

VERSION 2.9

# Company portal manual

Information accurate as of March 7, 2013



Consumer Financial  
Protection Bureau

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# Overview

## CONSUMER RESPONSE

The Consumer Financial Protection Act of 2010 (the “Consumer Financial Protection Act” or the “Act”) directs the CFPB to facilitate the coordinated collection, monitoring, and response to consumer complaints regarding certain financial products and services. In order to fulfill this mandate, the CFPB developed a Portal described below.

To ensure a smooth transition and in close coordination with other federal regulators, the Bureau chose to implement a staggered product-by-product roll out of complaint administration. This approach enabled the CFPB’s Office of Consumer Response (“Consumer Response”) to consider the needs of consumers and companies in building a system that is useful to consumers, minimizes burden on companies and leverages the best of technology to provide a 21st century consumer response function that is trusted, easy to use, and effective. The roll out schedule has been as follows:

- On July 21st, 2011, the CFPB launched a system designed to collect complaints regarding credit cards.
- In December 2011, we added the ability to collect complaints related to mortgages and other home loans.
- In March 2012, we added the ability to collect complaints about additional products and services, including checking accounts, savings accounts, certificates of deposit, private student loans, other consumer loans, such as installment loans, personal lines of credit, and vehicle loans and leases, as well as other services, such as check cashing, money orders, etc.
- In October 2012, we added the ability to collect complaints about credit reporting companies.
- The CFPB expects to handle complaints for all other consumer financial products and services by the end of 2013.

In the meantime, we strive to improve our consumer complaint intake and routing processes, communication with consumers and companies, and system’s ease-of-use and effectiveness.

## COMPANY PORTAL

Wherever possible, Consumer Response uses technology to create efficiencies for consumers and companies. One of the ways Consumer Response has sought to leverage technology is by developing and making available a Portal for routing complaints. The Portal serves as the primary interface between Consumer Response and companies. Through this Portal, users can view and respond to complaints submitted by consumers and respond to requests for additional information from Consumer Response Investigations.

We also maintain a “Consumer Portal” so consumers can check the status of their complaint(s) and otherwise communicate with Consumer Response.

## PROCESS

Consumer complaints that are within the CFPB’s supervision and primary enforcement authority typically follow the process below:

1. Consumer submits a complaint by web, telephone, mail, or fax to the CFPB or another agency forwards the complaint to the CFPB.
2. Consumer Response reviews the complaint for completeness and consistency with our authority and product roll out schedule.

3. Consumer Response forwards the complaint to the company identified by the consumer via the secure company portal (portal) or to the appropriate prudential regulator. The goal is to route complaints within 24-48 hours of receipt.
4. Company reviews the complaint, communicates with consumer as appropriate, and determines its response and any related actions.
5. Company responds to the consumer via the Consumer Response portal.
6. The consumer is notified through the portal that a response has been provided and he or she is invited to review and evaluate the company's response by logging into the secure "consumer portal" or calling the CFPB's toll-free number.
7. Consumer Response prioritizes for investigation complaints where the company failed to respond within the requested timeframe or the company's response is disputed by the consumer.
8. Complaints that involve a credit card issue are included in the consumer complaint database, through which the CFPB publishes limited case data, including company response statuses and timing.
9. Complaint data and information is shared with other Offices within the Consumer Financial Protection Bureau, including but not limited to Enforcement and Supervision, as necessary.

# 1 Privacy

All companies that are given access to consumer data share responsibility for protecting the information. Though the portal is itself secure, it contains consumers' personal information, which must be safeguarded by all of the parties with whom the CFPB shares personally identifiable information (PII) and otherwise sensitive information.

You should maintain a high level of confidentiality, protection, and respect for all of the information you encounter. Specifically, you should:

- Not access, discuss, or otherwise disclose PII for any purpose not related to official duties.
- Secure all physical copies of PII in a locked drawer, cabinet, cupboard, safe, or other secure container when not in use.
- Never leave PII unattended or unsecured. Electronic PII should be properly protected by establishing access restrictions, logging out of systems, or locking computers when not in use.
- Confirm the need to create duplicate copies of PII to perform a particular task or project with your supervisor and properly delete/dispose of the duplicates when they are no longer needed.
- Shred or use another secure method to dispose of papers containing PII instead of recycling them.

If you suspect information has been compromised or lost, immediately report your suspicion to the Consumer Response Stakeholder Management via email at [CFPB\\_FIassistance@cfpb.gov](mailto:CFPB_FIassistance@cfpb.gov), as well as [privacy@cfpb.gov](mailto:privacy@cfpb.gov) and [CFPB\\_csirt@cfpb.gov](mailto:CFPB_csirt@cfpb.gov).

