

Thank you to Mark Goodman, Mary Anne Lower, Paul Taylor, June Coleman and Taylor Steinbacher for participating as panelists.

Here is a summary of the recordings and news links from the 2018 Collector's Corner:

## February

Recording

<https://register.gotowebinar.com/recording/2536360408639161863>

## Here are links to the news stories we looked at and discussed:

### 1. **Collection Agency May Have Violated FDCPA When It Asked a Consumer Why She Hired Legal Counsel**

*Young v. Northland Group*, No. 16-1858, 2018 WL 306023 (E.D.Mo. Jan. 5, 2018)  
The U.S. District Court for the Eastern District of Missouri ruled that a consumer had alleged sufficient facts to plausibly claim that a collection agency violated the Fair Debt Collection Practices Act when after the consumer informed the collection agency that she was represented by counsel, the collection agency asked the consumer for more information, specifically asking whether the consumer had retained counsel for bankruptcy purposes.

### 2. **“Unless We Hear from You” Language Renders VALIDATION NOTICE Misleading Under the FDCPA**

*Unless this office hears from you within thirty (30) days after receipt of this letter that you dispute the validity of the debt, or any portion thereof, this office will assume the debt is valid. If you notify this office in writing within thirty (30) days of your receipt of this letter that the debt or any portion thereof is disputed, this office will obtain verification of the debt or, if the debt is founded upon a judgment, a copy of the judgment will be obtained and this office will mail to you a copy of such verification or judgment.* (Emphasis added)

The district court concluded that the VALIDATION NOTICE violated the FDCPA because it misled and deceived the consumer about how and when to dispute the debt. The district court found that the notice led the consumer to believe that he may dispute the debt orally when only a written notice of dispute is effective. The district court also found that the notice required the consumer to act to dispute the debt in less time than the FDCPA provides.

### 3. **Can borrowers consolidate Perkins Loans? Yes, you can now consolidate a Perkins by itself.**

[https://home.mygreatlakes.org/web/FAP/content/sharedcontent/support\\_docs/Consolidation Frequently Asked Questions.pdf](https://home.mygreatlakes.org/web/FAP/content/sharedcontent/support_docs/Consolidation_Frequently_Asked_Questions.pdf)

**4. Federal Student-Loan Program Is Rapidly Losing Money, and Income-Based Repayment Is to Blame, Report Says**

<https://www.chronicle.com/article/Federal-Student-Loan-Program/242426>

**5. First 'Jackpotting' Attacks Hit U.S. ATMs**

[https://www.washingtonpost.com/news/business/wp/2018/01/27/hackers-are-making-u-s-atms-spit-out-cash-like-slot-machines-report-warns/?utm\\_term=.2687bae37b92](https://www.washingtonpost.com/news/business/wp/2018/01/27/hackers-are-making-u-s-atms-spit-out-cash-like-slot-machines-report-warns/?utm_term=.2687bae37b92)

**6. Do not call registry**

<https://www.ftc.gov/faq/consumer-protection/list-number-national-do-not-call-registry>

## **March**

Recording

<https://attendee.gotowebinar.com/recording/9126683572566444299>

## **Here are links to the news stories we looked at and discussed:**

[Request for Information on Evaluating Undue Hardship Claims in Adversary Actions Seeking Student Loan Discharge in Bankruptcy Proceedings](#)

[Consumer Litigation Filings, Complaints Surge in January 2018](#)

[ACA International Participates In Industry Roundtable with CFPB Acting Director Mick Mulvaney](#)

[CFPB Releases Strategic Plan](#)

[CFPB Issues Request For Information On Rulemaking Processes](#)

[CFPB Issues Request For Information On Enforcement Processes](#)

[CFPB Issues Request For Information On Supervision Processes](#)

[Congress Would Control CFPB Under White House Budget Proposal](#)

[ACA International Responds to Misleading ACLU Report on Debt Collection Industry](#)

ACLU Debt Collection Companies Have Hijacked the Justice System

<https://www.aclu.org/blog/racial-justice/race-and-economic-justice/debt-collection-companies-have-hijacked-justice-system>

<https://www.aclu.org/issues/mass-incarceration/privatization-criminal-justice/criminalization-private-debt>

<https://www.debt.com/edu/can-you-be-arrested-for-debt/>

[Appellate Court Reignites TCPA Case Over Debt Collection Calls](#)

