2025 Annual Report to the Director

Advocating for Fair Process in Consumer Financial Protection



Message

I am pleased to present our FY2025 annual report to the Director of the Consumer Financial Protection Bureau, pursuant to the CFPB Ombudsman's Office <u>Charter</u>. The CFPB Ombudsman's Office was anticipated in the Dodd-Frank Act, section 1013(a)(5), and advocates for fair process in consumer financial protection.

Wendy Kamenshine Ombudsman

November 14, 2025

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Ombudsman in Practice

The CFPB Ombudsman's Office is a separate resource which is outside of the CFPB's business lines, reporting to the CFPB's Deputy Director and then to the Director, and is also an impartial, and confidential resource. Our mission is to advocate for fair process in consumer financial protection. The Ombudsman¹ 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 reviews 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 over time with external stakeholders.

Ombudsman Professional Standards of Practice

The following core standards enable an ombudsman to advocate for fair process and are essential to all aspects of our work:

Independence: We are a separate office outside of the CFPB's business lines, reporting to the CFPB's Deputy Director and then to the Director, as set out in our Office <u>Charter</u>. 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.

¹ 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 CFPB resolution avenues for process concerns, such as on the CFPB's <u>Contact Us webpage</u>; 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.² *See* Appendix 1. 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.

² 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,³ ensure confidentiality of someone's identity,⁴ and engage in shuttle diplomacy,⁵ 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 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

Over the years we have conducted our own outreach with external stakeholders to share information about our resource⁶ and to learn more about how those stakeholders engage with the CFPB. To assist with our outreach activities, in September 2024 we added a staff resource as an Acting Outreach Specialist from another federal agency. The individual's four-month temporary assignment ended in January 2025.

³ For example, over time the Ombudsman has participated 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 decisionmaking process.

⁴ 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.

⁵ 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.

⁶ Appendix 2 includes sample issues from our work over the years.

There are various ways external stakeholders have engaged 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.

To assist our external stakeholders most effectively over time, the Ombudsman has planned, developed, and engaged 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. Over the years, we have conducted 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 where we use open channels of communication to 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 they can call upon us to assist in the future.

In 2015, we also 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 discussed earlier in this report, 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. The Office did not host an Ombudsman Forum this fiscal year.

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 updates on our work, and share recommendations. The figure below shows our inreach meetings in FY2025. Note that in this transition year, we have not met with all of these divisions and offices for the entire fiscal year.

FIGURE 1: REGULAR INREACH MEETINGS WITH THE CFPB, FY2025 (Note that in this transition year, we have not met with all of these divisions and offices for the entire fiscal year.)

of Finance and Procurement of Human Capital of Intergovernmental Affairs of Legislative Affairs or Older Americans of Private Sector Engagement of Public Engagement of Supervision Examinations*		
)S		
IS		
Bi-monthly Meetings		
of Community Affairs of Fair Lending and Equal cortunity of Financial Education of Media Relations of Minority and Women Inclusion of Servicemember Affairs of and Accessibility Program		
s		
of Consumer Response, stigations Section ment Division of Planning, Policy, and Strategy of Supervision Examinations, onal Directors		
o es e o		

basis. In this transition year, we have not met with all of these divisions and offices for the entire fiscal year.

This year, we also continued to meet with some CFPB offices in a team-to-team format to share again about our resource and learn about the latest work in those offices. Overall, our 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.

Post-Examination Survey

In FY2022, we launched our post-examination survey of CFPB supervised entities.⁷ 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. 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:⁸

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

⁷ The history and development of our post-examination survey is in our <u>FY2020 Annual Report</u>, pp. 14-17, and <u>FY2021 Annual Report</u>, pp. 13-15.

⁸ 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.

In our two-page explainer document (Appendix 3), 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.

The Office did not conduct a post-examination survey in this transition year.

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 (<u>CFPBOmbudsman@cfpb.gov</u>), toll-free number (855) 830-7880, with a U.S. area code (202) 435-7880, or by dialing 711 for Telecommunications Relay Service (TRS) users.

