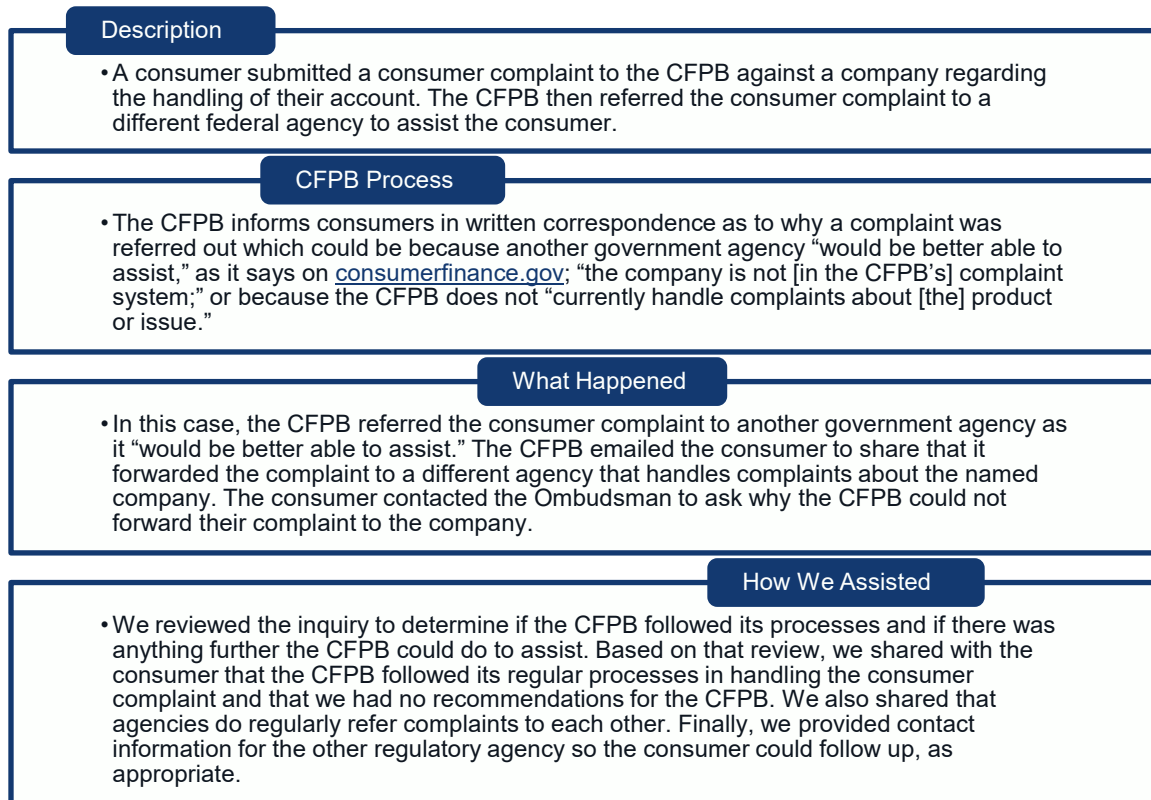
This year, inquirers also contacted our office wanting to add documents to their already submitted consumer complaints, for example, by uploading them on consumerfinance.gov. The

CFPB does not provide an avenue to upload additional documents. Instead, consumers can mail additional documents to the address provided on the agency’s [Contact Us webpage](#).

In addition, inquirers who assisted consumers in submitting a consumer complaint shared that they had challenges accessing the company’s response to the consumer complaint on [consumerfinance.gov](#). A third-party assisting a consumer can receive email updates about the status of the complaint, but only the individual with a commercial relationship with the company can login to the complaint portal to read the company’s response.

Over time, we also have had heard from inquirers who do not understand why the CFPB referred their consumer complaint to another government agency for assistance. The figure below is an example of one of those inquiries and how we assisted:

FIGURE 6: INDIVIDUAL INQUIRY EXAMPLE: UNDERSTANDING CONSUMER COMPLAINT REFERRALS OUTSIDE OF THE CFPB



When do individuals ask for assistance on redress stemming from CFPB enforcement actions?

Over the years, we have received various inquiries about redress. This year, individuals requested assistance with possible re-issuance of redress checks, for example, because: the consumer did not receive the original check, the consumer did not cash the original check received, or the check recipient was deceased such that the check had to be reissued to the next of kin.

Individuals also asked the Ombudsman questions about redress logistics. For example, they inquired about how to determine eligibility for redress or how to participate in CFPB enforcement actions. Specifically, individuals shared with us that their circumstances are the same as described in the actions. As we understand it, individuals cannot request to participate in enforcement actions.

In addition, individuals wanted to know how to assess whether a check they received regarding redress is legitimate. We provided them with information available on consumerfinance.gov or by calling the CFPB at (855) 411-2372 to make that determination.

Lastly, this year, we also received inquiries about interactions with third-party administrators, for example, regarding the need to connect with them.²⁵