You must notify Consumer Response promptly when an authorized user no longer requires access to the portal by submitting a request through the Help Tab via the "Ask a Question" page on the portal with the name, phone number, and email address of the person(s) who should no longer have access to the portal.

A failure to implement any of these privacy-enhancing practices will be considered a breach of your responsibilities as an authorized user of the portal and may result in, among other actions, a revocation of access.

## 2 Getting started

### 2.1 SUPPORTED BROWSERS

In order to protect the security of PII and otherwise sensitive information, CFPB websites, including the portal, are only compatible with certain browsers listed in the text box below.

Supported browser	Download source
Internet Explorer 8 or above	Microsoft Internet Explorer
Firefox 3.6 or above	Mozilla Firefox
Chrome 10 or above	Google Chrome
Safari 4 or above	Apple Safari

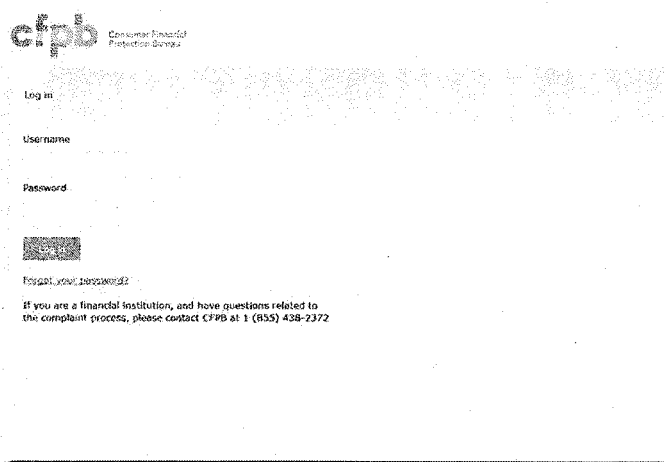
The CFPB strongly recommends that companies using the portal use one of the supported browsers listed above to avoid the technological challenges associated with unsupported browsers.

### 2.1 REQUESTING ACCESS

Your company should designate an authorized point of contact for Consumer Response. Your authorized point of contact can request access to the portal on behalf of other company representatives by submitting a request through the Help Tab via the “Ask a Question” page on the portal and including the company name, and company representative’s name, phone number, and email address. The email address provided to Consumer Response is the username for logging into the portal. Consumer Response will review the request and follow-up with your company’s authorized point of contact as necessary.

### 2.3 LOGGING IN

To log in to the portal, go to <https://secure.consumerfinance.gov> and use your company email address provided by your company’s authorized point of contact when requesting access as your username.



1. Go to <https://secure.consumerfinance.gov>
2. Enter username (all lowercase)
3. Enter password
4. Click log in button

### 2.4 RESETTING YOUR PASSWORD

To reset your password, click *Forgot your password?* and enter your username, which is your company email address provided by your company’s authorized point of contact when requesting access. Check your email for a link to a page where you can reset your password.

## 2.5 ADDING USERS

To request additional user accounts, your company's authorized point of contact can submit a request through the Help Tab via the *Ask a Question* page on the Portal with the name, phone number, and email address of the person(s) requesting access to the Portal. The email address will serve as the username for logging into the Portal.

## 2.6 REMOVING USERS

Your company's authorized point of contact should submit a request through the Help Tab via the *Ask a Question* page on the portal with the name, phone number, and email address of the person(s) who should no longer have access to the portal.

## 2.7 LOGGING OUT

As part of your responsibility to protect PII and otherwise sensitive information using privacy-enhancing practices, log out when you are no longer actively using the portal. Click *Logout* next to your username.

## 2.8 GETTING TECHNICAL ASSISTANCE

If you need technical assistance, submit an issue form by clicking on *Report a technical issue* under the Help Tab on the portal. To complete the form, you will need to provide your operating system (including the version number), browser type (including the version number), a description of the issue and screenshots detailing the problem, and any associated complaint case numbers. See Page 14, *Frequently Asked Questions* for instructions on how to attach a screenshot.

# 3 Viewing complaints

## 3.1 LIST OF COMPLAINTS

Once you have logged into the portal you will be able to view all of your company's complaints. Lists of complaints show the following information about each complaint:

- **Case number.** The unique 12-digit number assigned to the complaint.
- **Name on acct.** The name on the account as listed in the complaint.
- **Acct number.** The account number provided in the complaint, if available.
- **Issue.** The issue that is the subject of the complaint as reported by the consumer.
- **Status.** The status of the complaint. See *Statuses*.
- **Sent to company.** Date and time the complaint was forwarded to your company via the portal.
- **Respond by.** Date by which a response is requested.
- **Product.** The product that is the subject of the complaint as reported by the consumer.