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; 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

⁹ 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 FY2025 inquiries, 42 percent were questions and 22 percent were complaints. ¹⁰ 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 FY2025, we received a total of 2,584 inquiries.¹¹ The figure below shows the change in the number of inquiries to the Ombudsman since the Office opened in 2011.

¹⁰ 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.

¹¹ Inquiries do not include any Ombudsman outreach and the broader issues received in connection with such outreach.

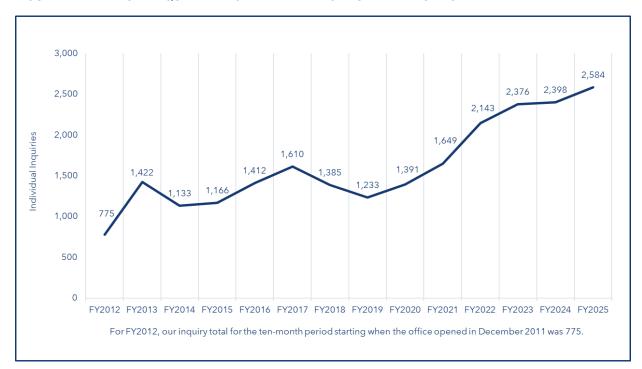


FIGURE 2: INDIVIDUAL INQUIRIES RECEIVED BY THE OMBUDSMAN'S OFFICE

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. The topics below are a representative list of the issues we received in FY2025:

- Requests to remove information from or add it to the CFPB's consumer complaint system
- Concerns about consumer complaints that companies mark as duplicates which result in the company providing no substantive response to the duplicate complaint

- Concerns about the CFPB closing a consumer complaint after the company provides a response
- Requests to reopen consumer complaints that the CFPB closed for various reasons
- Challenges in accessing the company's response on <u>consumerfinance.gov</u> by inquirers who assisted consumers with the consumer complaint process
- Requests for the consumer complaint process to do more to assist the individual consumer along with requests for the Ombudsman to investigate the outcomes of individual consumer complaints
- Requests to update contact information associated with previously submitted consumer complaints to facilitate receiving redress from a CFPB enforcement matter

The figure below is an example of how some individual inquiries that the Ombudsman receives may assist many people:

FIGURE 3: INDIVIDUAL INQUIRY EXAMPLE: ASSISTING CONSUMERS WITH REVIEWING COMPANY RESPONSES

Description

An individual received a CFPB email indicating the company responded to the consumer complaint.
 The individual contacted the Ombudsman because the CFPB's consumer complaint portal contained a notification type of response from the company rather than a substantive response to address the issues raised in the consumer complaint.

CFPB Process

In certain circumstances, the company indicates to the individual submitting the consumer complaint
that it has sent a substantive response directly to the person who has a commercial relationship with
the company. The CFPB also receives the company's substantive response. The CFPB consumer
complaint portal then reflects the company's notification to the individual rather than the substantive
company response.

What Happened

 Based on the CFPB's email, the individual anticipated receiving a substantive company response in the CFPB consumer complaint portal.

How We Assisted

The Ombudsman explained the CFPB's process to the individual. To assist others, we also shared
with the CFPB that individuals may expect to receive a substantive company response in the
consumer complaint portal when receiving an email indicating that the company responded to the
consumer complaint.

As we have discussed in previous annual reports and as reflected again in the individual inquiries this year, there continues to be some misconceptions about what the CFPB's consumer complaint process does or does not provide for the individual consumer. We have included the figure below in previous annual reports and provide it here for ease of reference.

FIGURE 4: 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.

