



MORTGAGE BANKERS ASSOCIATION

March 2, 2026

Comment Intake – Agency Information Collection Activities: Comment Request
Consumer Financial Protection Bureau
1700 G Street NW
Washington, DC 20552

RE: Consumer Response Intake Form

To Whom it May Concern:

The Mortgage Bankers Association (MBA)¹ welcomes the opportunity to comment on the Consumer Financial Protection Bureau's (CFPB or Bureau) request for comment on the Consumer Response Intake Form.

MBA has supported the CFPB's efforts to facilitate a conflict resolution mechanism between consumers and companies so they can respond to complaints in a prompt and effective manner.² MBA and its members take consumer complaints seriously.³ The industry has invested considerable efforts and financial resources into receiving, understanding, and responding to consumer feedback. Companies are in constant communication with their customers through multiple channels to improve the consumer experience. Additionally, they have built reporting, analytics, and other platforms that enable them to enhance consumer engagement and expeditiously address any complaints.

¹ The Mortgage Bankers Association (MBA) is the national association representing the real estate finance industry, an industry that employs more than 275,000 people in virtually every community in the country. Headquartered in Washington, D.C., the association works to ensure the continued strength of the nation's residential and commercial real estate markets, to expand homeownership, and to extend access to affordable housing to all Americans. MBA promotes fair and ethical lending practices and fosters professional excellence among real estate finance employees through a wide range of educational programs and a variety of publications. Its membership of more than 2,000 companies includes all elements of real estate finance: independent mortgage banks, mortgage brokers, commercial banks, thrifts, REITs, Wall Street conduits, life insurance companies, credit unions, and others in the mortgage lending field. For additional information, visit MBA's website: www.mba.org.

² Mortgage Bankers Association, RE: Request for Information Regarding the Consumer Complaint Database (Aug. 31, 2015), available at https://www.mba.org/docs/default-source/uploadedfiles/comment-cfpb-database-normalization-final-8-21-2015.pdf?sfvrsn=d5ce5a22_0.

³ Consumer Financial Protection Bureau, Consumer Response Annual Report at 51 (Mar. 2025), available at https://files.consumerfinance.gov/f/documents/cfpb_cr-annual-report_2025-05.pdf (Showing that, as of the last report on the consumer complaint database, "0.1% of mortgage complaints were pending with the consumer and 0.2% were pending with the CFPB" and that "[c]ompanies responded to 98% of mortgage complaints sent to them for review and response.") [Hereinafter "Consumer Response Annual Report"].

Consumer Response Intake Form

March 2, 2026

Page 2 of 5

However, MBA has had concerns with the way the CFPB has publicly displayed unsubstantiated narratives and claims on the database. As a first principle, posting unsubstantiated complaints is unhelpful to consumers and a very ineffective use of the CFPB's time and resources. Moreover, many consumer complaints are resolved by an explanation without the need for further relief, monetarily or otherwise.⁴ In fact, many of these "resolved-with-an-explanation" interactions should not rise to the level of being considered a "complaint." Instead, the CFPB should consider these as "inquiries" that are excluded from any count of complaints.

As explained in more detail below, companies must spend resources responding to complaints that are either not substantiated or even addressed to the correct company. MBA believes the complaint database would be most effective if it functioned as a secondary escalation mechanism, available after a consumer has attempted to resolve the issue directly with the company. The consumer database should not act as an alternative to leaving reviews on Google, Yelp, Better Business Bureau, or other publicly available review websites.

MBA suggests several ways that the CFPB can improve the Complaint Database to best facilitate dispute resolutions between the company and consumer. This includes:

- Encouraging prior interaction with the company before a consumer submits a complaint;
- Verifying the identity of the consumer or third party submitting the complaint to reduce the number of false and incorrect complaints;
- Allowing longer extensions to respond to complex issues;
- Limiting the ability of consumers to file multiple complaints over the same issue; and
- Automating how the information from the consumer is processed and how it is given from the CFPB to the company.

Suggested Changes

The CFPB requests comments on whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility and the accuracy of the CFPB's estimate of the burden of the collection of information. Additionally, the Bureau asks for comments on the validity of the methods and the assumptions used, ways to enhance the quality, utility, and clarity of the information to be collected, and ways to minimize the burden of the collection of information on respondents. MBA believes that the following suggestions will allow companies to more effectively help consumers.

⁴ Consumer Response Annual Report at 18, 51 (Notably, mortgage companies closed 91% of complaints with an explanation and no relief was necessary).

I. Encourage Prior Interaction with the Company

The CFPB should require the consumer to bring their complaint to the company as an initial step. Currently, the complaint portal asks the consumer if they tried to work with the company prior to submitting a CFPB complaint. However, the consumer may still enter the complaint even if the consumer indicates that they have not done so. MBA commends recent changes that encourage consumers to first dispute inaccurate or incomplete information on their credit report with the credit reporting agency before submitting a complaint.⁵ However, there is room for further improvement. Specifically, if the consumer or third-party answers no, the CFPB should instead direct the consumer to first contact the company.