## [Disability Discharge Contact](#)

### **April**

#### Recording

<https://register.gotowebinar.com/recording/3529331559944624909>

### **Here are links to the news stories we looked at and discussed:**

**1. Banks Want a Bigger Piece of Your Student Loan**

<https://www.wsj.com/articles/banks-look-to-break-governments-hold-on-student-loan-market-1520418600>

**2. Department of Education blocks states on student loan debt collectors**

<https://www.bostonglobe.com/metro/2018/03/09/department-education-blocks-states-student-loan-debt-collectors/y5aFCuXozDIIW8Onghh35H/story.html>

**3. Senate votes to roll back parts of Dodd-Frank banking law**

<https://www.cnn.com/2018/03/14/politics/banking-bill-vote-mike-crapo/index.html>

**4. The Cambridge Analytica Scandal**

<https://www.theguardian.com/news/2018/mar/17/cambridge-analytica-facebook-influence-us-election>

<https://www.cnbc.com/2018/03/19/facebook-shares-fall-over-fallout-from-cambridge-analytica-scandal.html>

<http://money.cnn.com/2018/03/19/technology/cambridge-analytica-scientist-aleksandr-kogan/index.html>

<http://money.cnn.com/2018/03/19/technology/facebook-data-scandal-explainer/index.html>

Video

[https://www.youtube.com/watch?time\\_continue=1&v=mpbeOCKZFfQ](https://www.youtube.com/watch?time_continue=1&v=mpbeOCKZFfQ)

Side note

<http://www.foxnews.com/tech/2018/03/20/cambridge-analytica-suspends-ceo-amid-ongoing-investigation.html>

**5. CONSUMER FINANCIAL PROTECTION BUREAU ISSUES SEMI-ANNUAL REPORT**

The full text of the semi-annual report is available at:

[https://files.consumerfinance.gov/f/documents/cfpb\\_semi-annual-report\\_spring-2018.pdf](https://files.consumerfinance.gov/f/documents/cfpb_semi-annual-report_spring-2018.pdf)

According to the report, during the period Oct. 1, 2016 to Sept. 30, 2017, the Bureau handled approximately 317,200 consumer complaints. The most-complained-about products or services were debt collection at 27 percent of complaints, credit reporting at 27 percent, and mortgages at 13 percent. Approximately 80 percent of all consumer complaints were submitted through the Bureau's website. Companies have responded to approximately 93 percent of complaints sent to them for response during the period.

**6. Too much student loan debt? Iowa lawmakers think they have a solution:**

<https://www.desmoinesregister.com/story/news/politics/2018/03/07/iowa-legislature-university-financial-literacy-course-requirement/404487002/>

Also I watched a recorded webinar put on by Indiana University on Financial Literacy and it was certainly worth the hour to watch. <https://www.youtube.com/watch?v=WZnazkQu0do>

Also, from it I found the National Summit on Collegiate Financial Wellness out on by the Ohio State University.

<http://www.nscfw.org/>

They also have a webinar series that seems valuable:

<http://www.nscfw.org/#!webinar-series/jeflm>

**The Higher Education Financial Wellness Summit unites educators with a passion for student financial wellness and connects those who value the significance in students' understanding of how to manage their personal finances.**

<https://www.hefwa.org/>

## May

Recording

<https://register.gotowebinar.com/recording/1407596275863190027>

## Here are links to the news stories we looked at and discussed:

**1. Wells Fargo faces \$1 billion fine from loan abuses**

<https://www.reuters.com/article/us-wells-fargo-results/wells-fargo-faces-1-billion-fine-from-loan-abuses-idUSKBN1HK1NI>

**Part 2 Bureau of Consumer Financial Protection Announces Settlement with Wells Fargo for Auto-Loan Administration and Mortgage Practices**

<https://www.consumerfinance.gov/about-us/newsroom/bureau-consumer-financial-protection-announces-settlement-wells-fargo-auto-loan-administration-and-mortgage-practices/>

**2. Tax refund got you excited? Don't count on it if your student loans are in default**

<https://www.usatoday.com/story/money/2018/04/18/tax-refunds-seized-pay-defaulted-student-loans/502200002/>

**3. CDIA – Consumer Data Industry Association**

<https://www.cdiaonline.org/>

**4. IFAP - Information for Financial Aid Professionals**

Updates, Webinars, Newsletters and Publication Resources

<https://ifap.ed.gov/ifap/>

**5. CFPB Issues Request for Information on Consumer Complaints and Inquiries**

<https://www.consumerfinance.gov/about-us/newsroom/cfpb-issues-request-information-consumer-complaint-inquiry/>

