



**J. ERIC DUNCAN**  
*Associate*

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Eric focuses on state and federal regulatory and compliance matters related to the financial services industry. He advises financial institutions and mortgage companies on federal and state mortgage banking and financial services laws, including the Home Mortgage Disclosure Act (HMDA), Real Estate Settlement Procedures Act (RESPA), Truth-in-Lending Act (TILA), Fair Credit Reporting Act (FCRA), Equal Credit Opportunity Act (ECOA), as well as on fair lending, financial privacy, data security, and other consumer finance regulatory matters.

As head of WBK's licensing group, Eric also advises and assists consumer financial services companies in obtaining state lender, broker, servicer, and debt collector licenses, as well as related federal approvals. He also assists such clients in structuring transactions and with obtaining regulatory approvals in connection with complex acquisitions, mergers and asset transfer transactions.

**PRACTICE AREAS**

- Licensing & Approvals
- Regulatory Compliance
  - Federal Regulatory Compliance
  - State Regulatory Compliance

**EDUCATION**

- George Washington University School of Law, J.D., *with honors*, 2013
- University of California, Los Angeles, B.A., *summa cum laude*, 2009

**ADMISSIONS**

- California
- District of Columbia

**REPRESENTATIVE MATTERS**

- Assist nationwide mortgage lenders and servicers in obtaining state and federal change of control approvals in connection with stock sales and asset transfer transactions
- Conduct multi-state surveys of state licensing requirements and exemptions for a wide variety of activities, including purchasing mortgage loans, servicing mortgage loans, holding mortgage servicing rights (MSRs), mortgage lead generation activities, and third-party

- processing and underwriting
- Advise national mortgage companies on privacy policies and notices regarding sharing of consumer financial information to ensure compliance with the Gramm-Leach-Bliley Act and the Fair Credit Reporting Act
- Advise settlement service providers on compliance with RESPA Section 8's anti-referral fee and kickback requirements in connection with joint ventures, lead sales, and affiliated business arrangements
- Assist offshore entities that provide mortgage origination and servicing support services to companies within the U.S. in obtaining state mortgage and debt collector licenses
- Review mortgage lenders' compliance with HMDA reporting requirements and assist in drafting related policies and procedures
- Advise foreign depository institutions on state licensing and compliance considerations in connection with U.S. commercial lending operations

## **PUBLICATIONS**

- Chapter contributor, *Real Estate and Mortgage Banking: A New Era of Regulatory Reform* (Thomson Reuters 2017-2018)
- Contributing author, Home Mortgage Disclosure Act (HMDA) Resource Guide, MBA Compliance Essentials (MBA 2016)
- Note, *Legalizing European Central Bank Bond Purchases: How the ECB Can Protect its Own Legitimacy and the Future of the Euro*, 45 Geo. Wash. Int'l L. Rev. -183 (2013).

## **AFFILIATIONS**

- American Bar Association
- District of Columbia Bar Association
- The State Bar of California
- Los Angeles County Bar Association