



Kelly Lipinski

MEMBER

Kelly's practice focuses on compliance and regulatory matters involving the consumer financial industry. She regularly advises depository institutions and their affiliates, mortgage companies, sales finance companies, and education lenders on federal and state consumer finance issues. Kelly has experience with the Truth in Lending Act, Fair Debt Collection Practices Act, Telephone Consumer Protection Act, Fair Credit Reporting Act, and the Equal Credit Opportunity Act. Kelly also has experience with state compliance issues and frequently represents clients before state regulatory agencies, concerning licensing and examination issues.

Office

Cleveland

Email

klipinski@mcglinchey.com

Telephone

(216) 378-4969

Fax

(216) 803-9709

* indicates primary office

Relevant Experience

- Drafting consumer credit agreements, including direct, indirect, and open-end credit agreements.
- Prepare multi-state research regarding rates and fees, disclosures, and substantive conduct requirements affecting real property and personal property financing.
- Advise clients on internal audits concerning the enforcement of security interests and third-party vendor service providers.

Professional Affiliations

- American Bar Association, Member, Consumer Financial Services Committee; Vice-Chair, Personal Property Subcommittee
- American Financial Services Association, Co-Counsel, Emerging Issues Subcommittee
- Ohio State Bar Association, Member, Banking, Commercial & Bankruptcy Law Committee; Chair, Consumer Credit Subcommittee
- Ohio Mortgage Bankers Association, Trustee, Board of Directors
- Leadership Council on Legal Diversity (LCLD), Fellow, 2015
- LCLD Fellows Alumni Executive Council, Fellows Alumni Leadership Symposium Vice-Chair, 2018–2019; Chair, 2019–2020

Honors

- *Crain's Cleveland Business*' Notable Women in Law

Community and Other Activities

- Rainey Institute, Associate Board Member

Recent Publications

- | | |
|-----------------|--|
| April 9, 2019 | <p>Minnesota Dept. of Commerce Issues Guidance Regarding Sales Finance Company License
Auto Finance Excellence</p> |
| March 19, 2019 | <p>State Regulators Step Up to Post-Cordray Era Challenge
Auto Finance Excellence</p> |
| August 28, 2018 | <p>Ohio Tightens Small Dollar Lending Law
On July 24, 2018, Ohio Governor Kasich signed HB 123 into law, amending and streamlining the Ohio consumer lending laws and making significant changes to the Ohio Short-Term Loan Law.
McGlinchey Consumer Financial Services Alert</p> |

Service Areas

[Consumer Financial Services Compliance](#)

[Cybersecurity and Data Privacy](#)

[Education Law](#)

Education

Case Western Reserve University School of Law, J.D., 2006

Case Western Reserve University, B.A., Economics, 2003

Case Western Reserve University, B.S., Management, 2003

Admissions

Ohio

March 16, 2018	<p>Ohio Publishes Clarifying Guidance on Application of HB 199 and New Residential Mortgage Lending Act</p> <p>On January 26, 2018, we published a Consumer Financial Services Alert on Ohio House Bill 199 (HB 199), which overhauled Ohio's mortgage licensing and lending law and created the Residential Mortgage Lending Act (RMLA), effective March 23, 2018.</p> <p>McGlinchey Consumer Financial Services Alert</p>
January 26, 2018	<p>Ohio Enacts Comprehensive Residential Mortgage Lending Law</p> <p>On December 22, 2017, Ohio Governor John Kasich signed House Bill 199 (HB 199) into law.</p> <p>McGlinchey Consumer Financial Services Alert</p>
June 20, 2017	<p>Supreme Court Narrows FDCPA Coverage of Debt Purchasers</p> <p>In a unanimous opinion authored by the newly appointed Justice Gorsuch, the Supreme Court has ruled in <i>Henson v. Santander Consumer USA, Inc.</i> that a company does not automatically become a "debt collector" under the Fair Debt Collection Practices Act (FDCPA) when collecting accounts it obtained after default.</p> <p>McGlinchey Consumer Financial Services Alert</p>
March 21, 2017	<p>New South Dakota Bills Provide Relief for Lenders</p> <p>On March 13, 2017, South Dakota Governor Dennis Daugaard signed HB 1090 into law, amending recent changes to the South Dakota Money Lender law.</p> <p>McGlinchey Consumer Financial Services Alert</p>
2016	<p>CFPB Releases FDCPA Rule Outline; Creditor Collection Rule to Come</p> <p>Consumer Finance Law Quarterly Report, Vol. 70, Nos. 1 & 2</p>
July 29, 2016	<p>CFPB Releases FDCPA Rule Outline; Creditor Collection Rule to Come</p> <p>On July 28, 2016, the Consumer Financial Protection Bureau ("CFPB") released an outline of its proposed debt collection rulemaking ("Outline"). The Outline summarizes proposed Fair Debt Collection Practices Act ("FDCPA") regulations that are under consideration.</p> <p>McGlinchey Consumer Financial Services Alert</p>
July 24, 2014	<p>Compliance Has Moved Into Headlines And Regulators' Crosshairs: Why Your Board Should Care (part 3)</p> <p>InsideCounsel</p>
June 9, 2014	<p>How compliance has moved into the headlines and regulators' crosshairs, and why your board should care (part 2)</p> <p>InsideCounsel</p>
May 16, 2014	<p>How Compliance Has Moved Into Regulators' Crosshairs, And Why Your Board Should Care (Part 1)</p> <p>InsideCounsel</p>
August 28, 2013	<p>State Law Governing Federal Student Loan Servicing Not Preempted by the Higher Education Act</p> <p>McGlinchey Alert</p>
2012	<p>Important Changes to Ohio Law Impacting the Consumer Credit Industry</p> <p>Consumer Finance Law Quarterly Report, Vol. 66, Nos. 3 & 4</p>