Other CFPB Updates

A. [CFPB Acting Director Tells House Committee the Bureau will Continue to Execute the Law](#)

- B. [Day Two: Acting CFPB Director Mick Mulvaney Faces Bureau Defender Elizabeth Warren and other Members of the Senate Banking Committee](#) – (end the practice of “regulation by enforcement”)

CFPB

[https://www.acainternational.org/news/acting-cfpb-director-mick-mulvaney-urges-bankers-to-connect-with-congress-on-reining-in-the-bureau?utm\\_source=aca%20daily&utm\\_campaign=c7fdd5925e-aca\\_daily\\_april\\_27\\_2018&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-c7fdd5925e-66955041?utm\\_source=aca+daily&utm\\_campaign=c7fdd5925e-aca\\_daily\\_april\\_27\\_2018&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-c7fdd5925e-66955041](https://www.acainternational.org/news/acting-cfpb-director-mick-mulvaney-urges-bankers-to-connect-with-congress-on-reining-in-the-bureau?utm_source=aca%20daily&utm_campaign=c7fdd5925e-aca_daily_april_27_2018&utm_medium=email&utm_term=0_6fad47e63c-c7fdd5925e-66955041?utm_source=aca+daily&utm_campaign=c7fdd5925e-aca_daily_april_27_2018&utm_medium=email&utm_term=0_6fad47e63c-c7fdd5925e-66955041)

6. **Student loans: Court fight looms over debts of former Corinthian Colleges students**  
<https://www.usatoday.com/story/money/2018/04/29/student-loans-corinthian-colleges-court-fight-debts/557436002/>

## June

Recording

<https://register.gotowebinar.com/recording/8879898189723965955>

### Here are links to the news stories we looked at and discussed:

1. **Department of Education Announces \$350 Million Expansion of Public Service Loan Forgiveness Program**  
<https://www.ed.gov/news/press-releases/us-department-education-announces-opportunity-federal-student-loan-borrowers-be-reconsidered-public-service-loan-forgiveness>
2. **(Revisiting a 2015 story) U.S. Department of Education to End Contracts with Several Private Collection Agencies**  
**(5 agencies)** <https://www.ed.gov/news/press-releases/us-department-education-end-contracts-several-private-collection-agencies>  
**(2018 - 2 agencies)** [https://www.washingtonpost.com/news/grade-point/wp/2018/05/04/education-dept-cancels-contracts-with-two-firms-to-collect-on-student-debt/?utm\\_term=.6a9ee625445a](https://www.washingtonpost.com/news/grade-point/wp/2018/05/04/education-dept-cancels-contracts-with-two-firms-to-collect-on-student-debt/?utm_term=.6a9ee625445a)

3. **Student Loan Servicers Continue Opposition to U.S. Department of Education's Contract Decisions**  
[https://www.acainternational.org/news/student-loan-servicers-continue-opposition-to-us-department-of-education-contract-decisions?utm\\_source=aca%20daily&utm\\_campaign=5004a16024-aca\\_daily\\_may\\_21\\_2018&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-5004a16024-66955041?utm\\_source=aca+daily&utm\\_campaign=5004a16024-aca\\_daily\\_may\\_21\\_2018&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-5004a16024-66955041](https://www.acainternational.org/news/student-loan-servicers-continue-opposition-to-us-department-of-education-contract-decisions?utm_source=aca%20daily&utm_campaign=5004a16024-aca_daily_may_21_2018&utm_medium=email&utm_term=0_6fad47e63c-5004a16024-66955041?utm_source=aca+daily&utm_campaign=5004a16024-aca_daily_may_21_2018&utm_medium=email&utm_term=0_6fad47e63c-5004a16024-66955041)
4. **The Washington Post Reports that DOE will Stop Using ARM Companies to Recover Student Loan Debts**  
[https://www.acainternational.org/news/the-washington-post-reports-that-doe-will-stop-using-arm-companies-to-recover-student-loan-debts?utm\\_source=aca%20daily&utm\\_campaign=b3a591c998-aca\\_daily\\_may\\_29\\_2018&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-b3a591c998-66955041?utm\\_source=aca+daily&utm\\_campaign=b3a591c998-aca\\_daily\\_may\\_29\\_2018&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-b3a591c998-66955041](https://www.acainternational.org/news/the-washington-post-reports-that-doe-will-stop-using-arm-companies-to-recover-student-loan-debts?utm_source=aca%20daily&utm_campaign=b3a591c998-aca_daily_may_29_2018&utm_medium=email&utm_term=0_6fad47e63c-b3a591c998-66955041?utm_source=aca+daily&utm_campaign=b3a591c998-aca_daily_may_29_2018&utm_medium=email&utm_term=0_6fad47e63c-b3a591c998-66955041)
5. **U.S. Court of Federal Claims Judge Grants Department of Education's Motion to Dismiss**  
[https://www.acainternational.org/news/us-court-of-federal-claims-judge-grants-department-of-education-motion-to-dismiss?utm\\_source=aca%20daily&utm\\_campaign=13d0f3369c-aca\\_daily\\_may\\_31\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-13d0f3369c-66955041?utm\\_source=aca+daily&utm\\_campaign=13d0f3369c-aca\\_daily\\_may\\_31\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-13d0f3369c-66955041](https://www.acainternational.org/news/us-court-of-federal-claims-judge-grants-department-of-education-motion-to-dismiss?utm_source=aca%20daily&utm_campaign=13d0f3369c-aca_daily_may_31_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-13d0f3369c-66955041?utm_source=aca+daily&utm_campaign=13d0f3369c-aca_daily_may_31_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-13d0f3369c-66955041)
6. Douglas-Gabriel provided ACA with a [press release](#) issued by U.S. Sen. Kamala D. Harris, D-Calif., praising the DOE for phasing out use of accounts receivable management companies for recovering unpaid student debt.
7. **Mick Mulvaney guts CFPB's student lending office**  
<https://www.americanbanker.com/news/mulvaney-guts-cfpbs-student-lending-office>
8. **Court: Gov't violated privacy law for defrauded students**  
<https://apnews.com/af5c2a81a19c4540aeb44855f2e63953>
9. **ACA International v. FCC: DC Circuit Partially Invalidates Robo-Call Regulations**