To view the details of a complaint, click on the case number. Complaints that have not yet been viewed appear in bold. Once you view a complaint, it will no longer appear in bold in the list.

Note that all times reflect Eastern Standard Time (EST).

## 3.2 CASE STATUSES

Each complaint has a status that reflects the action taken by Consumer Response and your company to date. Statuses you will see include:

Status	Description	Catalyst
<b>Sent to company</b>	Complaint has been forwarded to your company by Consumer Response and is awaiting a timely response within 15 calendar days of the date the complaint was sent to your company	Consumer Response
<b>Closed with monetary relief</b>	Category selected to describe your response	Company
<b>Closed with non-monetary relief</b>	Category selected to describe your response	Company
<b>Closed with explanation</b>	Category selected to describe your response	Company
<b>Closed</b>	Category selected to describe your response	Company
<b>In progress</b>	Category selected to describe your response	Company
<b>Incorrect Company</b>	Category selected to describe your response	Company
<b>Duplicate CFPB case reported</b>	Category selected to describe your response	Company
<b>Redirected to related company</b>	Category selected to describe your response	Company
<b>Sent to regulator</b>	Category selected to describe your response	Company
<b>Alerted CFPB</b>	Category selected to describe your response	Company
<b>Past due</b>	Indicates your company did not provide a timely response within 15 calendar days	Portal (after 15 calendar days)
<b>No response</b>	Indicates your company did not provide a response within 30 calendar days or did not respond within 60 calendar days of the date the complaint was sent to your company after selecting "In progress," prioritizing an investigation of the complaint by a Consumer Response Specialist	Portal (after 30 calendar days or 60 calendar days for complaints previously "In progress")
<b>Delinquent response provided</b>	Indicates your company provided a response to the CFPB after a status of "No response," prioritizing an investigation of the complaint by a Consumer Response Specialist	Portal (after company responds)
<b>Pending company information</b>	Indicates Consumer Response requested additional information be provided by your company within 10 calendar days of the date of the request	Consumer Response
<b>Information provided by company</b>	Indicates your company provided information in response to Consumer Response request	Portal (after company responds)

### 3.3 TABS

Your company's complaints are located on three tabs – "Active," "Under review," and "Archive."

#### 3.3.1 Active



Complaints found here include complaints that are appearing in your company portal for the first time with the status “Sent to company,” which require a timely response within 15 calendar days. In addition, the Active tab includes complaints your company has submitted an initial response to and is awaiting a closure status selection (In progress, see 4.3.5 below) and those redirected from a company with which your company has an agreed to contractual relationship (Redirected to related company, see 4.3.8 below). This tab also includes complaints your company has failed to provide any response to (Past due).

The company has 15 calendar days from the date the complaint is received in their portal to provide a response. Within the initial 15 days, the company can request additional time (up to 60 calendar days from the date the complaint was sent to the company) if a complaint will require more than 15 days to respond to by selecting “In progress.”

Complaints within the Active tab which you do not respond to within 30 calendar days of receipt and those for which you do not provide a follow-up response to an “In progress” selection within 60 calendar days of the date the complaint was sent to your company, change to a status of “No response” and move to the “Under review” tab for CFPB review and investigation (see Page 12, *Responding to a complaint under investigation*). On a regular basis Consumer Response produces detailing complaints for which companies have failed to provide a timely response. These reports are circulated to the CFPB Offices of Supervision and Enforcement.

### **3.3.2 Under review**

Complaints found here have the following statuses: “No response” and “Pending company information”

The Under review tab shows complaints for which your company did not provide a timely response (No response), as well as complaints for which Consumer Response has requested additional information (Pending company information). Complaints with statuses of “No Response” and “Pending company information” represent complaints currently being investigated by Consumer Response that require either an initial response or additional information from your company. (See Page 12, *Responding to a complaint under investigation*.)

Requests for additional information within the Under review tab must be responded to within 10 days of receipt. No response complaints within the Under review tab must be responded to immediately because they are already past due. If a company does not provide a timely response to a request for information in the Under review tab, the complaint is included in a delinquency report circulated throughout the CFPB.

### **3.3.3 Archive**

The Archive tab shows complaints to which your company has already provided a response and do not require additional information or a response. Complaints found here have the following statuses: “Closed with monetary relief,” “Closed with non-monetary relief,” “Closed with explanation,” “Closed,” “Duplicate CFPB case reported,” “Alerted CFPB,” “Delinquent response provided,” and “Information provided by company.” By clicking on the case number from the list on the “Archive” tab, you can view the case details, including your company’s initial response as well as any communication between your company and Consumer Response (Review history). The information associated with complaints found on the “Archive” tab is read-only.