February 27, 2012 Institutions of Higher Education, Payment Plans and Loans
Westlaw Journal Bank & Lender Liability

September 2, 2011 [Institutional Loans and Related Considerations](#)
University Business

Events

November 7, 2019 [Voluntary Protection Products](#)
Conference on Consumer Finance Law
Annual Consumer Financial Services Conference
Ft. Worth, TX

October 16, 2019 [State Law and Examination Trends in Ancillary Products](#)
2019 Consumer Finance Legal Conference
New Orleans, LA

October 15, 2019 [Recent Developments with FDCPA Rulemaking, Emerging Technology, and Litigation](#)
2019 Consumer Finance Legal Conference
New Orleans, LA

May 15, 2019 [Beyond Licensing: Emerging Issues in Student Lending](#)
Student Loan Servicing Alliance Annual Meeting
San Antonio, TX

May 14, 2019 [Servicer and Lender Licensing Update](#)
OMBA 2019 Annual Convention
Columbus, OH

May 8, 2019 [Higher Education Regulatory Roundtable](#)
iiBig 11th Annual Education Finance and Loan Symposium
Arlington, VA

March 30, 2019 [Current Issues in Auto Finance: Driving Through Developments in Litigation and Enforcement](#)
ABA Business Law Section Spring Meeting
Vancouver, BC

January 11, 2019 [Batter Up ... As States Step to the Plate](#)
ABA Consumer Financial Services Committee 2019 Winter Meeting
Miami, FL

October 18, 2018 [The Present and Future of Leasing and Alternative Access to Vehicles: Regulatory Issues and Litigation, Subscription Models, and Other Programs](#)
2018 Consumer Finance Legal Conference New Orleans, LA

October 18, 2018 [Consumer Communications: How to Call, Text, Chat, Email, and Push your Way through the Federal and State Legal Landscape](#)
2018 Consumer Finance Legal Conference New Orleans, LA

October 18, 2018 [Military Lending Update: SCRA Litigation and Leasing Refund Issues and the State of the MLA](#)
2018 Consumer Finance Legal Conference New Orleans, LA

- September 27, 2018 **The Legislative Landscape – What's in Store for Higher Education Lending?**
Credit Union Student Choice Empower U Conference
Nashville, TN
- May 17, 2018 **A New Day at the BCFP, or is it the CFPB?**
Student Loan Servicing Alliance
Baltimore, MD
- May 8, 2018 **Non-QM Product Trends**
Ohio Mortgage Bankers Association Annual Convention
Columbus, OH
- January 29, 2018 **Conscious Uncoupling: The Bureau After Cordray**
American Financial Services Association (AFSA) Law & Compliance Symposium
San Diego, CA
- October 12, 2017 **Leasing Pitfalls for the Sales Finance Company and Industry Trends**
16th Annual Consumer Finance Legal Conference
New Orleans, LA
- October 12, 2017 **Henson v. Santander: Impact on FDCPA Advice and Litigation, Update on State Collection Law**
16th Annual Consumer Finance Legal Conference
New Orleans, LA
- June 16, 2017 **Use of Alternative Data for Credit Reporting and Increasing State Regulation of Credit Use of Alternative Data for Credit Underwriting**
Student Loan Servicing Association
Private Loan Committee Meeting
- June 15, 2017 **Convenience Fees**
Student Loan Servicing Association
Private Loan Committee Meeting
- June 14, 2017 **U.S. Supreme Court Speaks: Henson v. Santander**
ABA's Consumer Financial Services Committee
Monthly Call-In Program
- June 7, 2017 **"Regulatory Round-Up" Part II: Federal Efforts Impacting Student Loan Servicing and Collections**
National Council of Higher Education Resources Spring Convention
Clearwater, FL
- June 3, 2017 **What Commercial Finance Lawyers Need to Know about Consumer Finance**
Association of Commercial Finance Attorneys' Continuing Legal Education Weekend
Richmond, VA
- May 18, 2017 **Legal Developments in Federal Debt Collection, Private Education Loan Developments, and Limited English Proficiency**
Client CLE Presentation

