



MELISSA J. WACHTEL
Member

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Melissa focuses primarily on federal and state regulatory and compliance matters related to the financial services industry. She represents and advises depository and non-depository institutions, including mortgage companies, homebuilders, and title agencies, on compliance with federal and state laws and regulations in the mortgage field and in related fields. She advises clients on laws regulating practices, disclosures, agreements, and licensing and approval requirements, including the Real Estate Settlement Procedures Act (RESPA), Truth-in-Lending Act (TILA), Equal Credit Opportunity Act (ECOA), Fair Credit Reporting Act (FCRA), Home Mortgage Disclosure Act (HMDA), the Fair Housing Act, the E-Sign Act, the financial privacy requirements found in Title V of the Gramm-Leach-Bliley Act, the Dodd-Frank Act's unfair, deceptive, or abusive acts or practices (UDAAP) provisions, and various telemarketing and do-not-call provisions. She also assists companies in preparing policies and procedures for compliance with federal and state laws and regulations; helps companies with structuring proposed business operations (including relationships with third party entities); assists companies with examination preparation and responses to regulatory audits and investigations by state and federal regulators, including the CFPB; and prepares multi-state regulatory surveys and analyses of matters pertaining to residential mortgage lending, brokering, and servicing, and activities in related fields.

PRACTICE AREAS

- Investigation and Enforcement
- Licensing and Approvals
- Regulatory Compliance
 - Federal Regulatory Compliance
 - State Regulatory Compliance
- Transactional and Corporate

EDUCATION

- George Washington University Law School, J.D., 2008
- Duke University, B.A., *magna cum laude*, 2005

ADMISSIONS

- District of Columbia
- Maryland

REPRESENTATIVE MATTERS

- Advise companies on their privacy policies and notices regarding consumer financial information to ensure compliance with the Gramm-Leach-Bliley Act, Regulation P, FCRA, the FTC's Safeguards Rule, and applicable state laws, including the California Financial Information Privacy Act and the California Consumer Privacy Act
- Advise and assist companies (including settlement service providers) in structuring, creating, and implementing RESPA-implicated arrangements with third parties, such as marketing services, co-marketing, office leases, lead sales, and affiliated business arrangements
- Provide guidance on a variety of advertising and promotional content (e.g., websites, flyers, social media), and draft and review related policies and procedures, for compliance with applicable federal and state laws and regulations
- Assist companies with electronic compliance issues under the federal E-Sign Act and related state laws, as well as the EFTA, Regulation E, and NACHA Operating Rules and Guidelines, regarding activities such as electronic disclosures, submissions, and payments, and assist in preparation in the event of and in responding to data breaches
- Advise and assist mortgage companies in responding to federal, single-state, or multistate examinations and in creating policies and procedures to address audit findings
- Draft and review compensation agreements for loan originators, branch managers, and other originating employees for compliance with the Loan Originator Compensation Rule under Regulation Z

PUBLICATIONS

- Chapter contributor, *Real Estate and Mortgage Banking: A New Era of Regulatory Reform* (Thomson Reuters 2017-2018)
- *TILA/RESPA Integrated Disclosure (TRID) Workbook* (WBK 2015)

RECOGNITION

- Rising Star, Washington, DC, *Super Lawyers Magazine*, 2018 (*Super Lawyers* recognition is a Thomson Reuters service)

AFFILIATIONS

- American Bar Association
- District of Columbia Bar Association
- Maryland State Bar Association
- Bar Association of Montgomery County, Maryland
- Mortgage Bankers Association