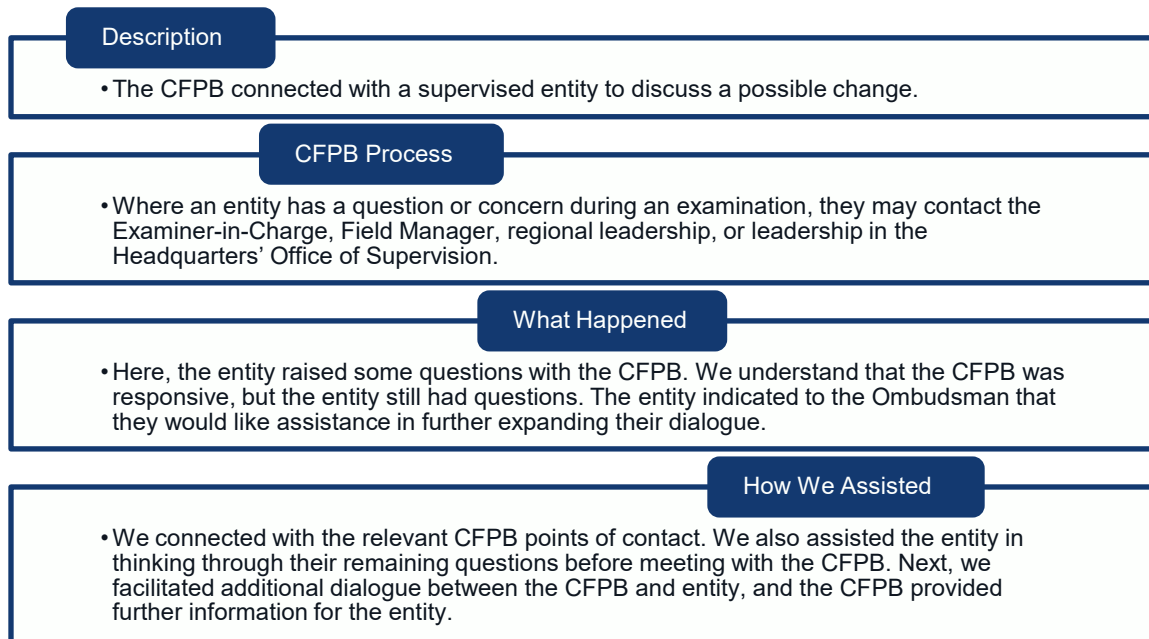
What types of individual inquiries did the Ombudsman receive from industry this year?

As in past years, the industry-related individual inquiries the Ombudsman received related to a broad array of topics, both familiar and new. For example, we received an inquiry where the company representative sought to clarify information on consumerfinance.gov. To assist, we contacted the relevant CFPB office to seek clarification and an update to the information.

The figure below describes an example from this year regarding the examination process and how we assisted:

²⁵ As described on the “[Payments to harmed consumers by case](#)” webpage, the third-party administrator assists the CFPB in sending money to harmed consumers where: “the person or company that violated the law pays the CFPB” or the CFPB has collected “penalties [into the Civil Penalty Fund] paid by people and companies that broke the law.”

FIGURE 7: INDIVIDUAL INQUIRY EXAMPLE: FACILITATING DIALOGUE DURING THE EXAMINATION PROCESS



As in years past, we also received inquiries from companies seeking regulatory guidance. We referred them to the Office of Regulations' [inquiry request form](#), the regular avenue for such questions, as well as to the CFPB's "[Rules and policy](#)" webpage. Similarly, we again received some inquiries from companies seeking CFPB points of contact for technical guidance with the Company Portal for responding to consumer complaints submitted to the CFPB. Lastly, as in years prior, we received questions about how to raise whistleblower concerns, which we continue to refer to the CFPB's [Whistleblower Line](#).

Providing Useful Resources

What resources does the Ombudsman provide to emailed inquiries?

For emailed inquiries, we provide immediate assistance with a thorough automated response and may provide additional resources, where appropriate. As of this writing, our automated response includes the following resources:

- Information for [consumers](#) and [industry](#) on the CFPB's consumer complaint process;
- CFPB information on [consumer financial products and services](#);
- Assistance for consumers experiencing [frauds, scams, and identity theft](#);

- Links to information on [CFPB enforcement actions](#), including [payments to harmed consumers](#) and the [Civil Penalty Fund](#);
- Industry information, such as: [Supervisory Highlights](#), [Supervision and Examination Manuals](#), [compliance and guidance](#), and the [enforcement process](#);
- Where to obtain information on [regulatory questions](#);
- The [CFPB's contact points](#); and
- Other federal as well as state government [services](#)

What kinds of CFPB resources does the Ombudsman share with inquirers?

We often offer various [consumerfinance.gov](#) resources to assist the inquirer as described throughout this report. For consumers or people assisting consumers, we ask them to contact the Office of Consumer Response if they have not yet submitted a consumer complaint with the CFPB or if their consumer complaint is still in progress. We also refer inquirers to the CFPB's Office of Media Relations (press@cfpb.gov), Office of Servicemember Affairs (military@cfpb.gov), and Office for Older Americans (CFPB_OlderAmericans@cfpb.gov). This year, we again provided some referrals to the CFPB's [Whistleblower Line](#), as mentioned above. In addition, for the Research, Monitoring, and Regulations Division, we may suggest that a company official submit a regulatory inquiry via the Office of Regulations' [inquiry request form](#), if the official has not tried that avenue.²⁶

What are examples of other federal resources the Ombudsman provides?

We give ombudsman resources at other federal agencies, including for the other federal financial regulatory agencies to include the [Office of the Comptroller of the Currency](#), [Federal Deposit Insurance Corporation \(FDIC\)](#), [Federal Reserve](#), and [National Credit Union Administration](#).

Depending on the inquiry, we may provide information for various other federal agencies, such as the [Federal Trade Commission](#), [U.S. Department of Housing and Urban Development's housing counselor information](#), and the [Small Business Administration](#).

For servicemembers or veterans who contact our office, we may provide information to contact the [Department of Veterans Affairs](#) or [U.S. Armed Forces Legal Assistance](#) resource. For assistance for older adults, we may offer information for the [Eldercare Locator](#) from the [Department of Health and Human Services' Administration on Aging](#) or a long-term care ombudsman.

²⁶ The Office of Regulations does not answer questions of regulatory interpretation for consumers and refers consumers to the telephone contact center for assistance, (855) 411-2372.

What resources does the Ombudsman provide to inquirers who share they are victims of scams?

Again this year, several inquirers contacted us regarding possible scams, including [CFPB imposter scams](#). We provide inquirers with the CFPB's webpage on "[Fraud and scams](#)." We also may provide resources from [Econsumer.gov](#), for the inquirer to report international scams; [the Federal Bureau of Investigation's Internet Crime Complaint Center \(IC3\)](#), to report Internet crimes; and [the Federal Trade Commission](#), which has resources to "[l]earn about the latest scams, and get advice to help [the public] avoid, report, and recover from them."

Does the Ombudsman also provide local resources?