<https://jolt.law.harvard.edu/digest/aca-international-v-fcc-dc-circuit-partially-invalidates-robo-call-regulations>

## August

Recording

<https://register.gotowebinar.com/recording/4436103200050101762>

### Here are links to the news stories we looked at and discussed:

1. **It's Official: Maryland Community Colleges to Offer Free Tuition in 2019**  
<https://www.nbcwashington.com/news/local/Gov-Hogan-Signs-Bill-to-Offer-Free-Community-College-Tuition-482105591.html>
2. **CFPB News**  
**BUREAU OF CONSUMER FINANCIAL PROTECTION SETTLES WITH TCF NATIONAL BANK**  
<https://www.consumerfinance.gov/about-us/newsroom/bureau-consumer-financial-protection-settles-tcf-national-bank/>  
  
**BUREAU OF CONSUMER FINANCIAL PROTECTION SETTLES WITH TRITON MANAGEMENT GROUP**  
<https://www.consumerfinance.gov/about-us/newsroom/bureau-consumer-financial-protection-settles-triton-management-group/>
3. **White House plans merging of education and labor departments: OMB report**  
<https://apnews.com/4358edae8bf843d8ba11075adeba92fc>  
<http://www.foxnews.com/politics/2018/06/21/white-house-plans-merging-education-and-labor-departments-omb-report.html>
4. **Bankruptcy**  
<https://www.law.cornell.edu/uscode/text/11/523>  
<https://www.linkedin.com/feed/news/judges-shift-view-on-student-debt-1418004/>  
<http://www.natlbankruptcy.com/how-can-i-tell-if-my-student-loan-debt-is-dischargeable-in-bankruptcy/>  
<https://www.bankruptcyinbrief.com/brunner-barrier-to-discharging-student-loans/>

