



January 24, 2025

The Honorable Rohit Chopra
Consumer Financial Protection Bureau
1700 G Street NW
Washington, DC 20552

RE: Regulatory Freeze Pending Review – Delay Effective Dates of the Registry of Nonbank Covered Persons Subject to Certain Agency and Court Orders

Dear Director Chopra:

In light of President Trump's executive order¹ titled *Regulatory Freeze Pending Review*, the Mortgage Bankers Association² (MBA) urges the Consumer Financial Protection Bureau (CFPB or Bureau) to take immediate action to postpone for 60 days the effective compliance dates for entities subject to the CFPB's Nonbank Registration Regulation³ (the Rule) issued on June 3, 2024. While the deadline for large nonbank entities recently passed, the registration process is ongoing, with smaller nonbanks under CFPB supervision required to register by April 14, 2025, and all other covered nonbanks to follow by July 14, 2025.

The Bureau should also suspend any collection requirements for large participants that have not yet filed orders or have relevant orders issued during the freeze. Any data received from large participants should be held without further action, and the Bureau should not take any additional steps on the publication of orders or creation of the registry.

The executive order released on January 20, 2025, orders all executive agencies to "consider postponing for 60 days from the date of this the effective date for any rules that have been published in the *Federal Register*, or any rules that have been issued in any manner but have not taken effect, for the purpose of reviewing any questions of fact, law, and policy that the

¹ Exec. Order Regulatory Freeze Pending Review, Jan. 20, 2025. (last visited Jan. 22, 2025), available at <https://www.whitehouse.gov/presidential-actions/2025/01/regulatory-freeze-pending-review/>.

² The Mortgage Bankers Association (MBA) is the national association representing the real estate finance industry, an industry that employs more than 275,000 people in virtually every community in the country. Headquartered in Washington, D.C., the association works to ensure the continued strength of the nation's residential and commercial real estate markets, to expand homeownership, and to extend access to affordable housing to all Americans. MBA promotes fair and ethical lending practices and fosters professional excellence among real estate finance employees through a wide range of educational programs and a variety of publications. Its membership of more than 2,000 companies includes all elements of real estate finance: independent mortgage banks, mortgage brokers, commercial banks, thrifts, REITs, Wall Street conduits, life insurance companies, credit unions, and others in the mortgage lending field. For additional information, visit MBA's website: www.mba.org.

³ 12 C.F.R. § 1092 (2024).

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rules may raise.” The applicable rule in this case is the Bureau’s rule requiring covered nonbank financial institutions to register with and report to the Bureau when they become subject to certain consumer financial protection agency or court orders.⁴

The Bureau has a duty to limit regulatory burden and consider costs and benefits. MBA and state regulators⁵ strongly believe the nonbank registry is a costly and duplicative reporting framework. We continue to be extremely concerned about the short implementation timelines, insufficient showing of need for such a registry, and regulatory burden on registrants. Accordingly, we request that the Bureau suspend the implementation submission periods and take no further action for at least 60 days. Such a pause will comply with the executive order’s core principle of allowing for Administration review of open actions or uncompleted regulatory enactments.

Thank you in advance for your consideration of these comments – we always welcome the opportunity to work with the Bureau and discuss this issue further. Should you have questions or wish to discuss further, please contact me at (202) 557-2878 and pmills@mba.org or my colleague Justin Wiseman at (202) 557-2854 and jwiseman@mba.org.

Sincerely,



Pete Mills
Senior Vice President
Residential Policy and Strategic Industry Engagement
Mortgage Bankers Association

⁴ Consumer Financial Protection Bureau, The Nonbank Registry Portal and Public Database (last visited Jan. 22, 2025), available at <https://www.consumerfinance.gov/data-research/nbr-submission/>.

⁵ Conference of State Bank Supervisors, et al., Re: Proposed Rulemaking – Registry of Nonbank Covered Persons Subject to Certain Agency and Court Orders (Mar. 31, 2024), available at <https://www.csbs.org/sites/default/files/2023-03/CSBS%20AARMR%20NACCA%20NACARA%20and%20MTRA%20Comment%20Letter%20on%20CFPB%20Registry%20of%20Nonbanks%20FINAL.pdf>.