Depending on what the inquirer describes, we may suggest that they call [211](#) to obtain various kinds of assistance in their local area.

Are there examples of state government resources the Ombudsman may suggest?

Yes. The resources we provide from state government often include attorneys general, consumer protection divisions, and law enforcement.

Does the Ombudsman provide other government-related resources?

We also sometimes provide inquirers with the website [www.usa.gov](#), which has a general search function to seek resources from across the government and is described as "the official guide to government information and services."

Ombudsman in Brief

As the name suggests, the Ombudsman in Brief section includes longer summary versions of various topics.

Adding Documentation to Consumer Complaints Submitted on the Telephone

As described in our [Mid-Year Update](#), through individual inquiries to our office we learned that consumers who submitted consumer complaints on the telephone may experience a processing issue when mailing in documentation to accompany the complaint.²⁷

When a consumer submits a complaint on the telephone and indicates to the CFPB's telephone contact center, (855) 411-2372, that they plan to send in accompanying documentation, the consumer has 45 days to mail it to the CFPB. Once the CFPB receives the documentation and adds it to the consumer complaint, the CFPB sends the complaint to the company for a response. The CFPB does not require accompanying documentation for a consumer complaint. However, if the consumer indicates they will send accompanying documentation and the CFPB does not receive any, the CFPB closes the complaint and does not send it to the company for a response.

From our research, we learned that if the CFPB receives the accompanying documentation towards the end of the 45-day timeframe, there can be a processing issue such that the CFPB does not add the documentation to the complaint. The CFPB then closes the complaint automatically and does not send it to the company for a response.

We highlighted this issue, provided feedback on possible solutions suggested by the CFPB, and understand that the CFPB is working to address this issue.

²⁷ The CFPB receives two percent of its consumer complaints by telephone. "[Consumer Response Annual Report: January 1-December 31, 2023](#)," (March 2024), pp. 5-6.

Providing Information on 711 for Telecommunications Relay Service Users

In accordance with the Rehabilitation Act of 1973,²⁸ federal agencies are to make their activities accessible to persons with disabilities. For example, since the CFPB opened, the [Contact Us webpage](#) has included a TTY telephone number, (855) 729-2372, for the hearing impaired.

In calendar year 2024, we understand that the CFPB planned to add a reference to the telephone number [711](#) on the [Contact Us webpage](#) for Telecommunications Relay Service users to contact the agency. The [Federal Communications Commission](#) shares that “Telecommunications Relay Service allows persons with hearing or speech disabilities to place and receive telephone calls . . . in all 50 states, the District of Columbia, Puerto Rico and the U.S. territories. . . . Dialing 711 makes it easier for travelers to use TRS because they do not have to remember TRS numbers in every state.”²⁹

In reviewing interagency Federal Register notices, we noticed that some of the CFPB’s sister agencies included a reference to [711](#) in the section listing who to contact for further information. For example, in one notice, the Federal Reserve stated: “For users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services, please call 711 from any telephone, anywhere in the United States....”³⁰ The Comptroller of the Currency stated: “If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.”³¹

With the addition of [711](#) to [consumerfinance.gov](#), we recommended that the CFPB add a reference to [711](#) in the section of Federal Register notices which lists who to contact for further information. We also recommended that the CFPB inform the agency’s telephone contact center, (855) 411-2372, about the availability of [711](#).

We understand that the CFPB is working on implementing these recommendations.

²⁸ 29 U.S.C. § 701 *et seq.*

²⁹ Federal Communications Commission, “[Telecommunications Relay Service – TRS](#)” (accessed October 7, 2024).

³⁰ “[Interagency Guidance on Reconsiderations of Value of Residential Real Estate Valuations](#),” 88 Fed. Reg. 47071, 47072 (July 21, 2023).

³¹ *Id.*

Distinguishing Between New and Duplicate Consumer Complaints

As described in our [FY2023 Annual Report](#), pp. 34-36, over time, some consumers have contacted the Ombudsman to express concern that the consumer complaints they submitted to the CFPB were closed without a company response. These consumers also mentioned that they received CFPB correspondence indicating that their complaints are duplicative of previously submitted complaints, but the consumers disagree. The consumers ask that the CFPB reopen the complaints so that the company can respond.

The CFPB provides a consumer complaint process through which consumers can submit complaints regarding a variety of consumer financial products and services. As described elsewhere in this report, the consumer complaint process is designed to obtain a response from the company, as described on consumerfinance.gov/complaint. The same webpage also states that “[y]ou generally can’t submit a second complaint about the same problem, so include th[e] information [described on the webpage] to help the company respond to your complaint.”

As part of the CFPB’s consumer complaint process, companies can indicate to the CFPB that consumer complaints are duplicative of a previously submitted complaint to the same company.³² In those circumstances, the consumer does not receive a substantive response to their duplicate complaint, the CFPB closes the complaint, and the CFPB does not add the complaint to the public [Consumer Complaint Database](#).

Consumers can contact the CFPB to express their concern about consumer complaints marked as duplicates by calling the Bureau at (855) 411-2372. However, the CFPB does not reopen those complaints. Alternatively, consumers can submit a new consumer complaint to the CFPB, which also may be marked as a duplicate. Another option is for consumers to submit a [Tell Your Story](#) narrative to the CFPB which may be reviewed across the agency, but is not sent to the company for a response.

In some circumstances, consumers submit an additional consumer complaint regarding the same matter because they would like a different answer than the company’s first response the first time. We understand that the CFPB considers these complaints to be duplicates. However,

³² We understand that a duplicate consumer complaint submitted to the CFPB is one submitted by or on behalf of the same consumer that does not describe or include any new issue, instance, or information. When indicating that a consumer complaint is a duplicate, companies must provide the original consumer complaint number to the CFPB. The CFPB explains that “Consumer Response analyzes consumer complaints, company responses, and consumer feedback to assess whether companies are providing accurate, complete, and timely responses.” (consumerfinance.gov/compliance/consumer-complaint-program/)

other times, consumers have an entirely new set of unrelated circumstances with the same company and the company designates the complaint as a duplicate. The Ombudsman notes that some companies do not use the option to designate complaints as duplicates, even if regarding the same matter as a previously submitted complaint, and continue to respond to the complaints submitted.

