



# Keeping Your Leads Compliant

July 20, 2022



# Disclaimer

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# Lead Generation Basics

- How does it work?
- Who are the parties?
- Are there different methods?
  - Strategies for driving traffic to websites compliantly
  - Emerging marketing mediums

# In-house Compliance Considerations

- Risk Assessment
- Onboarding and Due Diligence
  - Understanding business partners' products and services
  - Leveraging monitoring technology
- Working with Operations and Marketing
  - Training
  - Auditing

# External Compliance Considerations

- State Regulatory Issues
  - Licensing
  - California
  - Illinois
- Federal Regulatory Issues
  - FTC
  - CFPB
- Litigation Issues
  - Consents
  - Multiple credit pulls
  - State law issues

# Consents

Example:

(In footer below the fold) –

*“Credit Implications. The operator of this website does not make any credit decisions. Independent, participating lenders that you might be concerned with may perform credit checks with the credit reporting bureau or obtain consumer reports, typically through alternative providers to determine credit worthiness, credit standing and/or credit capacity.”*

*“By submitting your information, you agree to allow participating lenders to verify your information and check your credit.”*

# Consents

Example:

*“By submitting my information, I acknowledge that I have read and agree to the terms of the **Privacy Policy & Terms of Use.**”*

TOU provide:

*“Lender Partners may use your Request Form information to perform a credit check. This credit check may be a formal credit check inquiry which leaves a record on your credit report and may affect your credit score (a “Hard Check”). Or it could be an informal inquiry which will not affect your credit (a “Soft Check”). ... By submitting your Request Form, you agree to allow Lender Partners to review, verify, and research your information in such a manner.”*

# Risk Mitigation

- OLA “Best Practices”
- What can the Lead Provider do?
- What can the Lead Buyer do?



# Questions/Discussion

If you would like to ask a question, you can ASK or type your question into the CHAT feature NOW.

# Speakers



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