## September

Recording

<https://register.gotowebinar.com/recording/2346579208770812417>

### Here are links to the news stories we looked at and discussed:

1. **Exclusive: Government transparency site revealed Social Security numbers, other personal info**  
<https://www.cnn.com/2018/09/03/politics/foia-revealed-social-security-numbers/index.html>
2. **Identity theft resources from the Federal Trade Commission**  
<https://www.consumer.ftc.gov/features/feature-0014-identity-theft>  
(if you want a copy of our Identity Theft webinar and supporting documents please email me.)
3. **EMU offers 2 years of free tuition to boost enrollment, retention**  
[https://www.mlive.com/news/ann-arbor/index.ssf/2018/08/emu\\_offers\\_free\\_tuition\\_progra.html](https://www.mlive.com/news/ann-arbor/index.ssf/2018/08/emu_offers_free_tuition_progra.html)
4. **Kentucky Universities Use State Agency to Collect Unpaid Tuition**  
<https://studentloans.net/kentucky-universities-use-state-agency-to-collect-unpaid-tuition/>
5. **Bureau of Consumer Financial Protection Updates Regulation P To Implement Legislation Amending Gramm-Leach-Bliley Act**  
<https://www.consumerfinance.gov/about-us/newsroom/bureau-updates-regulation-p-implement-legislation-amending-gramm-leach-bliley-act/>
6. Implications of the General Data Protection Regulation (EU GDPR)  
<https://www.aacrao.org/signature-initiatives/trending-topics/gdpr/gdpr-interassociational-guide>
7. Senate Banking Committee Approves Nomination of Kathy Kraninger to Head BCFP  
[https://www.acainternational.org/news/senate-banking-committee-approves-nomination-of-kathy-kraninger-to-head-bcfp?utm\\_source=aca%20daily&utm\\_campaign=86292c9b62-aca\\_daily\\_august\\_24\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-86292c9b62-66955041?utm\\_source=aca%20daily&utm\\_campaign=86292c9b62-aca\\_daily\\_august\\_24\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-86292c9b62-66955041](https://www.acainternational.org/news/senate-banking-committee-approves-nomination-of-kathy-kraninger-to-head-bcfp?utm_source=aca%20daily&utm_campaign=86292c9b62-aca_daily_august_24_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-86292c9b62-66955041?utm_source=aca%20daily&utm_campaign=86292c9b62-aca_daily_august_24_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-86292c9b62-66955041)
8. Student Loan Ombudsman (Seth Frotman) Announces Resignation from BCFP  
[https://www.acainternational.org/news/student-loan-ombudsman-announces-resignation-from-bcfp?utm\\_source=aca%20daily&utm\\_campaign=bb5f33af25-aca\\_daily\\_august\\_29\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-bb5f33af25-66955041?utm\\_source=aca%20daily&utm\\_campaign=bb5f33af25-aca\\_daily\\_august\\_29\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-bb5f33af25-66955041](https://www.acainternational.org/news/student-loan-ombudsman-announces-resignation-from-bcfp?utm_source=aca%20daily&utm_campaign=bb5f33af25-aca_daily_august_29_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-bb5f33af25-66955041?utm_source=aca%20daily&utm_campaign=bb5f33af25-aca_daily_august_29_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-bb5f33af25-66955041)



9. TCF National Bank

<https://www.consumerfinance.gov/policy-compliance/enforcement/actions/tcf-national-bank-2018/>

10. Citibank, N.A.

<https://www.consumerfinance.gov/policy-compliance/enforcement/actions/citibank-na-2018/>

## **October**

Recording

<https://register.gotowebinar.com/recording/2576163834184703244>

**Here are links to the news stories we looked at and discussed:**

### **BUREAU OF CONSUMER FINANCIAL PROTECTION RELEASES LATEST SUPERVISORY HIGHLIGHTS**

<https://www.cuinsight.com/press-release/bureau-of-consumer-financial-protection-releases-latest-supervisory-highlights>

Summaries of Rights Under the Fair Credit Reporting Act (Regulation V)

<https://www.consumerfinance.gov/policy-compliance/rulemaking/final-rules/summaries-rights-under-fair-credit-reporting-act-regulation-v/>

Bureau of Consumer Financial Protection Issues Updated FCRA Model Disclosures

<https://www.consumerfinance.gov/about-us/newsroom/bureau-consumer-financial-protection-issues-updated-fcra-model-disclosures/>

**Free credit freezes are here**

<https://content.govdelivery.com/accounts/USCFPB/bulletins/20eef5e>

<https://www.consumerfinance.gov/about-us/blog/free-credit-freezes-are-here/>

Call Baiting Debt Collection Best Practices

[https://www.pdcflow.com/call-baiting-debt-collection-best-practices/?utm\\_campaign=CAC%20Collections%202018&utm\\_medium=email&hsenc=p2ANqtz-8luPXLOf0MsT5jOy-MCpkLLb4APC0TOi7M79nRjK\\_LZzPUPnOeuOp5RYVvkBC2dAh-D3-Vcm8ERoE3lcnzZKEUMApVFg&hsmi=65832876&utm\\_content=65832876&utm\\_source=hs\\_email&hsCtaTracking=b18e3158-590b-44de-8496-d8427ab07acf%7Cfdb0e080-62a7-401b-8423-daf15bc50f5d](https://www.pdcflow.com/call-baiting-debt-collection-best-practices/?utm_campaign=CAC%20Collections%202018&utm_medium=email&hsenc=p2ANqtz-8luPXLOf0MsT5jOy-MCpkLLb4APC0TOi7M79nRjK_LZzPUPnOeuOp5RYVvkBC2dAh-D3-Vcm8ERoE3lcnzZKEUMApVFg&hsmi=65832876&utm_content=65832876&utm_source=hs_email&hsCtaTracking=b18e3158-590b-44de-8496-d8427ab07acf%7Cfdb0e080-62a7-401b-8423-daf15bc50f5d)