## **3.4 CASE DETAILS**

By clicking on the case number of any complaint, you can view the details of that complaint. Case details include:

- **Initial response.** After your company has provided a response, it will be displayed here.
- **What happened?** Consumer's description of what happened, issue, date of the incident, monetary loss (if any), and responses to discrimination questions.
- **Attachments.** Documents related to the complaint as provided by the consumer or by the company for viewing by the consumer.
- **Desired resolution.** Consumer's description of what he/she considers a fair resolution to the complaint.
- **Consumer information.** Name and contact information for the consumer filing the complaint and information indicating whether the person associated with the account is or was a servicemember or dependent or spouse of a servicemember.
- **Product information.** Name and billing address associated with the account and the company name as listed by the consumer.
- **Case details.** Case number, status, date and time the complaint was sent to your company, and the date by which a response is required from your company.

#### 3.4.1 Printing or exporting case details

You can print case details by clicking the print icon at the bottom of the case details. As part of your responsibility to protect PII and otherwise sensitive information using privacy-enhancing practices, secure, shred, or use another secure method to dispose of papers containing PII.

Your company's authorized point of contact can request access to export functionality for your company by submitting a user access request (see *Requesting Access*). All authorized users can then download your company's cases and case details in a customizable, non-formatted data file (.CSV). Users granted access will see a download link at the bottom of the portal to download the case details and a file listing attachments for cases in the portal. Your company can customize these files for the needs of your system, however all PII and CFPB information use policies must be followed. The files are updated once per hour. Please note, you are able to export all cases at any time but each export will pull 1,000 cases at a time. If you have more than 1,000 cases in your portal, you will need to perform multiple exports to capture all of them.

## 4 Responding to a complaint

### 4.1 PROVIDING A TIMELY RESPONSE

The CFPB requests that your company provide a response to each complaint **through the Portal** within 15 calendar days of the complaint being forwarded to your portal. Note that CFPB response time requirements do not replace or satisfy certain statutory or regulatory requirements (other than those found in section 1034(b), 12 U.S.C. 5534(b) of the Act). In those circumstances when a complaint cannot be closed within 15 calendar days, your company may indicate that your work to close the complaint is "In progress" and provide a final responsive explanation to consumer through the portal within 60 calendar days of the complaint being forwarded to your portal.

### 4.2 ELEMENTS OF A RESPONSE

Beginning in December 2011 and consistent with section 1034(b), 12 U.S.C. 5534(b) of the Act, the CFPB will require that all company portal users provide, at a minimum, a response with the following elements within 15 calendar days of the complaint being forwarded to your portal:

- **Steps you've taken to respond to the complaint.** Detail the substance of your response, including a description of your communications with the consumer, and attach copies of all responsive written communications to the consumer.
- **Communication(s) from the consumer.** Describe communications received from the consumer in response to the steps you've taken and attach copies of all written communications received from the consumer in response.
- **Follow-up actions or planned follow-up actions.** Describe any follow-up actions you are taking or plan to take in continuing response to the complaint.
- **Category that captures your response.** Select the category that summarizes your response. Options include: "Closed with monetary relief," "Closed with nonmonetary relief," "Closed with explanation," "Closed," "In progress," "Alerted CFPB," "Incorrect company", "Duplicate CFPB case reported," "Redirected to related company" and "Sent to regulator." See Page 7, *Responding to a complaint* for definitions.

Note that these response requirements do not replace or satisfy certain statutory or regulatory requirements other than those found in section 1034(b), 12 U.S.C. 5534(b) of the Act.

### 4.3 RESPONSE CATEGORIES

To submit the response, choose one of the following categories that capture your response:

#### 4.3.1 Closed with monetary relief

Your final responsive explanation to the consumer, indicating that the steps you have taken or will take include objective, measurable, and verifiable monetary relief to the consumer. The monetary relief must be a quantifiable number.

For purposes of categorizing your response, "monetary relief" is defined by the CFPB as objective, measurable, and verifiable monetary relief to the consumer as a direct result of the steps you have taken or will take in response to the complaint. If relief has been or will be provided, describe the relief and enter the dollar amount of that relief.

When selected for complaints on the "Active" tab, complaints move to the "Archive" tab.

#### 4.3.2 Closed with non-monetary relief

Your final responsive explanation to the consumer, indicating that the steps you have taken or will take include other objective or verifiable relief to the consumer.

Below is an illustrative, non-exhaustive list of examples:

- Foreclosure alternative *without* direct monetary value to the consumer;
- Ceasing debt collection telephone calls or other company-to-consumer contacts;
- Correcting submissions to a credit bureau;
- Changing account terms;
- Changing solicitation practices or materials;
- Restoring/Removing a credit line;
- Reopening of account;
- Prospective rate changes; or
- Addressing formerly unmet customer service issue

An explanation alone, without substantive action consistent with the above, should not be included in this category.

