

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

COMMUNITY FINANCIAL SERVICES  
ASSOCIATION OF AMERICA, LTD., and  
CONSUMER SERVICE ALLIANCE OF  
TEXAS,

*Plaintiffs,*

v.

CONSUMER FINANCIAL PROTECTION  
BUREAU and KATHLEEN KRANINGER,  
in her official capacity as Director, Consumer  
Financial Protection Bureau,

*Defendants.*

Civil Action No. 1:18-cv-295

**JOINT STATUS REPORT**

Plaintiffs Community Financial Services Association of America, Ltd., and Consumer Service Alliance of Texas, together with Defendants the Consumer Financial Protection Bureau and Kathleen Kraninger, in her official capacity as Director of the Bureau, (collectively, the “Parties”) submit this Joint Status Report pursuant to the Court’s Order dated December 6, 2019 (ECF No. 66).

In this litigation, Plaintiffs challenge the Bureau’s “Payday, Vehicle Title, and Certain High-Cost Installment Loans” rule (“Payday Rule” or “Rule”). The Rule contains two primary components—underwriting provisions requiring lenders to assess borrowers’ ability to repay before making covered loans and payments provisions governing lenders’ withdrawing payments

for covered loans from consumers' bank accounts. The Rule established August 19, 2019 as the compliance date for these provisions, but this Court stayed the compliance date by order dated November 6, 2018 (ECF No. 53).

As the Parties previously reported to the Court, the Bureau published two notices of proposed rulemaking in the Federal Register on February 14, 2019: one that proposed to rescind the Rule's underwriting provisions, 84 Fed. Reg. 4252 (Feb. 14, 2019), and one that proposed to delay the compliance date for those provisions, 84 Fed. Reg. 4298 (Feb. 14, 2019).

On June 6, 2019, the Bureau issued a final rule that delayed the compliance date for the underwriting provisions until November 19, 2020. That final rule was published in the Federal Register on June 17, 2019, and took effect on August 16, 2019. 84 Fed. Reg. 27907 (June 17, 2019). The Bureau is continuing to make progress on its other rulemaking, which proposed to rescind the underwriting provisions. In the Fall 2019 Unified Agenda of Regulatory and Deregulatory Actions, the Bureau stated that it expected to take final action on that proposal in April 2020.<sup>1</sup> The parties will apprise the Court of further developments.

The parties are not requesting that the Court lift the stay of litigation or lift the stay of the compliance date at this time.

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<sup>1</sup> The relevant entry in the Unified Agenda is available at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201910&RIN=3170-AA80>.

Dated: April 24, 2020

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 24, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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