

Automotive and Personal Property Finance and Leasing



Practical Insight into the Automotive Finance Industry

Hudson Cook, LLP, has a deep bench of automotive and personal property consumer finance lawyers. Our lawyers practicing in this area include present and past bar association leaders, frequent contributors to automotive and consumer finance trade association publications and conferences, widely published authors and former in-house counsel for some of the largest participants in the consumer automotive finance industry. Together we have a comprehensive understanding of the legal and compliance needs of this industry, and extensive practical experience in this area.

Lawyers in our Automotive and Personal Property Finance practice area offer a wide range of legal and compliance support for clients in these industries, including banks, sales finance companies, auto dealers, leasing companies, ancillary product providers, forms companies and technology companies.

We regularly advise clients on federal and state laws pertaining to:

- Advertising, including e-mail marketing and telemarketing
- Arbitration
- Consumer and commercial personal property finance and leasing
- Credit reporting
- Data management
- Data security
- Debt collection practices

- Electronic payments and commerce
- Fair lending
- Information management
- Licensing
- Online motor vehicle sale assistance programs
- Privacy
- Starter interrupt/Global positioning system devices

Legal Advice and Analysis

In addition to providing day-to-day compliance advice, we help clients develop and implement compliance programs and Compliance Management Systems; draft finance and lease contract forms and related commercial documents; develop compliant servicing, collection and default communications; prepare for, manage and respond to regulatory examinations; conduct on-site compliance assessments; and prepare comments on proposed laws and regulations.

In supporting our automotive and personal property finance and leasing clients, we regularly provide advice and analysis on:

- Bank Secrecy Act/anti-money laundering issues
- CAN-SPAM Act
- Consumer Leasing Act and Regulation M
- Dodd-Frank Wall Street Reform and Consumer Protection Act
- Electronic Fund Transfer Act and Regulation E
- Electronic Signatures in Global and National Commerce Act
- Equal Credit Opportunity Act and Regulation B
- Fair Credit Reporting Act and Regulation V
- Fair Debt Collection Practices Act and state collection practices acts
- Federal Trade Commission Act
- Federal Trade Commission Credit Rules, Door-to-Door Sales Rule, Used Car Rule
- Gramm-Leach-Bliley Act and the Privacy and Safeguards Rules
- Magnuson-Moss Warranty Act

- OFAC/USA PATRIOT Act
- Servicemembers Civil Relief Act and comparable state laws
- Telemarketing and Consumer Fraud and Abuse Prevention Act and the Telemarketing Sales Rule
- Telephone Consumer Protection Act and implementing Federal Communications Commission regulations
- Truth in Lending Act and Regulation Z
- Uniform Commercial Code Article 2 (Sales), Article 2A (Leases) and Article 9 (Secured Transactions)
- Uniform Electronic Transactions Act
- State certificate of title laws
- State consumer leasing laws, consumer credit codes, installment sales laws and sales finance laws
- State direct loan laws, including usury statutes, interest statutes, finance lender laws and small loan laws
- State motor vehicle dealer laws

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