When selected for complaints on the “Active” tab, complaints move to the “Archive” tab.

#### **4.3.3 Closed with explanation**

Your final responsive explanation to the consumer, indicating that you provided an explanation tailored to the individual consumer’s complaint. For example, a response is “Closed with Explanation” if you provide an explanation that substantively meets the consumer’s desired resolution or explains why no further action will be taken by your company.

For purposes of categorizing your response, “closed with explanation” would not be used if you have provided specific, verifiable monetary or non-monetary relief to the consumer in response to their complaint.

When selected for complaints on the “Active” tab, complaints move to the “Archive” tab.

#### **4.3.4 Closed**

Your final response to the consumer, closing the complaint without relief or explanation, consistent with the above definitions of “Closed with monetary relief,” “Closed with non-monetary relief,” and “Closed with explanation.”

When selected for complaints on the “Active” tab, complaints move to the “Archive” tab.

#### **4.3.5 In progress**

Your interim responsive explanation to the consumer and the CFPB, indicating that the complaint could not be closed within 15 calendar days and that your final responsive explanation to the consumer will be provided through the portal at a later date

This option is only available for complaints on the “Active” tab within 15 calendar days after the complaint was sent to your company. If you select “In progress,” the complaint will remain on the “Active” tab awaiting your response until 60 calendar days from the date the complaint was sent to your company to allow your company the opportunity to close the complaint with accompanying explanation to the consumer of “Closed with monetary relief,” “Closed with non-monetary relief,” “Closed with explanation,” “Closed,” “Duplicate CFPB case reported,” “Redirected to related company,” “Alerted CFPB,” “Incorrect company,” or “Sent to regulator.”

If no response is provided within 60 calendar days from the date the complaint was sent to your company after selecting “In progress,” the status of the complaint will become “No response,” prioritizing that complaint for investigation by Consumer Response, and moving the complaint to the “Under review” tab.

#### **4.3.6 Alerted CFPB**

Cannot take action for reasons such as suspected fraud, pending legal matter, or complaint filed by unauthorized third party. If you select this response due to a pending legal matter you must include a copy of the *filed* complaint with your response.

Once this response is selected it is no longer viewable on your company portal and it is reviewed by a Consumer Response Specialist for accuracy. By selecting this option, the complaint is removed from your portal and no longer listed on any tab in your portal. However, neither the response nor the category selection is forwarded to the consumer or displayed in the consumer portal.

#### **4.3.7 Incorrect company**

Cannot take action because not related to your company.

Once this response is selected the complaint is no longer viewable on your company portal and your response is reviewed by a Consumer Response Specialist for accuracy. By selecting this option, the complaint is removed from your portal and no longer listed on any tab in your portal. Neither the response nor the category selection is forwarded to the consumer or displayed in the consumer portal.

#### **4.3.8 Redirected to related company**

Cannot take action because complaint needs to be routed to another company with which your company is affiliated and/or has a contractual relationship.

This response can only be used if your company has provided justification for the need to redirect complaints and a list of the appropriate companies to Stakeholder Management for approval.

The response to support this selection must include the company where the complaint should be routed, a detailed explanation of why, and a copy of the note proving the legal agreement as an attachment. The system will reroute the complaint to the designated company's portal, removing it from your company's portal.

If the company that receives the complaint feels it was routed in error and redirects the complaint, a Consumer Response Specialist will review the complaint and either route the case to the new company indicated or route the complaint back to your company for resolution. However, neither the response nor the category selection is forwarded to the consumer or displayed in the consumer portal.

#### **4.3.9 Duplicate CFPB case reported**

Cannot take action because complaint is a duplicate of a complaint you have already received from the CFPB and responded via the portal.

A "duplicate" complaint is one that is a verbatim copy of a complaint to which your company has responded to via the portal. You must provide the complaint number of the original complaint in your response.

#### **4.3.10 Sent to regulator**

Cannot take action because complaint is about a product or issue that needs to be routed to another regulator. Please note that you do not need to alert the regulator through any other channel. Once you submit it through the CFPB portal with this response, the CFPB will route the complaint to the regulator indicated in the company's response.

Any complaint for which you select the response category "Sent to regulator" and indicate that the complaint is regarding a business product or service and outside of purview of the CFPB must

include answers to the below questions in the text box provided (please provide complete sentences for each):

1. If the complaint is regarding a debt, is the consumer personally liable for the extension of credit or debt at issue? AND
2. Does any consumer regulation under the purview of the CFPB apply to this complaint? AND
3. Does the application, customer agreement or contract for the product at issue specifically state that no consumer protections apply?