Last year, the Ombudsman provided feedback to the CFPB about consumer complaints designated as duplicates, where the matter with the company is different than previously submitted complaints. The CFPB then analyzed complaints designated as duplicates and decided to update the correspondence sent to consumers about these complaints. This year, we had the opportunity to provide feedback on the revised correspondence and the CFPB then updated the information consumers receive.

Systemic Reviews

In addition to individual inquiries, the Ombudsman reviews systemic issues that may be affecting consumers or financial entities nationwide, in a particular region, or with a certain process. We decide to review topics as systemic issues to see if we may be able to add value in our role as an independent, impartial, and confidential resource. We consider three questions in reviewing systemic issues: (1) Is the agency fairly applying a process it established? (2) If there is no set process, should we recommend creating one? (3) Does an existing process require a change to provide a fair application of it? The Ombudsman feedback and the recommendations that we provide to the CFPB may be: also suggested by others, but not implemented; ideas shared with the Ombudsman as we explored an issue; or, the Ombudsman's ideas of how to address an issue. The objective is to resolve the issue, but sometimes there are other possible solutions that also may work to reach the same result and we welcome implementation of those ideas.

Information Collection

The CFPB collects information from individuals and entities for various purposes, such as for market monitoring, in surveys, and during the examination process of supervised entities. Over time, we have received feedback regarding the CFPB's collection of information, including in individual inquiries to the Ombudsman, during an Ombudsman Forum, and from industry in our post-examination survey of supervised entities. One topic that we have heard about is the amount of effort required to provide information.³³ This year, we decided to explore this topic further to see if we could be of assistance to both the CFPB and the public.

In reviewing this topic, we met with the relevant CFPB offices; researched information on the comment process for certain information collection activities; and reviewed where the CFPB shares about the opportunity to comment on information collection. In addition, we reviewed

³³ At the time of our research on information collection, the CFPB was reviewing comments on the following: [“Proposed Rule: Request for Public Comment: Defining Larger Participants of a Market for General-Use Digital Consumer Payment Applications,”](#) 88 Fed. Reg. 80197 (November 17, 2023). The notice includes a discussion of “[the] potential benefits, costs, and impacts of the Proposed Rule.” *Id.* at 80211. As such, we did not include cost calculations for examinations in this discussion as the proposed rule comment process is a formal process and the Ombudsman is an informal resource.

the feedback and recommendations provided by entity participants in our post-examination survey over the last three years as well as in our Ombudsman Forums.

Many information collection activities are subject to the Paperwork Reduction Act of 1995 (PRA) which “govern[s] how federal agencies collect information from the American public.”³⁴ The PRA provides for a few different opportunities for public comment, including on the topic of amount of effort required for the collection. The process is somewhat complicated so we share the essence of it below, highlighting when and where the public can comment.

Information Collections Subject to the Paperwork Reduction Act

The PRA focuses on the quality of the collected information, accountability, and burden on the public.³⁵ It applies when an agency conducts an information collection where, for example, ten or more people will be contacted within a 12-month timeframe.³⁶ There also are certain situations where the PRA does not apply, for example, in supervisory examinations³⁷ or if there will be open-ended questions asked of the public.³⁸ “The PRA requires that agencies estimate burden to understand what is involved for the public to comply with a[n information] request.”³⁹ The word “burden” is defined as the “[t]otal time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information” for an information collection.⁴⁰

³⁴ “[A Guide to the Paperwork Reduction Act](#)” available at [Pra.digital.gov](#) (last accessed October 15, 2024); *see also* 44 U.S.C. §3500 *et al.*

³⁵ *See id.*

³⁶ 5 C.F.R. §1320.3(c)(1)-(4). The regulations define “information” as: “any statement or estimate of fact or opinion, regardless of form or format, whether in numerical, graphic, or narrative form, and whether oral or maintained on paper, electronic or other media...” with some exceptions. 5 C.F.R. §1320.3(h). The regulations also define “collection of information” as: “the obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements...” with some exceptions. 5 C.F.R. §1320.3(c).

³⁷ 5 C.F.R. §1320.4.

³⁸ For example, the Ombudsman’s post-examination survey is not subject to the PRA. We ask three open-ended questions for each survey call, as described further in the Post-Examination Survey section above.

³⁹ “[A Guide to the Paperwork Reduction Act](#)” available at [Pra.digital.gov](#) (last accessed October 15, 2024) (link in text removed).

⁴⁰ 5 C.F.R. §1320.3(b)(1). The definition also has a list of considerations for the burden calculation, including “[r]eviewing instructions; [d]eveloping, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information; [d]eveloping, acquiring, installing, and utilizing technology and systems for the purpose of processing and maintaining information; [d]eveloping, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information; [a]djusting the existing ways to comply with any previously applicable instructions and requirements; [t]raining personnel to be able to respond to a collection of information; [s]earching data sources; [c]ompleting and reviewing the collection of information; and [t]ransmitting, or otherwise disclosing the information.” *Id.*

There are several steps before an agency can begin an information collection, including receiving approval for the collection from the Office of Management and Budget (OMB). We describe the standard PRA process below.⁴¹

PRA Approval Process for Information Collection

To comply with the PRA, an agency first prepares an Information Collection Request along with a supporting statement, which provides details to help the public understand the proposed information to be collected.⁴² The website [reginfo.gov](https://www.reginfo.gov) contains the supporting statements. For example, documentation on the required burden calculation regarding CFPB proposed rules is in the relevant supporting statements on [reginfo.gov](https://www.reginfo.gov).

Next, the agency publishes a 60-day notice in the [Federal Register](#) to solicit public comment on the proposed information collection, including the required burden calculations.⁴³ All comments received on proposed information collections are available on [Regulations.gov](https://www.regulations.gov).

