



Northeast Mortgage Summit

Mortgage Bankers Association

State Legislative and Regulatory Committee Environmental Scan

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William Kooper

Vice President of State Government Affairs and Industry Relations
Mortgage Bankers Association

First, some context...

State governments always react to political swings in federal government; in 2025 in blue and purple political states expect more:

- activist by state legislatures
- focus by state regulators
- greater litigation/enforcement (alone or in coalition) by attorneys general

Other “propellants” this time around:

- Staff cuts at key federal housing agencies
- Future of CFPB, FEMA, others...
- Consolidation of the executive branch power
- Chopra Exit : CFPB Paper [Strengthening State-Level Consumer Protections; State Enforcement As A Federal Legislative Tool](#); 60 Minutes interview; and meeting with Democratic attorneys general (DAGA)

CFPB's *Strengthening State-Level Consumer Protections*

Legislative Recommendations for States:

- Expand Definition of "Abusive Practices"
- Enhance Investigative Powers
- Broaden Scope of Remedies
- Eliminate Barriers for Consumers to Sue
- Modernize Data Privacy Laws
- Ban Junk Fees
- Strengthen Private Enforcement
- Grant Market Monitoring Authority
- Corporate Officer Accountability
- Revitalize Outdated Consumer Protection Laws

Environmental Scan of State Policy Issues for Real Estate Finance

The Parts of the Iceberg Above the Waterline...much more below it

Recent Emerging Issues

- Artificial Intelligence Regulation
- Property Insurance Access & Cost*
- Housing Supply and Affordability*
- NAR Settlement Implementation
- Restrictions on Foreign Ownership
- Investor Purchase/Owner Limits

CREF Issues

- Rent Control & Good Cause Eviction
- Emission Reporting, Scope 3
- Mezzanine Debt Tax
- Building Performance Standards

Ongoing Issue Campaigns

- Data Protection - GLBA Safe Harbor
- Remote Online Notarization
- MLO Remote Work & Licensing Flexibility
- CRA for Independent Mortgage Banks
- Foreclosure “Reinvention”

State Regulator and NMLS Issues

- Licensing Fee Increases; Future Increases
- Model Capital, Liquidity, and Governance Standards
- One Company One Exam
- MCR V6, V7
- NMLS Integration with CFPB Nonbank Database