



February 26, 2026

California Department of Financial Protection and Innovation
Legal Division, Regulations Coordinator
Attn: Ms. Diana Pha
651 Bannon Street, Suite 300
Sacramento, CA 95811

Sent via electronic mail to regulations@dfpi.ca.gov

Re: PRO 07-24 Second Invitation for Comments on Proposed Rulemaking under the California Consumer Financial Protection Law Regarding Registration and Reporting of Covered Persons (Consumer-Reporting Services)

Dear Commissioner Mohseni:

Yodlee, Inc. (“Yodlee”) welcomes the opportunity to respond to the California Department of Financial Protection and Innovation’s (“DFPI” or “the Department”) Request for Comment on a proposal under the California Consumer Financial Protection Law (“CCFPL”) considering registration and reporting of persons that engage in offering or providing to California residents the consumer financial service described in Financial Code section 90005, subdivision (k)(9). Yodlee understands that the DFPI is interested in extending registration and reporting requirements to consumer reporting providers; however, we strongly encourage the Department to refrain from covering data aggregators like Yodlee that facilitate consumer-permissioned data access. The core business of platforms like Yodlee’s do not meet the statutory definition of a consumer reporting agency (“CRA”). Accordingly, we urge the DFPI to ensure that any rule it promulgates to cover consumer reporting providers aligns to the statutory scope of the Fair Credit Reporting Act (“FCRA”), and avoids covering data aggregators who facilitate consumer-permissioned data access pursuant to consumer personal data rights formalized by Section 1033 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”).

About Yodlee

Yodlee is an open finance platform that has for the last 25 years enabled consumers, small businesses, and investors (collectively “users”) to access financial products, tools, and services best suited to their unique financial position. Over the last two decades, Yodlee’s platform has allowed users to share their financial data globally across a spectrum of different types of financial accounts, allowing them to pay less, save more, track spending, and exert more control over their finances.

Yodlee’s platform empowers consumers and small businesses to manage their financial well-being by connecting them to tailored financial products, tools, and services. Yodlee enables seamless data sharing and financial management that supports services like Personal Financial Management (“PFM”), wealth management, spending and cash flow analysis, and deposit verification. This connectivity spans over 259 million accounts, enabling account aggregation,



instant account verification, and comprehensive financial insights across institutions, all of which help consumers and small businesses manage and improve their finances.

Yodlee's solutions also access to individually tailored financial products for users, safeguard against fraud, and streamline financial planning for tens of millions of users, fostering financial wellness in a competitive, transparent marketplace.

Since our inception, we have operated in highly regulated environments around the world. As a champion of open finance globally, we believe that users are best positioned to determine which financial products, tools, and services may be the most valuable to their unique financial situation.

Statutory Definition of CRAs

The FCRA has for decades established a clear statutory framework for determining the scope of entities considered as CRAs. Section 603(f) of the law defines a CRA as an entity that “regularly engages in assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties.”¹ This definition is precise and deliberate and captures entities that evaluate or compile consumer information for use in credit, insurance, employment, and other statutorily permissible purposes.

By contrast, user-permissioned data aggregators, like Yodlee's core aggregation platform, enable consumers to access and share their own financial information at their explicit direction. Yodlee does not assemble or evaluate data for the purpose of furnishing consumer reports to third parties as an open finance facilitator. Instead, platforms like ours serve as neutral pipes that connect users to financial tools and services of their choosing to ultimately bolster their own financial wellbeing. Importantly, and in stark contrast to the traditional consumer reporting marketplace, users actively permission access for third parties to their own financial data on our platform.