As we understand it, public comment is a valuable process for federal agencies, as it provides an opportunity to respond to questions and develop a better understanding of how the public perceives the proposed information collection. It is also an opportunity for the public to review burden estimates regarding the proposed information collection. The agency reviews any submitted comments and may adjust the Information Collection Request, as needed.⁴⁴

After considering any comments received, the agency will publish a 30-day notice in the [Federal Register](#) on the Information Collection Request, including any changes, while concurrently submitting it to OMB for review.⁴⁵ The [Federal Register](#) notice lets the public know that the agency has submitted the collection to OMB and that any additional public comments should be sent directly to OMB.⁴⁶ The public can view any changes to the supporting statement as well as make comments to OMB on [reginfo.gov](https://www.reginfo.gov), particularly from the [Information Collection Review webpage](#). The [Information Collection Review webpage](#) also has information on all previously approved Information Collection Requests.

⁴¹ There are different types of PRA clearance processes as set out in “[A Guide to the Paperwork Reduction Act](#)” available at [Pra.digital.gov](https://www.pra.digital.gov) (last accessed October 15, 2024).

⁴² *Id.*

⁴³ 5 C.F.R. §1320.8(d)(1).

⁴⁴ “[A Guide to the Paperwork Reduction Act](#)” available at [Pra.digital.gov](https://www.pra.digital.gov) (last accessed October 15, 2024).

⁴⁵ 5 C.F.R. §1320.10(a).

⁴⁶ *Id.*

Next, OMB engages in an approximately 60-day review of the Information Collection Request during which it will engage with the agency on any further public comment or questions, as needed, before issuing a final decision.⁴⁷ “A central goal of OMB review is to help agencies strike a balance between collecting information necessary to fulfill their statutory missions and guarding against unnecessary or duplicative information that imposes unjustified costs on the American public.... [OMB] also reviews the extent to which the information collection is consistent with applicable laws, regulations, and policies related to privacy, confidentiality, security, information quality, and statistical standards.”⁴⁸ At the conclusion of its review, OMB determines if it will approve the information collection and, if so, assigns an OMB control number which is valid for up to three years.⁴⁹

Once the information collection expires, it must be renewed through the Information Collection Request process for the agency to continue the information collection. This renewal process provides additional opportunities for public comment.

Where to Learn About the Opportunity to Comment on CFPB Information Collections

We understand that the CFPB receives relatively few comments for PRA information collections and even fewer for the renewal notices. The [Federal Register](#) has all of the opportunities to comment on CFPB information collections. The public can sign up on [federalregister.gov](https://www.federalregister.gov) to receive notifications when the CFPB publishes a new notice.

Some open notices where the public can comment also are available on [consumerfinance.gov](https://www.consumerfinance.gov) on a webpage entitled “[Notice and opportunities to comment](#)” which states: “[t]he CFPB requests public comment on a wide variety of topics to inform our work. These requests can include: proposed rules, requests for information, and Paperwork Reduction Act notices that give the public an opportunity to comment on potential information collections.”

The CFPB also shares in press releases or blog posts, particularly for proposed rules, about the opportunity to comment. In addition, the CFPB may send emails to various listservs to let the public know about information collections. For example, in the agency’s “latest updates” emails, sometimes the last sentence will remind the reader of “Requests for public comment,” including on PRA notices.

⁴⁷ “[A Guide to the Paperwork Reduction Act](#)” available at [Pra.digital.gov](https://www.pra.digital.gov) (last accessed October 15, 2024).

⁴⁸ [Reginfo.gov](https://www.reginfo.gov) (last accessed October 15, 2024).

⁴⁹ 5 C.F.R. §1320.10(b).

We understand that the CFPB plans to review how the public learns about opportunities to comment on the agency’s information collections.

Sharing Collected Information Within the CFPB

Different parts of the CFPB collect information for different purposes, some requiring the PRA process and others not. As part of the feedback we received, we were asked whether the CFPB can collect information from the public and then share it within the agency. We understand that when the CFPB collects information for one purpose, it may use the information for another purpose if the CFPB meets certain legal and compliance restrictions.⁵⁰

Going forward, we will continue to consider this topic and provide feedback and make recommendations, as appropriate.

⁵⁰ The CFPB provides information on its data governance program on a webpage entitled “[Sources and uses of data at the Bureau of Consumer Financial Protection.](#)”

When and How to Contact the CFPB Ombudsman

Our annual report describes when consumers, financial entities, consumer or trade groups, and others contact us to advocate for fair process in consumer financial protection, as summarized in the figure below.

FIGURE 8: WHEN TO CONTACT THE CFPB OMBUDSMAN'S OFFICE⁵¹

When to Contact the CFPB Ombudsman's Office
To obtain assistance when the regular CFPB resolution avenues for process concerns, such as on the CFPB's Contact Us webpage, do not work ⁵²
To share an issue confidentially
To find out where to find an answer at the CFPB
To suggest that we review a possible systemic issue
To highlight an issue already shared with the CFPB

Contacting our office is completely voluntary and there is no cost to use our resource. There also is no referral necessary. We can provide interpretation and translation services in additional languages, including American Sign Language (ASL), as requested.

The figure below provides our contact points, if we can be of assistance.

⁵¹ [Appendix 2](#) is a flowchart describing what to expect when you contact the Ombudsman's Office.

⁵² For individual consumer complaints submitted to the CFPB, we do not serve as an appeal process, but review whether the CFPB is following its own processes and procedures. Also, we do not assist in resolving issues as between consumers and financial entities.

FIGURE 9: HOW TO CONTACT THE CFPB OMBUDSMAN'S OFFICE

How to Contact the CFPB Ombudsman's Office
Email: CFPBOmbudsman@cfpb.gov
Telephone: Toll-free (855) 830-7880, Direct (202) 435-7880
If you are a Telecommunications Relay Service (TRS) user, dial 711
To send mail to the CFPB Ombudsman, please first email or call the contact points above

As described earlier in this report, we also regularly conduct our own independent outreach to share about our resources. For groups newly connecting with the CFPB, or connecting for some time, we can meet with you or your members to describe more about our resource. More information about outreach opportunities is in [Appendix 4](#). In addition, [Appendix 5](#) has information about our participation at consumer, industry, and other groups' conferences.