Five Signs That a Debtor is trying to Entrap You into an FDCPA Lawsuit

<https://www.insidearm.com/news/00006606-five-signs-that-a-debtor-is-trying-to-ent/>

- “Is this account being reported to the credit bureau?”
- “How will this affect my credit?”
- “How long will this be on my credit?”
- “When will this come off of my credit report?”
- “Will this come off of my credit report if I pay the debt?”

California Governor Signs Law Concerning Time-Barred Debt

[https://www.acainternational.org/news/california-governor-signs-law-concerning-time-barred-debt?utm\\_source=aca%20daily&utm\\_campaign=d6ba3e4f2f-aca\\_daily\\_september\\_12\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-d6ba3e4f2f-66955041?utm\\_source=aca%20daily&utm\\_campaign=d6ba3e4f2f-aca\\_daily\\_september\\_12\\_2018\\_copy\\_01&utm\\_medium=email&utm\\_term=0\\_6fad47e63c-d6ba3e4f2f-66955041](https://www.acainternational.org/news/california-governor-signs-law-concerning-time-barred-debt?utm_source=aca%20daily&utm_campaign=d6ba3e4f2f-aca_daily_september_12_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-d6ba3e4f2f-66955041?utm_source=aca%20daily&utm_campaign=d6ba3e4f2f-aca_daily_september_12_2018_copy_01&utm_medium=email&utm_term=0_6fad47e63c-d6ba3e4f2f-66955041)

## GDPR

**The** General Data Protection Regulation (GDPR) standardizes data protection law across all 28 EU countries and imposes strict new rules on controlling and processing personally identifiable information (PII). It also extends the protection of personal data and data protection rights by giving control back to EU residents. GDPR replaces the 1995 EU Data Protection Directive, and went into effect on May 25, 2018. It also supersedes the 1998 UK Data Protection Act.

**There** are many essential items in the regulation, including increased fines, breach notifications, opt-in consent and responsibility for data transfer outside the EU. As a result, the impact to businesses is huge and will permanently change the way customer data is collected, stored, and used.

**Fines** for noncompliance are large. They can be as high as €20 million or 4% of a company’s total global revenue, whichever is larger. This is the maximum fine that can be imposed for the most serious violations, e.g. not having sufficient customer consent to process data or violating core Privacy by Design concepts. However, there is a tiered approach to fines, e.g. a company can be fined 2% for not having their records in order, not notifying the supervising authority and data subject about a breach, or not conducting an impact assessment. It is important to note that these rules apply to both controllers and processors.

<https://www.aacrao.org/resources/compliance/gdpr>

<https://www.aacrao.org/signature-initiatives/trending-topics/gdpr/gdpr-interassociational-guide>

## Google Search: GDPR Privacy Policy .EDU

### November

Recording

<https://register.gotowebinar.com/recording/9218568665207043848>

### Here are links to the news stories we looked at and discussed:

- **IFAP**  
<https://ifap.ed.gov/ifap/byAwardYear.jsp?type=fsahandbook>
  - **Maryland Gets Tough About Consumer Protection**  
<https://www.bna.com/maryland-gets-tough-b73014482453/>
- CFPB UDAAP definitions  
[https://files.consumerfinance.gov/f/201307\\_cfpb\\_bulletin\\_unfair-deceptive-abusive-practices.pdf](https://files.consumerfinance.gov/f/201307_cfpb_bulletin_unfair-deceptive-abusive-practices.pdf)
- **Assembly Bill No. 3212** Service member protections  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB3212](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB3212)
  - **Assembly Bill No. 1526** California Time Barred Debt Notices  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB1526](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1526)
  - We didn't discuss this today but this 'Student Loan Debt in Bankruptcy' material presented at the National Conference of Bankruptcy Judges is a must read  
<http://www.ncbjmeeting.org/archive/2015/edmaterials/Student%20Loans%20in%20BK.pdf>

Thank you to everyone for participating. If you have any questions or would like a topic discussed please let us know.

Happy Thanksgiving!