
From: Amy M. Brown <amy.brown@Gurstel.com>
Sent: Friday, March 5, 2021 6:39 PM
To: DFPI Regulations
Cc: Carriere, Charles@DFPI
Subject: PRO 01-21

Dear Department of Financial Protection and Innovation, Legal Division,

This email communication is in response to the **Invitation For Comments on Proposed Rulemaking Under the California Consumer Financial Protection Law (PRO 01-21)** that you recently released on 2/4/21. We thank you for providing stakeholders the valuable opportunity to provide input into this rulemaking. Gurstel Law Firm PC, a creditors' rights law firm headquartered in Golden Valley, Minnesota, operates in two locations in the State of California. We welcome this occasion to submit our comments, and look forward to establishing an excellent working relationship with the DFPI in the years to come.

Our comments on this rulemaking focus on one of the questions included in your invitation, which is, "With respect to the timeliness of complaint and inquiry responses, what timelines should the DFPI establish for businesses? Should the timelines vary based upon the type of business or product to which the complaint or inquiry relates?"

We respectfully request that the DFPI provide businesses with an ample amount of time to conduct a detailed investigation into all of the concerns contained in a consumer's complaint. We recommend that the DFPI adopt the same timeline that the Consumer Financial Protection Bureau (CFPB) gives businesses, which is 15 calendar days from the date of the consumer's complaint to provide a response. Our firm has found the 15-day time period to be sufficient in almost all cases. We do not recommend that the timeline vary depending upon the type of business.

We also request that the rule contain a provision that would allow businesses to request an extension of time to provide a response, if needed, similar to what CFPB offers. This will help ensure that all consumer complaint issues are thoroughly addressed and the responses are complete, even in those circumstances where it may take longer than 15 days (for example, when the business must gather important information from a third party that may prove to be a benefit to concluding the investigation).

We also recommend that the DFPI build an online portal for consumers to submit complaints and through which businesses can access the complaint, upload a response, and request an extension of time to respond. Including in the system a function to send reminders via email of important dates (e.g., date complaint submitted, deadline date, upcoming deadline date) also will be extremely helpful to our firm and other businesses.

Thank you again for inviting and considering stakeholder input during the rulemaking process. We look forward to providing input on future DFPI rulemakings as well.

Sincerely,



Amy Mertz Brown
Chief Compliance Officer

Admitted in California

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