As always, we look forward to hearing your suggestions on how we can assist both the people who reach us for assistance and the CFPB.

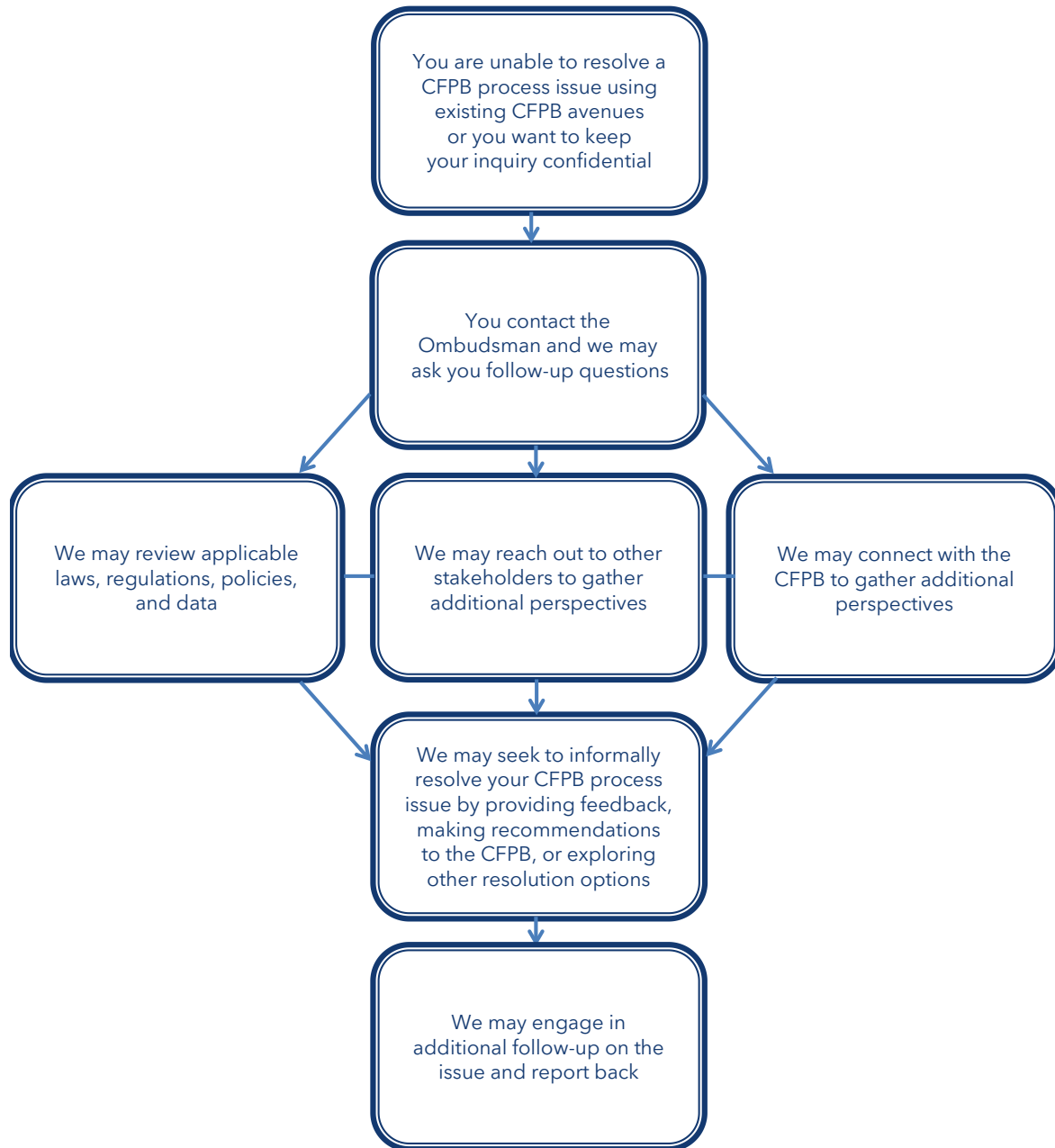
Appendix

The Appendix includes new and updated figures as well as information included in our previous annual reports, for ease of reference.

Appendix 1: Strategic Goals, FY2024-FY2026

Strategic Goals, FY2024-FY2026
Be available to the public and identify possible process issues to provide any early warnings, feedback or recommendations to the CFPB
Seek a variety of creative ways to continue to assist the people who reach us for assistance, considering the increase in volume of individual inquiries to the Ombudsman’s Office over several years
Remain nimble with evolving processes, activities, and technologies to maximize the Ombudsman resource
Equip the Ombudsman’s Office with the necessary knowledge, tools, information, and data needed to carry out the office’s work
Continue demonstrating commitment to leadership in the ombudsman practice and profession

Appendix 2: When to Contact Us and What to Expect When You Do



The Ombudsman does not:

- Address matters in litigation or provide legal advice;
- Delay statutory, regulatory, or other CFPB deadlines;
- Make decisions or legal determinations for the CFPB;
- Serve as a formal office of legal notice for the CFPB; or,
- Address internal workforce issues

Appendix 3: Advocating for Fair Process: Sample Issues Over Time (as of FY2024)



Advocating for Fair Process: Sample Issues Over Time

Contacting the CFPB

- How the public connects via the Contact Us webpage
- How non-consumers contact the CFPB on the telephone
- The process for requesting speaking engagements

The CFPB's Engagement with the Public

- Noting on translated blog posts updates forthcoming to match English updates
- Providing information on CFPB public actions and redress
- Consistency in terminology for references to stakeholder communities

The Public's Engagement with the CFPB

- Clarifications regarding announcement, processes for small business lending discrimination complaints
- Understanding imposter and other scams
- How the CFPB learns about industry developments