As we consider the individual inquiries to the Ombudsman over time from consumers or people who assist consumers, we provide some additional information in the figure below:

FIGURE 5: QUICK REFERENCE FOR CONSUMER COMPLAINT PROCESS-RELATED QUESTIONS AND CONCERNS

I want to	CFPB Process
Add information to my consumer complaint that I submitted to the CFPB online at consumerfinance.gov/complaint	Consumers can only include documents with the initial submission for them to be sent to the company for a response unless the CFPB requests more information.
Add information to my consumer complaint that I submitted to the CFPB on the telephone at (855) 411-2372	Consumers who want to include documents to be sent to the company must tell the CFPB upon submission on the telephone and have 45 days to provide the documents. Consumers can upload documents in the consumer complaint portal or send them by postal mail to the address provided on the Contact Us webpage. If the consumer does not send the documents within 45 days, the CFPB will close the complaint.
Submit consumer complaints to the CFPB about more than one company regarding the same set of factual circumstances	Consumers can submit consumer complaints regarding more than one company and the same set of factual circumstances with one complaint submission. The CFPB then will assign a separate consumer complaint number for each company listed.
Remove my information from the CFPB's consumer complaint system	The CFPB's records retention schedule dictates how long records are maintained. See the CFPB's FAQ on consumerfinance.gov.
View the company response on the CFPB's consumer complaint portal for a complaint I submitted for someone else	Only the consumer can view the company's response on the CFPB's <u>consumer complaint</u> <u>portal</u> .
Appeal the result of my consumer complaint	The CFPB provides an opportunity to share feedback on the company's response in a three-question survey. There is no appeal process.
Receive a company response more quickly than the CFPB's consumer complaint process provides	Companies have 15 days to respond to a consumer complaint submitted to the CFPB and can request an extension for up to 60 days. There is no expedited process.

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

Over the years we have received various inquiries about redress, which this year included topics, such as:

- Asking how to be included on the list of individuals to receive redress for a particular CFPB enforcement matter
- Individuals' concern that they may not receive redress from a CFPB enforcement action against a company when they believe they were similarly impacted by the same company
- Assistance required to update an individual's address to receive a redress check
- Assistance with reissuance of redress checks for various reasons to include not knowing the process for reissuance or encountering challenges with third party administrators reissuing checks

The figure below is an example of an inquirer who had challenges in obtaining a reissued redress check and how the Ombudsman assisted:

FIGURE 6: INDIVIDUAL INQUIRY EXAMPLE: SERVICEMEMBER'S EXPERIENCE WITH REDRESS CHECK REISSUANCE

Description

• A servicemember contacted the Ombudsman in conjunction with a request to reissue a redress check that expired.

CFPB Process

• Consumers can request reissuance of a redress check from the entity administering the redress.

What Happened

• In this example, the servicemember correctly requested the reissued check from a third party administrator but had challenges with obtaining a reissued check.

How We Assisted

• The Ombudsman connected with the relevant CFPB points of contact to facilitate the third party administrator's reissuance of the check.

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, such as:

- How to connect with various parts of the CFPB
- Accessing the Company Portal to respond to consumer complaints submitted to the CFPB
- How to stay up-to-date with CFPB publications and releases
- How to learn whether CFPB regulations apply or will apply

As we consider the individual inquiries to the Ombudsman over time from industry, we provide the information below as industry engages with the CFPB:

FIGURE 7: QUICK REFERENCE FOR INDUSTRY-RELATED QUESTIONS AND CONCERNS

I want to	CFPB Process
Access the Company Portal to respond to consumer complaints	The CFPB's Company Portal Manual provides information on how companies can access the Company Portal to review and respond to consumer complaints, and shares where to email any questions and concerns.
Connect with various parts of the CFPB	The <u>Contact Us webpage</u> on <u>consumerfinance.gov</u> provides a list of contact points for various parts of the CFPB, particularly under the Connect with Us section.
Stay up to date with CFPB publications and releases	The CFPB's website, <u>consumerfinance.gov</u> , has a <u>Recent Updates webpage</u> that lists publications and releases in one place.
Determine whether CFPB regulations apply or will apply	The Office of Regulations has an <u>inquiry</u> request form where industry can pose these questions and receive a response.

Providing Useful Resources

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

We often offer various <u>consumerfinance.gov</u> resources to assist the inquirer. 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 Servicemember Affairs (<u>military@cfpb.gov</u>) and Office for Older Americans (<u>CFPB OlderAmericans@cfpb.gov</u>). This year, we again provided some referrals to the CFPB's <u>Whistleblower Line</u>. 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' <u>inquiry request form</u>, if the official has not tried that avenue.¹²

Does the Ombudsman provide resources outside of the CFPB?