#### 4.4 RESPONSE TRANSMISSION

Once you have provided your response, click *Send*. With the exception of responses categorized as “Alerted CFPB,” “Redirected to related company,” and responses provided to complaints on the “Under review” tab with statuses of “No response” or “Pending company information,” your responses are reviewed by the consumer via the consumer portal.

#### 4.5 UNDERSTANDING ERROR MESSAGES

If you fail to complete a required portion of the response, when you attempt to send a response an error message will appear at the top of the case summary. If you encounter an error message while using the portal and are unsure of what actions to take, document each of the steps you took before the error occurred and take screenshots of the error. You should complete and submit the form with that information by clicking the link for *Requesting technical assistance* in the Help Tab of the portal.

#### 4.6 UPDATING AN “IN PROGRESS” RESPONSE

If “In progress” is selected as the response category, indicating your company could not close the complaint within 15 calendar days, the complaint will stay on the “Active” tab awaiting your response until 60 calendar days from the date the complaint was sent to your company to allow your company the opportunity to close the complaint with accompanying explanation to the consumer of “Closed with monetary relief,” “Closed with non-monetary relief,” “Closed with explanation,” “Closed,” “Alerted CFPB,” “Incorrect company,” “Duplicate CFPB case reported,” “Redirected to related company,” or “Sent to regulator.”

If no response is provided within 60 calendar days from the date the complaint was sent to your company after selecting “In progress,” the status of the complaint will become “No response,” prioritizing that complaint for investigation by Consumer Response, and moving the complaint to the “Under review” tab.

#### 4.7 PROVIDING A PAST DUE RESPONSE

Timely responses must be provided within 15 calendar days of the date the complaint was sent to your company. If you do not respond within 15 calendar days, the status of the complaint becomes “Past due” but you are still required to respond to the complaint and it will still appear in your “Active” tab. If you do not respond within 30 calendar days from the date the complaint was sent to your company, the status of the complaint becomes “No response,” the complaint is prioritized for investigation by Consumer Response, and the complaint moves to the “Under review” tab.

#### 4.8 RESPONDING TO ISSUES CURRENTLY THE SUBJECT OF A CFPB EXAMINATION

If your company is currently in the process of a CFPB examination you may receive complaints and requests for information regarding complaints that address an issue for which you have already provided comprehensive documentation to the CFPB. Nevertheless, we require that you respond to each complaint and investigation fully and completely with all information relevant to that individual consumer’s complaint in accordance with the normal complaint process.

#### 4.9 REQUESTING EXEMPTIONS FROM PUBLIC DISCLOSURE

The Freedom of Information Act (FOIA), 5 U.S.C. § 552(a)(3)(A), gives any person the right to request access to documents in the possession of the CFPB. Additionally, the Privacy Act enables an individual to request records about himself or herself (or about another individual for whom the requester serves as a guardian or authorized representative). Documents your company provides through the portal in response to a complaint that is under investigation (complaints in your Under Review tab) are sent to the CFPB for evaluation. If they become the subject of a FOIA or Privacy Act request, the CFPB will follow the CFPB's FOIA and Privacy Act regulations to evaluate them.<sup>1</sup> In some cases, the CFPB will notify you of the request and offer you an opportunity to object to the CFPB's disclosure of such documents.

To help the CFPB's review of your documents in response to a FOIA request, you may label for the CFPB those documents that you believe in good faith are subject to FOIA Exemption 4, U.S.C. § 552(b)(4). In the event that the CFPB receives a request for documents so designated, then the CFPB will follow the procedures set forth in its FOIA regulations, at 12 C.F.R. § 1070.20.

Please note that any information provided as part of your company's initial response to a complaint (i.e., when responding to a complaint in the Active tab of your Company Portal) is transmitted directly to the consumer without CFPB prescreening. You should not submit documents you would consider privileged or confidential commercial or financial information through the portal in your initial response. Information you provide with your initial response will be viewable by the consumer as a matter of course.

If your company would like to provide the CFPB with documentation you believe to be covered by a FOIA exemption, you must submit a Question under the Help Tab in the portal indicating the case number and attaching the information you believe the exemption applies to. If you have general questions concerning the CFPB's FOIA program, please email [CFPB\\_FOIA@cfpb.gov](mailto:CFPB_FOIA@cfpb.gov).

## 4.10 REQUESTING NON-PUBLICATION OF A COMPLAINT

CFPB permits Portal Users to request that qualifying complaints be withheld from publication in the consumer complaint database. Complaints may be withheld from publication if they are found to contain materially inaccurate information, which is information that is false or misleading and which is so substantial and important as to affect a reasonable consumer's decision making about the issue.

To have complaints considered for omission from the public database, a company may request that the complaint, or portions of such complaint, be excluded from the database or corrected by the CFPB by submitting a question through the Help Tab on the portal. Each requester seeking an exclusion or correction bears the burden of proof.

