



Melissa Sanchez Malpass

Counsel

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Related Services

Financial Services ■ Consumer Financial Services

Financial services clients rely on and trust Melissa's guidance when it comes to regulatory compliance and enforcement matters that may arise from their mortgage lending and mortgage servicing activities.

Melissa Malpass advises financial institutions on compliance with federal and state consumer financial laws. She regularly counsels mortgage lenders on loan origination, including disclosures, loan originator compensation, ability-to-repay standards, and other requirements imposed by the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), and Title XIV of the Dodd–Frank Act. Melissa also advises mortgage servicers on compliance with federal and state regulations governing loss mitigation and foreclosure.

Melissa has extensive experience counseling financial institutions on fair lending matters, specifically with developing internal policies and procedures for compliance monitoring and training. She has advised financial institutions on regulatory compliance with federal consumer financial laws such as the prohibition on unfair, deceptive, and abusive practices. In particular, she provided financial technology companies with regulatory guidance on emerging payment systems and requirements under the Electronic Funds Transfer Act (EFTA).

Representative Experience

- Represented mortgage lenders, automobile lenders, and credit card issuers in federal and state agency investigations and enforcement actions brought under the Equal Credit Opportunity Act (ECOA).
- Represented mortgage lenders and appraisal management companies in federal investigations brought under the Fair Housing Act.
- Assisted clients with CFPB examinations and best practices for compliance with federal consumer financial laws.
- Counseled financial institutions on a variety of regulatory issues, including fair lending, licensing, compensation, disclosures, lead generation, financial privacy, anti-money laundering, and advertising.
- Assisted clients with rolling out new financial products and services, such as credit monitoring, overdraft protection, and mobile wallet access, in compliance with financial regulatory requirements.

Publications & Presentations

Publications

- "Bracing For the CFPB's War on Mortgage Fees," *Law360*, April 25, 2024.
- "Affirmative Action in Lending: The Implications of the *Harvard* Decision on Financial Institutions," *The Banking Law Journal*, March 2024.

- “Appraisal Values and Lender Liability: Art, Science or Gamble?” *The Real Estate Finance Journal*, Thomson Reuters, Summer 2022.
- “Modern-Day Redlining Enforcement: A New Baseline,” *The Banking Law Journal*, February 2022.

Presentations

- “Closing Super Session,” MBA Legal Issues and Regulatory Compliance Conference, Mortgage Bankers Association, San Diego, CA, May 5–8, 2024.
- “The Intersection of Pricing Concessions and Fair Lending,” Mortgage Bankers Association, webinar, April 4, 2024.
- “Closing Super Session: Regulatory Compliance,” Compliance and Risk Management Conference, Washington, D.C., September 10–12, 2023.
- “Closing Super Session” Legal Issues and Regulatory Compliance Conference, Mortgage Bankers Association, Austin, TX, May 7-10, 2023.
- “Applied Compliance Track: Implementing the Loan Originator Compensation Rule,” Mortgage Bankers Association: Legal Issues and Regulatory Compliance Conference 2022, Miami, FL, May 22-25, 2022.

Professional & Community Engagement

- American Bar Association
- Hispanic National Bar Association
- Women in Housing and Finance

Education

- Georgetown University (J.D., 2005)
- University of Miami (B.S., 2002)

Languages

- Spanish
- French

Admitted to Practice

- District of Columbia
- Florida (Inactive)