

Charter for CFPB Ombudsman's Office

Purpose:

The Consumer Financial Protection Bureau's Ombudsman's Office provides an independent, impartial, and confidential resource to informally assist consumers, depositories, and non-depositories in addressing issues resulting from the CFPB's regulatory activities.

Statutory Provision:

“(5) AGENCY OMBUDSMAN.—

(A) ESTABLISHMENT REQUIRED.—Not later than 180 days after the designated transfer date, the Bureau shall appoint an ombudsman.

(B) DUTIES OF OMBUDSMAN.—The ombudsman appointed in accordance with subparagraph (A) shall—

(i) act as a liaison between the Bureau and any affected person with respect to any problem that such party may have in dealing with the Bureau, resulting from the regulatory activities of the Bureau; and

(ii) assure that safeguards exist to encourage complainants to come forward and preserve confidentiality.”

Dodd-Frank, § 1013(a)(5)

Ombudsman Principles:

Independence – The Ombudsman's Office is a separate office, outside of the CFPB business lines, that will report directly to the CFPB Deputy Director with access to the Director. The Ombudsman will meet regularly with the Deputy Director, and periodically with the Director, to serve as an early warning system, highlight systemic issues, make recommendations for systemic change, and provide input on proposed initiatives.

Impartiality – For both individual matters and systemic issues, the Ombudsman's Office does not advocate for the consumer, depository, non-depository, or the CFPB. Rather, the Ombudsman's Office examines all sides of an issue and advocates for a fair process, which may include making recommendations on how an individual matter or systemic issue should be addressed.

Confidentiality – Confidentiality allows consumers, depositories, and non-depositories to seek the Ombudsman's assistance without concern for retaliation or retribution. The Ombudsman's Office will not share any identifying information outside of the Office unless the individual raising the issue agrees. The Ombudsman's Office also may share the information if there is a threat of imminent risk of serious harm or an allegation of government fraud, waste, or abuse, or

if required by law. The Ombudsman's Office also will not testify about individual matters or otherwise share any identifying information, other than as listed above, unless required by law. The Ombudsman's Office also will establish and maintain the necessary office systems and structures, in accordance with Federal laws and regulations, to ensure confidentiality.

Areas Covered:

The Ombudsman's Office will address any issue on either an individual matter or systemic basis resulting from the CFPB's regulatory activities, including:

- Supervisory activities, such as issues regarding an examiner or the exams process;
- Process issues surrounding enforcement activities;
- Consumer concerns;
- Supervisory appeals, either to facilitate resolution of issues before an appeal is filed with the CFPB, or address process issues during the appeal; and
- Issues between agencies, as a facilitator.

The CFPB Ombudsman's Office does not:

- Address matters already in litigation;
- Delay any 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 human resources matters.

Contacting the Ombudsman's Office:

Contact with the Ombudsman's Office is entirely voluntary and free of charge. The Ombudsman's Office serves as an office of last resort after the consumer, depository, or non-depository has contacted the regular CFPB resolution avenues, or if the consumer, depository, or non-depository wishes to raise an issue confidentially.

Resolving an Issue:

The Ombudsman's Office has a range of options to try and assist with an inquiry such as: discussing options and resources, facilitation, mediation, shuttle diplomacy, highlighting systemic issues, and making recommendations to address an individual or systemic issue.

Two-Way Communication:

The Ombudsman’s Office will interface regularly with the public and CFPB employees to share information about the role of the Office and how it may provide assistance, as well as to learn about new initiatives and developments.

Access to People and Information:

In conducting its work, the Ombudsman’s Office will meet with CFPB employees at all levels and may obtain information and data, as needed. To the extent available, the Ombudsman’s Office will receive data and other reports from such divisions as Consumer Response and Supervision to further inform the Office’s work.

Regular Reporting:

The Ombudsman’s Office will issue an annual report to the CFPB Director no later than November 15 and may issue periodic reports to highlight systemic issues and make recommendations for systemic change. Each report will be reviewed by CFPB senior leaders for a period of 10 business days. To maintain the Ombudsman’s independence, such review is not for concurrence purposes; except for questions of law, the Ombudsman’s Office determines which changes to include, if any.



Raj Date
Special Advisor to the Treasury Secretary

12/8/2011
Date



Wendy Kamenshine
Acting CFPB Ombudsman

12/8/2011
Date