For additional information on this process, please submit a question via the Help Tab.

# 5 Responding to a complaint under investigation

## 5.1 OVERVIEW OF CONSUMER RESPONSE INVESTIGATIONS

Consumer Response may conduct an independent investigation of any consumer complaint filed with CFPB. A Consumer Response investigation is an objective, incremental review of the consumer's stated concerns

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<sup>1</sup> See 12 C.F.R § 1070.20 *et seq.* and 12 C.F.R. § 1070.50 *et seq.*

and the extent to which those concerns were adequately addressed in your company's response to the consumer.

If Consumer Response elects to investigate a complaint for which your company provided a response, a Consumer Response Specialist may ask both the consumer and your company to elaborate and provide documentation in support of specific points made in your respective communications. Such requests for additional documentation will be made only where necessary to reconcile competing factual assertions or to validate compliance with the applicable laws and regulations under CFPB's purview. Responses to these information requests are due within 10 calendar days. If the information your company provides is insufficient to complete our investigation, we may request additional documentation from you.

Your response (including attachments) and communications between your company and Consumer Response via the portal during the course of an investigation are not forwarded to the consumer or displayed in the consumer portal. Where necessary, however, the substance of these communications may be incorporated by a Consumer Response Specialist into a summary provided to the consumer.

Once the investigation is completed, Consumer Response sends the consumer a summary of its findings. In some cases, Consumer Response refers complaints to colleagues in the CFPB's Division of Supervision, Enforcement, and Fair Lending & Equal Opportunity for further review.

Never send any complaint documentation or PII to CFPB outside of the portal unless directed to do so by CFPB Stakeholder Management. In these instances, documentation should only be sent through secured email directly to the contact provided by Stakeholder Management never by standard email, mail, or fax.

## 5.2 INVESTIGATION TYPES

There are two types of cases that result in an investigation and appear in your company's Under review tab. When Consumer Response reviews a complaint after an initial response is provided by the related company and determines that more information is necessary in order to close the case, a Consumer Response Specialist may submit a request for additional information to your company. In addition, when your company fails to provide a timely response to a complaint in your portal, the case is automatically routed to investigations for further review. Additional information regarding each of these investigations types is provided below.

### 5.2.1 Providing additional information requested

If your complaint response lacks sufficient detail or requires additional supporting documentation, a Consumer Response Specialist may request that you provide additional information, which is due within 10 calendar days of the request. Complaints requiring additional information appear on the "Under review" tab with a status of "Pending company information." To view the specifics of the request and details of a complaint, click on the case number. The most recent request from a Consumer Response Specialist will appear at the top of the page. Your responses to requests for additional information along with those requests will also appear in the "Review history" at the bottom of the page.

Your response to requests for additional information will be considered as part of a Consumer Response Specialist's review, changing the status of the complaint to "Information provided by company" and moving that complaint to the "Archive" tab. Note that your response will be considered as part of a Consumer Response Specialist's review, but will not suspend or close an investigation.

### 5.2.2 Providing a response to a complaint with a status of "No response"

While Consumer Response may elect to investigate a complaint for several reasons, there are two specific conditions which automatically trigger an investigation:



- Your company did not respond within 30 calendar days of the date the complaint was sent to your company
- Your company did not provide a follow-up response within 60 calendar days of the date the complaint was sent to your company after you indicated the complaint was “In progress” within 15 calendar days

If you do not respond within 30 calendar days from the date the complaint was sent to your company, and those for which you do not provide a follow-up response to an “In progress” selection within 60 calendar days, the status of the complaint becomes “No response,” the complaint is prioritized for investigation by Consumer Response, and the complaint moves to the “Under review” tab. Your response to a complaint with a status of “No response” changes the status of that complaint to “Delinquent response provided” and the complaint moves to the “Archive” tab.

## 6 Filtering and searching complaints

### 6.1 FILTER

You can apply filters to the complaints in the Active, Under review and Archive tabs to view specific complaints. To apply a filter, click on the tab and select a Product, Issue, or a combination of the two to display. Complaints that match the filter settings will replace the default case list on the page. The selected filters will remain until you close your browser window or remove them by clicking the “X” next to each filter on the page.

### 6.2 SEARCH

To search for a complaint by case number, account/loan holder name, or account/loan number, select the search method from the menu under *Search*, type in the case number, name, or account/loan number and click *Search*. The results of your search will replace the previous list of complaints on the page.

## News and help

### NEWS AND ANNOUNCEMENTS

You should keep up with Consumer Response news and announcements through the portal. Announcements will appear at the top of the portal in red text. Additional information about the announcement (if any) along with previous announcements and other news articles can be found under News Tab. From the News Tab, you can subscribe to receive email updates whenever announcements are made or news is added. Click *Subscribe* at the bottom of the *News* page. Click *Unsubscribe* at any time to stop receiving updates.