Consumers' Experience with the Consumer Complaint Process

- Setting expectations; standardizing timeframes; duplicate complaints; inbound referrals; process misconceptions
- Ensuring equal access to the process, such as for people without computers and for incarcerated consumers
- Third party involvement in the consumer complaint process

Industry's Experience with the Consumer Complaint Process

- Addressing technical issues with the complaint process
- Clarifying correspondence to industry on joining the company portal
- Defining company response options for the Consumer Complaint Database

Clarity Around the Enforcement and Examination Processes

- Information provided during and at the conclusion of examinations
- How supervision and enforcement intersect in practice
- Reviewing and describing the presence of enforcement attorneys at examinations

The Processes Around Industry Compliance

- Updating webinar legal disclaimers to describe appropriate use of information
- Submitting questions about CFPB regulations
- Enforcement warning letter project


How the CFPB Uses Information

- Updating guidance on when the CFPB chooses to endorse an entity
- Consumer complaint issue choices as published in Consumer Complaint Database
- Normalization of complaint data

The Public's Use of CFPB Resources

- Ensuring access for the visually impaired to the website and print materials
- Whistleblower Line information on the website and for the telephone contact center
- Educating about the CFPB's amicus program

Appendix 4: How to Engage with the CFPB Ombudsman’s Office

	Connect for the first time?	Meet at a regular cadence?	Inform group's members about the office?
Host in office or virtual meeting	X	X	X
Participate in teleconference or virtual meeting with group’s membership	X	X	X
Conduct webinar	X		X
Speak at a conference in person or virtually	X		X
Staff information table at conference			X
Offer office webpage link for group’s website			X
Share office brochures, annual reports, and other materials	X		X
Provide overview paragraph for group’s newsletter			X
Record audio segment for group's membership			X

Appendix 5: Outreach Opportunities at Consumer, Industry, and Other Groups' Conferences



Outreach Opportunities at Consumer, Industry, and Other Groups' Conferences

**OMBUDSMAN'S
OFFICE**

Speaking Engagements

The Ombudsman's Office is available to present at conferences to share about our resource, our latest work, and how we can assist groups as well as their members.

Ombudsman Interactives

In an Ombudsman Interactive, conference participants join us for a one hour minimum session to discuss process issues from their CFPB interactions. We coordinate with conference organizers on information shared about the session prior to the conference, the duration of the session, process topics for discussion, and the on-site check-in process for the session.

Conference attendees register ahead of time with the conference organizers in order to participate in the Ombudsman Interactives session. In keeping with our ombudsman professional standards of practice of independence, impartiality, and confidentiality, the Ombudsman Interactives are closed to the press, the public, and CFPB staff. During the Ombudsman Interactives, after a short introduction about our resource, we facilitate a participatory discussion with conference attendees and provide an opportunity for them to offer feedback and generate ideas for solutions. After the Forum, we share attendees' feedback and recommendations, without attribution, with the CFPB. Ombudsman Interactives are available by request on a first-come, first-served basis and are subject to the Ombudsman's Office's budget and availability.

Office Hours

We are available for office hours during the entire conference or just part of a conference. Individuals or small groups of individuals can sign up to meet with members of our team during this timeframe to learn more about our resource or to discuss particular issues of concern. Generally, it is helpful to have office hours in a separate space at a conference to the extent someone wishes to raise a concern in confidence. We coordinate with conference organizers ahead of time on how to share about the availability of office hours with conference participants and to arrange a suitable space.

Table Information

Our team also is available to staff a table to answer questions about our resource and discuss how we may assist. At the table, our materials are available for conference attendees to take with them and we may have other visuals that demonstrate our role.

Contact Us

To request one of these outreach opportunities, please email us at CFPBOmbudsman@cfpb.gov or call (855) 830-7880.

The CFPB Ombudsman's Office provides an independent, impartial, and confidential resource to informally assist individuals, companies, consumer and trade groups, and others in resolving issues with the CFPB.

Frequently Asked Questions About the Ombudsman Forum

What is an Ombudsman Forum?

The Ombudsman Forum is another avenue for consumer, trade, and other groups to share feedback on their CFPB interactions as we, in turn, provide feedback and recommendations to the CFPB. For our events, Ombudsman staff leads facilitated discussions, which allow participants to share feedback on the topics as well as offer their recommended solutions to any process concerns. In 2016, an Administrative Conference of the United States report on the federal ombudsman recognized our Ombudsman Forum program as one of our “innovations and promising best practices.”¹

What is facilitated discussion and how is it different?

A facilitated discussion is a flexible process where a trained impartial third party assists in generating a conversation between participants. It differs from a presentation or training in its use of various methods and techniques where participants actively engage around specific topics to communicate concerns and generate options for resolution. For example, the Ombudsman may connect with participants by: creating space for various perspectives to be heard, asking follow-up questions, sharing information, reframing for understanding, testing an assumption, clarifying a concept, considering options, identifying interests, making connections, and utilizing other engagement methods.

When did this program begin and what Forums have occurred?

We began the program in 2015. Since that time, we have hosted several Forums, including with industry groups, national and regional consumer groups, compliance officers of entities that engage with the CFPB, the associations of state regulators and their regulator members, and with advocates for small business. We have hosted Forums around the country and virtually.

What are the criteria for hosting a forum?

We may schedule a new Ombudsman Forum with a stakeholder community we met with previously or with a new stakeholder community where: there is a request by the CFPB, particular stakeholder community, or other external stakeholders for the Ombudsman to have such a Forum; or the Ombudsman determines on its own that it may be useful to host a Forum as we provide feedback and make recommendations to the CFPB. For frequency and timing, we also will consider our impartiality professional standard of practice to balance hosting events over time with different stakeholder communities. In addition, hosting additional Forums will be subject to our budget and the availability of resources.

¹ C. Houk et al., “A Reappraisal – The Nature and Value of Ombudsmen in Federal Agencies” (2016) (Report to the Administrative Conference of the United States) at Part 2, p.101.

How do you implement your ombudsman professional standards of practice during a Forum?

We communicate about the ombudsman professional standards of practice before, during, and after a Forum to describe them as well as to share how they function in practice.