Forthcoming Rules under Dodd-Frank Section 1033

Under the Biden Administration, the CFPB finalized the Personal Financial Data Rights Rule (“PFDR Rule”) under its Dodd-Frank Act Section 1033 authority. The CFPB's rulemaking instituted significant data security, data privacy, disclosure, and consent requirements for open banking platforms like Yodlee, which, we would note, we enthusiastically supported. While the PFDR Rule is now being reconsidered in light of litigation, Yodlee understands that the CFPB intends to finalize amendments to its Section 1033 rulemaking later this year. Despite the forthcoming amendments, Yodlee continues to expect to have significant compliance obligations under any rule promulgated pursuant to Section 1033 authority, and believes there is considerable risk of unintended conflict and redundancy between state and federal compliance obligations if they are developed concurrently without careful coordination.

As indicated throughout this letter, Yodlee does not believe that user-permissioned data aggregators should be covered by the DFPI's registration and reporting requirements under

¹ Fair Credit Reporting Act, September 2012, <https://www.consumer.ftc.gov/sites/default/files/articles/pdf/pdf-0111-fair-credit-reporting-act.pdf>.



consideration at all given the stark and self-evident differences between the two markets, and the federal statutory and regulatory regime that govern user-permissioned financial data access.

Responses to the Department’s Questions

Consumer & Market Concerns

User-permissioned data aggregators like Yodlee that facilitate consumer-permissioned access to data pursuant to consumer rights to information under Section 1033 of the Dodd-Frank Act play a critical role in powering the “open banking” or “open finance” ecosystem across the country, and an important role in California’s economy specifically. California is home to many of the most dynamic fintech companies in the world, many of which depend on user-permissioned access to data facilitated by platforms like Yodlee. Examples include:

- Personal financial management: Personal financial management applications enable consumers to consolidate information from across their financial accounts in one place to enable more effective budgeting and financial planning. These applications rely on consumer-permissioned access to data in order to provide their core products and services to consumers.
- Wealth management: Yodlee empowers wealth firms to support the full client lifecycle, from discovery to engagement, with intelligent data aggregation, direct integrations, and real-time insights embedded in advisor workflows and client experiences. As a result, advisors are able to provide more tailored solutions to their clients and to improve clients’ portfolio management, facilitating a more secure retirement.
- Peer-to-peer payments: Payment applications use data aggregators like Yodlee to facilitate money movement over the ACH system. Applications like Venmo and Cash App have made this functionality popular and ubiquitous, but they depend on consumer-permissioned data access to ensure safe and reliable money movement.

California’s leadership in financial technology today depends heavily on a user-permissioned data ecosystem facilitated by platforms like Yodlee, who provide products and services that are entirely distinct from those provided by CRAs. We believe user-permissioned data aggregators providing such services require particular attention to ensure they are not inadvertently included in the Department’s effort to create registration and reporting requirements for consumer reporting providers that collect and interact with consumer information *without* consumer consent or awareness.

Treating user-permissioned data aggregators that facilitate consumer-permissioned data access as CRAs risks stifling innovation and competition in California’s financial sector, which would over time limit entrance into the state by smaller financial firms, in turn reducing choice for consumers. These outcomes could harm the very consumers the Department seeks to protect through registration and reporting.

Definitions

The definitions in Financial Code section 90005, subdivision (k)(9) are extremely broad, creating numerous potential conflicts with both federal and state laws and regulations. With respect to



Section 1033 of the Dodd-Frank Act, the definitions in Financial Code section 90005, subdivision (k)(9) are likely to overlap significantly with any final CFPB rule seeking to establish a framework for who may act as a consumer’s “agent, trustee, or representative.” Under the 2024 PFDR Rule, user-permissioned data aggregators would be bound by “authorized third party” obligations that include some of the strictest data privacy rules ever promulgated at either the state or federal level. In that context, the additional benefit to consumers from state level registration or reporting obligations is unclear at best, and potentially in conflict at worst.