### GETTING HELP

There are three ways to request help in the portal.

#### General questions

Click the Help Tab to search Frequently Asked Questions and Glossary items. To look for an answer, enter the keyword(s) and click *Search*. Matching answers will appear in a list. Click on an answer to read it and see related answers. At the end of each answer you can rate the helpfulness of the answer. Your feedback will help us to improve answers.

#### Specific questions

If you cannot find an answer using the Frequently Asked Questions or you have a specific question or request for Stakeholder Management, submit it through the *Ask a question* link on the Help Tab. Ask your question in the textbox provided including as much detail as possible and click “Submit.” You will receive a ticket

number to track and update your question. Stakeholder Management will review your message and respond via the portal as quickly as possible. Click your ticket number under *Support history* in the navigation to track the ticket and see responses.

### Report a technical issue

Click *Report a technical issue* to report error messages or other technical issues on the Help Tab. Complete the issue form, attach any screenshots, and click *Submit*. You will receive a ticket number to track your issue. Stakeholder Management will review your issue and respond via the portal as quickly as possible. Click your ticket number under *Support history* in the navigation to track the ticket and see responses.

## SUPPORT HISTORY

Click *Support history* to track, review, and update any of your question or issue tickets. Ticket statuses are:

- **Company portal user submitted.** Ticket is submitted.
- **Pending company information.** Stakeholder Management responded with a question or request for more information.
- **Information provided by company.** You responded to request for more information.
- **Resolved.** Ticket is resolved.
- **Pending closure.** Issue cannot be resolved immediately.

Click on a ticket to respond to requests for more information. Click *Attach* to provide screenshots and other information requested. Message history shows automated emails and, most importantly, responses from Stakeholder Management. You can also see the details of your ticket.

You will receive an email when your ticket is updated or resolved. You can request that resolved tickets be re-opened within 7 calendar days, if there is a continuing issue related to the ticket. Otherwise you can submit new tickets at any time.

## Frequently Asked Questions

A comprehensive set of Frequently Asked Questions (FAQs) can be found on the Portal by clicking on the Help Tab. You can search for FAQs that match what you are looking for by using the *Search* box on the page.

## Glossary of key terms

**Authorized point of contact** The POC authorized company representative with which Stakeholder Management engages to administer the company portal on behalf of the boarded company

**Complaint** Consumer complaints are submissions that express dissatisfaction with, or communicate suspicion of wrongful conduct by, an identifiable entity related to a consumer's personal experience with a financial product or service

**Days** All days are calendar days and are based on the date the complaint was sent to the company unless otherwise stated

**Monetary relief** Objective, measurable, and verifiable monetary relief to the consumer as a direct result of the steps you have taken or will take in response to the complaint

**No response** Status of a complaint for which a response was not provided within 30 calendar days or no response was provided within 60 calendar days after selecting “In progress”

**Past due** Status of a complaint for which a timely response was not provided

**Personally identifiable information or PII** Any information that identifies or may be used to identify, contact, or locate an individual, including personal financial information

**Respond by** Date by which a response from your company is requested

**Response category** Category that summarizes your response, including **Closing responses** (“Closed with monetary relief,” “Closed with non-monetary relief,” “Closed with explanation,” “Closed,” “In progress,”) and **Administrative responses** (“Alerted CFPB,” “Incorrect company,” “Duplicate CFPB case reported,” “Redirected to related company,” and “Sent to regulator”)

**Review history** Section of the case details that shows the communication between Consumer Response and your company, which is available on the company portal

**Sent to company** Date and time the complaint was forwarded to your company via the portal

**Status** The description of where a complaint is in the process based on actions by your company and or the CFPB

**Tabs** Pages within the portal used to organize your company’s complaints. Together the “Active,” “Under review,” and “Archive” tabs list all of the complaints forwarded to your company via the portal

**Timely response** A response to the CFPB via the portal provided within 15 calendar days of the date the complaint was sent to your company that includes, at a minimum, steps you’ve taken to respond to the complaint, communications from the consumer, your follow-up actions or planned follow-up actions, and the category that captures your response

**User** An individual authorized by your company and approved by Consumer Response to have access to your Company Portal

**Username** The email address provided to Consumer Response by your authorized point of contact for logging a user into the portal

## Contacting us

The CFPB can help answer technical, process and many other questions about the Portal. If you have a question we encourage you to submit it through the *Ask a question* feature on Help Tab in your portal and we will quickly provide a response through the portal. In addition, in extreme circumstances you should reach out to Jim McCarthy in Consumer Response Stakeholder Management to address urgent matters (james.mccarthy@cfpb.gov).