This process will help make sure the complaint is addressed to the right company. Social media and credit repair organizations give poor guidance to consumers on how to improve their credit by sending template complaints with no specific details related to that consumer's situation, or information that specifically does not relate to the consumer's situation. For example, citing laws related to open end credit when the debt at issue is closed end. This has increased the volume of "complaints" filed across the industry. Requiring this initial step will limit the number of frivolous complaints and complaints addressed to the wrong company.

Additionally, for credit reporting and debt collection – the source of most complaints – the most frequent consumer complaint is about incorrect information on their credit report and attempts to collect a debt that is not owed.⁶ However, consumers are required to validate their debt and dispute the accuracy of a credit report with the credit reporting agency or specific company *first* under the Fair Credit Reporting Act.⁷ Requiring consumers to validate or dispute a debt before filing a complaint would limit the number of frivolous complaints and complaints addressed to the wrong company.

II. Verify the Identity of the Person Submitting the Complaint

The CFPB should require consumers to verify their identity with multifactor authentication or require proof of consent to file if submitted by a third party. This change will make it easier for the parties involved to verify the accuracy of the content and resolve a complaint once it has been publicized. As discussed above, this will also help address the volume of frivolous complaints submitted by third-party organizations.

⁵ Consumer Financial Protection Bureau, Credit and Consumer Reporting Complaint Notice (Last Accessed Feb. 24, 2026), available at <https://www.consumerfinance.gov/complaint/credit-and-consumer-reporting-complaint-notice/>.

⁶ Consumer Response Annual Report at 22, 26.

⁷ 15 U.S.C. §§ 1692g(a), 1681i(a).

III. Allow Companies More Time to Answer Complex Consumer Complaints

The CFPB should allow companies to respond to a complaint within 90 days if they are given an extension. Currently, the CFPB provides 15-day initial response deadline and may provide an extension up to 60 days to provide a final response. Mortgage companies are incredibly timely in responding to consumer complaints, failing to provide a timely response for only 1% of complaints.⁸ Some complaints, however, may be incredibly complex, such as those related to mortgage loss mitigation and foreclosures. The additional time will lower the burden on companies to respond and allow them to provide detailed and useful responses to consumers.

IV. Help Companies Handle Multiple Submissions by the Same Consumer

The CFPB should create a process that allows consumers to add to an existing complaint without simply filing additional complaints on the same matter. Currently, the consumer complaint portal allows consumers to repeatedly submit complaints before the previous one is completed.⁹ This has led to some consumers rapidly submitting a tremendously high volume of complaints. Companies may close duplicate complaints by providing the original complaint and complaint number, verify that the complaints are verbatim duplicates, and upload that information into the portal. However, this places the burden of closing out duplicate complaints on the financial institution, rather than providing a mechanism to prevent duplicate complaints from being submitted.

Duplicate complaints are especially harmful when posted on a publicly available complaint database because they are included in complaint volume counts, which can cause reputational damage to the industry and specific companies. The CFPB can address this concern by adding functionality for a consumer to amend their previous complaint. Additionally, each time additional information is added to a previous complaint, it should extend the time a company has to respond. Lastly, the CFPB should not count duplicate complaints against a company when they publish company-specific complaint metrics.

V. Automate the Collection and Distribution of Consumer Complaints

The CFPB should automate and standardize consumer complaint information collection and distribution to allow companies to respond to complaints more efficiently. The CFPB portal is mostly a manual process. Large complaint files in an unstructured form increase the time and resources a company needs to spend to address those complaints. For example, the CFPB currently asks consumers to describe the incident and their desired resolution using free-form text fields and allows consumers to attach supporting documents to their claims.¹⁰ Automating the current process will help companies respond to consumer complaints and

⁸ Consumer Response Annual Report at 51.

⁹ Although the CFPB website states that a consumer cannot submit multiple complaints, in practice, consumers can submit multiple complaints about the same issue by changing the narrative of each complaint.

¹⁰ Consumer Response Annual Report at 6.

Consumer Response Intake Form

March 2, 2026

Page 5 of 5

would be particularly helpful to address frivolous claims or claims that are improperly attributed to the company.

MBA greatly appreciates the opportunity to respond to this request for information. Should you have questions or wish to discuss this issue further, please contact Justin Wiseman at jwiseman@mba.org or Alisha Sears at asears@mba.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Mills". The signature is fluid and cursive, with a large initial "P" and "M".

Pete Mills
Senior Vice President
Residential Policy and Strategic Industry Engagement
Mortgage Bankers Association