- September 30, 2016 **Vendor Management Update & Trends**
15th Annual Consumer Finance Legal Conference
New Orleans, LA
- September 29, 2016 **Lead Generation Issues: General Vendor Management; Licensing Due Diligence Issues with Broker Licenses (Even for Non-Real Estate)**
15th Annual Consumer Finance Legal Conference
New Orleans, LA
- September 28, 2016 **The CFPB's Outline of the Proposed FDCPA Rules and Potential Implications for Creditors**
15th Annual Consumer Finance Legal Conference
New Orleans, LA
- August 30, 2016 **The CFPB's Potential Proposed Rules for the FDCPA**
NCHER Training Call
- August 2, 2016 **Ask an Attorney**
Coalition of Higher Education Assistance Organizations (COHEAO) Mid-Year Conference
Denver, CO
- August 1, 2016 **The CFPB and Higher Education: Politics, Policy, and Law**
Coalition of Higher Education Assistance Organizations (COHEAO) Mid-Year Conference
Denver, CO
- October 23, 2015 **Current Developments and Future Prospects for Private Education Loans**
14th Annual Consumer Finance Legal Conference
The Ritz-Carlton New Orleans
New Orleans, LA
- October 23, 2015 **Roundtable Discussion: Vendor Management Checklists**
14th Annual Consumer Finance Legal Conference
The Ritz-Carlton New Orleans
New Orleans, LA
- October 23, 2015 **Vendor Management Program Development**
14th Annual Consumer Finance Legal Conference
The Ritz-Carlton New Orleans
New Orleans, LA
- October 16, 2015 **The Path to Success in a Law Firm**
The 4th Annual Case Western Reserve University School of Law Women's Law & Leadership Conference
Cleveland, OH
- October 15, 2015 **The Future of Banking: The Unintended Consequences of Regulations and Compliance**
The CMAA's Bankruptcy & Commercial Law Section and the Turnaround Management Association - Ohio Chapter
"Seeing It From All Sides: Navigating the Course of a Business Deal"
Cleveland, OH
- October 9, 2015 **Developments in Consumer and Commercial Banking Regulation and Supervision**

Ohio State Bar Association Banking Law Institute
Columbus, OH

- September 24, 2015 **The Fine Print: Navigating Key Issues in Today's Legislative and Regulatory Minefield**
Credit Union Student Choice Empower U Partner Summit
Boston, MA
- September 16, 2015 **Beer & Basics: An Introduction and Overview of Select Presentations of the Consumer Financial Services Committee**
American Bar Association Section of Business Law Consumer Financial Services Committee 2015 Annual Meeting Chicago, IL
- August 9, 2015 **Developing a Robust Compliance Management System: Assessing Your Risk and Resources**
ABA Business Law Section Annual Meeting San Francisco, CA
- July 15, 2015 ***Inclusive Communities: Impact on Private Education Loan Market***
NCHER Private Education Loan Committee
Teleconference
- May 20, 2015 **The Consumer Financial Protection Bureau: Key Regulations, Compliance Issues, and the Impact on Insolvency Practice**
O'Neill Bankruptcy Institute Cleveland, OH
- April 18, 2015 **What Commercial Finance Lawyers Need to Know About Lending to Consumer Finance Companies**
ABA 2015 Business Law Section Spring Meeting
San Francisco, CA
- October 16, 2014 **Mortgage Servicing Rule Update: Common Pitfalls, Challenges and Solutions**
13th Annual Consumer Finance Legal Conference
The Ritz-Carlton New Orleans
New Orleans, LA
- October 16, 2014 **CFPB/FTC UDAAP Expansion**
13th Annual Consumer Finance Legal Conference
The Ritz-Carlton New Orleans
New Orleans, LA
- May 15, 2014 **Private Education Loan Modification & Troubled Debt Restructuring**
Student Loan Servicing Alliance Private Loan Committee Meeting
Cincinnati, Ohio
- May 14, 2014 **TCPA Developments**
Student Loan Servicing Alliance Private Loan Committee Meeting
Cincinnati, OH
- May 1-2, 2014 **Collateral Damage: How recent events in other industries may impact the private student loan space**
NCHER Private Education Loan Committee
- January 30, 2014 **Compliance Outlook: TCPA**
American Financial Services Association (AFSA) Webinar