Yes, we suggest other resources, as appropriate.

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 <u>CFPB</u> <u>imposter scams</u>. We provide inquirers with the CFPB's webpage on "<u>Fraud and scams</u>." We also may provide resources from <u>Econsumer.gov</u>, for the inquirer to report international scams; <u>the Federal Bureau of Investigation's Internet Crime Complaint Center (IC3)</u>, to report Internet crimes; and <u>the Federal Trade Commission</u>, which has resources to "[l]earn about the latest scams, and get advice to help [the public] avoid, report, and recover from them."

¹² 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.

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 a separate resource, which is outside of the CFPB's business lines reporting to the CFPB's Deputy Director and then to the Director, and also is impartial and confidential. 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.

In the coming year we look forward to continuing to update any previous reviews, as needed, and assisting the CFPB and the public in resolving broader process issues that may arise.

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 OFFICE13

When to Contact the CFPB Ombudsman's Office

To obtain assistance after already trying the regular CFPB resolution avenues for process concerns, such as on the CFPB's <u>Contact Us webpage</u>¹⁴

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

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

¹³ Appendix 1 is a flowchart describing what to expect when you contact the Ombudsman's Office.

¹⁴ 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: <u>CFPBOmbudsman@cfpb.gov</u>

Telephone: Toll-free (855) 830-7880, Direct (202) 435-7880

If you are a Telecommunications Relay Service (TRS) user, dial 711

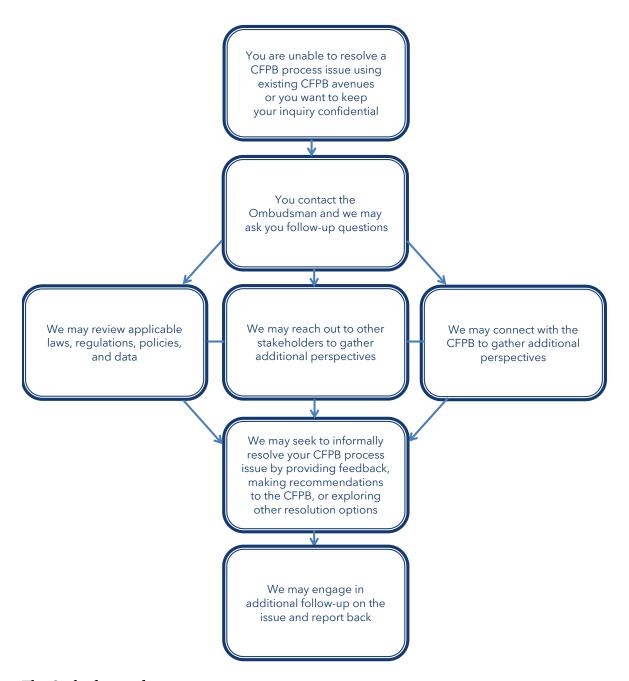
To send mail to the CFPB Ombudsman, please first email or call the contact points above

As 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 a flowchart of when to contact the Ombudsman and what to expect when you do; sample issues we have assisted in resolving over time; and an explainer document that we share with entities about our post-examination survey.

Appendix 1: 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

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



Program Overview Post-Examination Survey

About Our Office

The <u>CFPB Ombudsman's Office</u> is a separate resource which is outside of the CFPB's business lines, reporting to the CFPB's Deputy Director and then to the Director, and is also an impartial and confidential resource. The Office informally assists 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 <u>webpage</u>, in our <u>brochure</u>, and in our <u>annual reports</u>.

Program Development

The CFPB asked us to consider conducting a post-examination survey considering our standards of practice. 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 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 <u>blog post</u> accompanying our <u>FY2020 Annual Report</u>, 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 <u>FY2020 Annual Report</u>, 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.

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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 <u>annual report</u>.