Independence: The Ombudsman determines the topics, questions, and methods of facilitation for the Forum. In addition, all communications with prospective participants in anticipation of the event are just with the Ombudsman.

Impartiality: As with all of our work, the Ombudsman does not take the side of the CFPB or the side of the participants during the facilitated discussion.

Confidentiality: Our Forums are closed to the CFPB, the public, and the press, and we provide the location or link for the event only to registered participants. We do not share who attends and we ask participants not to share that information as well. We also ask participants not to use social media, cell phones, or recording devices so that we can do these events again in the future. We take notes without attribution during the program so that we can recall what participants shared with us.

How does the Ombudsman prepare for and communicate about the Forum?

Communication and preparation for a Forum begins with what we have heard through our ongoing conversations with internal and external stakeholders. We consider what process topics may be of interest to the particular stakeholder community as well as ask the CFPB and the stakeholder community for their topic suggestions. We then provide prospective participants with the topics in advance. In addition, we may offer the opportunity for groups to meet with us for office hours during the day of the Forum to discuss any CFPB process issue.

What does the Ombudsman ask of participants?

We ask that participants share their perspectives on how the process topic impacts their work or the work of their group or entity. We ask that they include relevant examples, suggestions, or recommendations and consider ways to address any concerns presented if they were the CFPB.

What happens after the Forum?

We consider the information we learn at the Forum as we provide feedback and make recommendations to the CFPB. We also provide unattributed feedback to the CFPB from each Forum and summarize it further in our annual reports.





OMBUDSMAN'S
OFFICE

Program Overview Post-Examination Survey

About Our Office

The [CFPB Ombudsman's Office](#) provides an independent, impartial, and confidential resource to informally assist individuals, financial entities, consumer and trade groups, and others in resolving process issues with the CFPB. We focus on CFPB process, not policy, and advocate for fair process in consumer financial protection. More information is on our [webpage](#), in our [brochure](#), and in our [annual reports](#).

Program Development

The CFPB asked us to consider conducting a post-examination survey as an independent resource. We also heard about the interest in a post-examination survey in our 2018 Ombudsman Forum with industry groups, as described in that year's [annual report](#). In addition, some of the other federal financial regulatory agency ombudsman offices conduct post-examination surveys.

In thinking about whether to proceed, we considered our ombudsman professional standards of practice of independence, impartiality, and confidentiality, as well as the mechanics of conducting such a survey. We then conducted a beta test to develop a set of best practices in a small-scale environment.

As we shared in the [blog post](#) accompanying our [FY2020 Annual Report](#), we concluded our beta test evaluation and determined that our office would conduct a post-examination survey of supervised entities as a new initiative going forward. An overview of the beta test is in our [FY2020 Annual Report](#), on pp. 14-17. We launched the survey program in the second quarter of FY2022.

Participant Selection

The CFPB provides the Ombudsman with a list of supervised entities with an examination mail date for a particular fiscal year along with the entities' associated points of contact. We invite all of the entities on the list to participate in our survey.

Participation in the survey is voluntary. You may also identify a different representative from your entity to participate if the person is familiar with the CFPB examination that is the subject of the survey.

The CFPB Ombudsman's Office provides an independent, impartial, and confidential resource to informally assist individuals, companies, consumer and trade groups, and others in resolving issues with the CFPB.



OMBUDSMAN'S
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Survey Structure

Selected entities will meet with at least two members of our Ombudsman's Office for a scheduled one-hour survey session conversation on: (1) what worked well? (2) what did not work well, if anything? and (3) what would you change moving forward?

The topics discussed in the survey are:

Supervision materials and resources – Includes topics such as information availability, functionality, and content for review by entity representatives who will engage with any part of the examination.

Interpersonal communications – Includes communications between entity representatives and anyone at the CFPB before, during, or after an examination, using any medium or format.

End of the examination – Includes topics such as timing, knowledge of outcomes or resolutions, clarity in expectations of closure, and awareness of the appeals process.

For each survey, we will use a conversational, dialogue approach. This format will allow for issue identification without presuming a problem area in any part of the process. We also will tailor any follow-up questions to the information provided by the entity.

The survey is not an avenue to express disagreement with an examination finding or examiner performance. If there are concerns about a particular examination that an entity would like us to assist in addressing, a different Ombudsman colleague will connect with the entity for a separate conversation to take it out of the survey context. As a reminder, engaging with the Ombudsman's Office will not delay or stay any statutory, regulatory, or agency timeframes.

Confidentiality

To uphold our professional ombudsman tenet of confidentiality, protect the confidentiality of supervisory information, and enable the participants to speak candidly with the Ombudsman, we will not share with anyone outside of the Ombudsman's Office which entities or entity representatives we surveyed. In addition, we will safeguard the feedback in the same manner as any information we receive regarding CFPB activities.

Participants' Unattributed Feedback and Recommendations

We provide the CFPB with a summary of survey participants' unattributed feedback and recommendations, for the agency's consideration, and summarize it further in our [annual report](#).

Appendix 8: Some Misconceptions About the Consumer Complaint Process

Misconception	What Happens
The CFPB will advocate for an individual consumer within the consumer complaint process.	The CFPB assists the consumer in obtaining a response from the company.
The CFPB will enforce the law regarding an individual consumer’s circumstances as part of the consumer complaint process.	The CFPB generally assists many people at one time with broader actions outside of the consumer complaint process.
A consumer can add information to a closed consumer complaint and the new information will be sent to the company for a new response.	Consumers can add information to closed consumer complaints, but the information is not sent to the company for a response.
Consumer complaints can be submitted to the Consumer Complaint Database.	Consumers submit consumer complaints to the CFPB, not to the Consumer Complaint Database which is a collection of complaints the CFPB publishes on consumerfinance.gov . The Bureau then adds complaints sent to companies for a response to the public Database without information that would identify consumers. It also may be helpful to know that if the company provides an administrative response, for example, to indicate the complaint is a duplicate complaint, the CFPB does not add the complaint to the public Database.