Beyond the Dodd-Frank Act, the broad definitions in Financial Code section 90005, subdivision (k)(9) create potential conflicts with the FCRA. As described above, the FCRA defines a CRA as an entity that “regularly engages in *assembling or evaluating* consumer credit information or other information on consumers for the purpose of *furnishing consumer reports* to third parties” (emphasis added). By contrast, Financial Code section 90005, subdivision (k)(9) describes persons “Collecting, analyzing, *maintaining, or providing* consumer report information *or other account information*, including information relating to the credit history of consumers, used or expected to be used in connection with *any decision* regarding the offering or provision of a consumer financial product or service...” (emphasis added). This broad definition appears to step well beyond federal consumer reporting laws and risks covering, for example, peer-to-peer payment companies, personal financial management companies, financial advisors, and their service providers, including user-permissioned data aggregators such as Yodlee.

In this context, Yodlee believes it would be helpful for the Department to define key terms in a manner that clarifies the application of Financial Code section 90005, subdivision (k)(9) to more clearly align with the FCRA and ensure consistency with consumer rights to information under Section 1033 of the Dodd-Frank Act. For example, the Department might consider adding an exemption or exclusion for entities serving as a consumer’s “agent, trustee, or representative” as contemplated under the CFPB’s Section 1033 framework.² In order to do this carefully, the Department may benefit from waiting for the CFPB to finalize its revisions to the Section 1033 rule later this year.

Registration, reporting, and oversight requirements

For all the reasons described above, Yodlee strongly believes that user-permissioned data aggregators should be exempted from the registration and reporting requirements the Department is considering. The Department’s intent appears to be related to consumer reporting, a category distinct from Yodlee’s core business. Yodlee encourages the Department to tailor its definitions to ensure its activity stays focused on that core intent and does not unintentionally undermine consumer-permissioned data access that empowers consumers to exercise their rights under Section 1033.

Moreover, even if the Department ultimately disagrees with the assessment herein, we respectfully urge the Department to at least refrain from imposing novel obligations on user-permissioned data aggregators until after there is clarity on federal obligations for platforms like

² Under the PFDR Rule such entities are referred to as “authorized third parties.”



Yodlee under federal regulations, which are due to be revised and finalized later this year. Moving ahead to develop state obligations concurrently with the CFPB’s rulemaking may result in conflicting, duplicative, and confusing compliance frameworks that undermine the fintech sector, including many California companies, which in turn could limit consumer access to competitive, more affordable financial services in the state.

If the Department nevertheless feels it is important not to exempt user-permissioned data aggregators from its forthcoming regulations, and not to wait for clarity from the CFPB, we strongly recommend that DFPI more appropriately tailor registration fee assessments. Specifically, we believe that “gross income from consumer reporting services” as currently construed could be interpreted overly broadly due to the definitional issues described above. To address this, DFPI should define “consumer-reporting services” to more narrowly cover credit eligibility decisions, ensuring that revenue from other activities is not inappropriately included, which would result in unreasonable registration fees for user-permissioned data aggregators and their customers, who serve California consumers.

Yodlee also notes that any bonding requirements the Department is considering would be entirely inappropriate for user-permissioned data aggregators, who do not at any time hold funds on behalf of consumers.

Conclusion

Yodlee greatly appreciates the opportunity to provide feedback to the Department as it considers its rulemaking.

We urge the Department to (1) align more closely to the FCRA definition of consumer reporting for the purposes of its rulemaking and (2) exempt user-permissioned data aggregators from any registration or reporting obligations under consideration for CRAs.

To the extent the Department disagrees, we respectfully encourage the Department to wait until there is additional clarity from the CFPB’s rulemaking effort later this year, with additional emphasis on tailoring the definition of “consumer-reporting services” in any registration fee assessment to ensure only credit eligibility use cases are included.

Yodlee believes that federally regulated user-permissioned data access benefits consumers and promotes innovation, consistent with DFPI’s core mission. We look forward to continuing to engage with the Department, partner with innovative California companies, and serve California consumers.

Sincerely,



Darren Ellis – Head of Governance Risk and Compliance at Yodlee

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