October 17, 2013	<p>CFPB Readiness Programs and Development of Compliance Management Systems</p> <p>12th Annual Consumer Finance Legal Conference New Orleans, LA</p>
October 17, 2013	<p>CFPB Third Party Vendor Management Requirements</p> <p>12th Annual Consumer Finance Legal Conference New Orleans, LA</p>
June 25, 2013	<p>Trends in State Debt Collection Requirements</p> <p>When Massachusetts issued its new debt collection regulations last year, it grabbed everyone's attention. However, there are several states that regulate first party creditors (i.e., lenders and servicers) under their debt collection statutes. We will examine some of the trends in State debt collection laws and regulations, including the regulation of first-party creditors. And, if you are subject to state regulation, you may be required to get a license, so we will also discuss licensing requirements for debt collectors.</p> <p>SLSA/SLSA Private Loan Committee Meeting The Benson Portland, Oregon</p>
June 5, 2013	<p>Ancillary Products - What's the Problem?</p> <p>AFSA/NADA Vehicle Finance Executive Forum Four Seasons Resort & Club Irving, Texas</p>
May 3, 2013	<p>Compliance Issues Subject to Litigation</p> <p>NCHER Private Education Loan Committee Chicago, IL</p>
February 8, 2013	<p>Not-for-Profit Servicing Program: Challenges Presented in Servicing a National Portfolio</p> <p>National Council of Higher Education Loan Resources (NCHER) Winter Legal Meeting Washington, DC</p>
November 9, 2012	<p>Student Loan Bankruptcy Update</p> <p>National Council of Higher Education Loan Resources NCHER Knowledge Symposium Clearwater, Florida</p>
October 18-19, 2012	<p>Expansion of Collection and Licensing Laws Impacting Servicers and Debt Buyers</p> <p>11th Annual Consumer Finance Legal Conference</p>
October 10, 2012	<p>Mortgage Lending Today: Litigation and Regulatory Guide</p> <p>National Business Institute Seminar</p>
July 19, 2012	<p>Legal Issues Update</p> <p>National Council of Higher Education Loan Programs (NCHELP) Debt Management Committee Meeting Indianapolis, Indiana</p>
October 20, 2011	<p>Update on State Pre-Foreclosure Initiatives</p> <p>10th Annual Consumer Finance Legal Conference</p>
October 20, 2011	<p>SAFE Act Final Rule and NMLSR "Expansion"; Unique New York</p>

Issues

- 10th Annual Consumer Finance Legal Conference
- January 1, 2011 **FDCPA Update**
NCHELP Private Loan Committee
Chicago, Illinois
- October 21, 2010 **Debt Collection and Servicer Compliance Issues in an Electronic Age; Servicer and Debt Buyer Licensing; Collection Litigation Issues**
9th Annual Consumer Finance Legal Conference
- October 5, 2010 **State Collection Agency Licensing and FDCPA**
NCHELP Private Student Loan Committee
Des Moines, Iowa
- October 22, 2009 **Servicing Litigation, Debt Collection Compliance and Licensing Issues Under State and Federal Law**
8th Annual Consumer Finance Legal Conference
-

News Results

- May 16, 2018 **Kelly Lipinski Named to Crain's Notable Women in Law**
Crain's Cleveland Business
- March 12, 2018 **McGlinchey Stafford Member Brian McGrath Named 2018 Leadership Council on Legal Diversity Fellow**
- January 25, 2018 **McGlinchey Stafford Speakers at AFSA's Inaugural Law & Compliance Symposium**
McGlinchey News Release
- February 14, 2017 **McGlinchey Stafford Member Richik Sarkar Named 2017 Leadership Council on Legal Diversity Fellow**
McGlinchey News Release
- February 23, 2016 **Heather LaSalle Alexis Named 2016 Leadership Council on Legal Diversity Fellow**
McGlinchey News Release
- January 20, 2015 **Kelly Lipinski Named Leadership Council on Legal Diversity Fellow for 2015**
McGlinchey News Release
- January 16, 2014 **McGlinchey Stafford Elects Kelly Lipinski as a Member of the Firm**
McGlinchey News Release
- September 2, 2011 **Arthur Rotatori and Kelly Lipinski Publish Article in University Business**
- July 10, 2008 **Kelly Lipinski Joins McGlinchey Stafford in Cleveland**