

July 21, 2025

The Honorable Russell Vought
Acting Director
Consumer Financial Protection Bureau
1700 G Street, N.W.
Washington, D.C. 20552

Re: Agency Information Collection Activities Consumer Complaint Intake System
(Docket No. CFPB -2025-0027)

Dear Acting Director Vought:

The American Financial Services Association (AFSA)¹ welcomes the opportunity to comment on the CFPB's existing information collection titled "Consumer Complaint Intake System Company Portal Boarding Form." Issues relating to the CFPB consumer complaint database are of critical importance to AFSA members, and we hope that the CFPB will take active steps to achieve control over the consumer complaint database in accordance with the Congressional mandate that created it.

In this request for comments, the CFPB has asked for comments regarding:

- (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility;
- (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used;
- (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.²

1. Necessity and Practical Utility

When it established the CFPB, Congress mandated the creation of a unit inside the Bureau to "facilitate the centralized collection of, monitoring of, and response to consumer complaints regarding consumer financial products or services."³ In the course of operationalizing this requirement, the CFPB created a Consumer Complaint Intake System Company Portal Boarding

¹ Founded in 1916, the American Financial Services Association (AFSA) is the national trade association for the consumer credit industry, protecting access to credit and consumer choice. AFSA members provide consumers with many kinds of credit, including traditional installment loans, mortgages, direct and indirect vehicle financing, payment cards, and retail sales finance.

² 90 Fed. Reg. 21905 (May 22, 2025).

³ 12 U.S.C. §5493(b)(3).

Form to allow companies to view and respond to complaints submitted to the CFPB. AFSA generally understands the necessity of a form to establish an account for financial institutions to access the complaint portal, but it seems some of the elements of the Boarding Form (OMB No. 3170-0054) are unnecessary. For the purpose of granting access to the complaint portal, it is not clear why the CFPB would need information like:

- Tax ID and Financial Institution numbers,
- URL or website,
- State license information,
- Whether the company is web-based, and
- Identity of subsidiaries.

AFSA respectfully requests that the CFPB take this opportunity to ensure that information requested in the Boarding Form be limited to only necessary elements.

Apart from the Boarding Form, AFSA has significant concerns about the necessity and practical utility of consumer complaint data submitted to the CFPB. Unfortunately, the CFPB has allowed the complaint portal to be overrun with unvalidated and illegitimate complaints that have dramatically burdened financial institutions. In addition, the complaint portal has been effectively weaponized as an alternative forum for credit disputes contrary to the clear provisions of the Fair Credit Reporting Act (FCRA). This abuse of the complaint collection system has resulted in an unduly burdensome process with limited benefits to the CFPB, creditors and consumers.

Currently, there does not seem to be any attempt to impose quality control on consumer complaint portal submissions. A complaint submitted to the portal is not vetted to assure (1) that its author is a human being, (2) that the author actually has an account with a financial institution, (3) that the alleged complaint actually relates to the provision of a consumer financial product or service offered by the named company, (4) that the communication is actually a complaint, as opposed to an inquiry or request for an explanation, and (5) that any of the factual allegations in the complaint occurred.

The effect of this lack of vetting is that financial institutions are obliged to spend significant time and resources devoted to researching and responding to scurrilous and nonsensical complaints.

AFSA members report receiving illegitimate complaints, including complaints from people who are not actually customers of the financial institution receiving the complaint. There are reports of consumer complaints stating that due to illness, the consumer would like the account closed and removed from the consumer's credit file. These are inquiries at best rather than legitimate complaints.

The problem relating to credit disputes is particularly acute. Over the past several years, industry has observed a proliferation of formal (credit repair organizations) and informal (social media) misinformation telling consumers how to clean or repair their credit histories in order to increase their credit scores. Some of these encourage consumers to file form complaints that are effectively credit disputes on the CFPB complaint portal, which is contrary to the provisions of the FCRA.

The FCRA provides that credit disputes are to be initiated by the consumer communicating with a consumer reporting agency or the furnishing creditor directly.

Creditors have optimized their processes to handle legitimate credit disputes from the correct sources. Managing a flood of credit disputes from the CFPB complaint portal is highly inefficient. During the first six months of 2025, one AFSA member reports receiving 300% more complaints relating to credit reporting in the CFPB complaint portal than the company received in all of 2024. This experience is common for AFSA members and likely true for other market participants.

AFSA members report receiving repeat CFPB complaints and simultaneous credit disputes through the proper FCRA mechanisms. We have seen examples of consumers filing multiple CFPB complaints and credit disputes repeating the same information with no new facts. These complaints and disputes can come several times in one month, making it extremely difficult for a creditor to perform an adequate investigation. One AFSA member reports that approximately 70% of complaints received through the CFPB complaint portal relate to a tradeline or an FCRA credit dispute. More than 99% of complaint allegations received cannot be substantiated.

The root cause of this problem is the unchecked dissemination of false and misleading advice to consumers regarding how to “improve” their credit reports and scores. Make no mistake: this advice is not intended to help consumers clear up errors in credit reporting. Rather, this advice empowers people to manipulate the system by flooding it with bogus complaints that take resources away from investigating legitimate disputes. AFSA members see that the complaints they receive have identical, duplicative language making false claims. These complaints are based on templates being shared on social media and other sites. These template complaints are often submitted without customer or account information, thereby making the complaint impossible to analyze or process.

Because the CFPB complaint portal is clogged with complaints that are unreliable, unfounded, false, or duplicative of material on other systems, the necessity and practical utility of the information on the CFPB complaint portal is significantly impaired. Without addressing these conditions, the CFPB cannot rely upon the consumer complaint portal data as a reliable reflection of actual market conditions or actual consumer experiences.

The CFPB should also provide more feedback to financial services providers regarding the adequacy of complaint response or resolution. It would be helpful if providers of consumer financial products and services have access to analytics about the complaints it receives on the consumer complaint portal.

Another area of concern is the CFPB’s practice of publishing consumer complaint narratives. It is not clear that the CFPB has ever articulated a reason why raw consumer complaint content should be made publicly available. As described above, these accounts have little probative value, as the complaint portal allows any person or system to submit unsubstantiated and potentially libelous complaints about any company. It is possible that the motivation to publish narratives is to expose companies to scorn and reputational harm. In any case, the CFPB is not required by statute to

publish complaint narratives.⁴ Without any benefit to the CFPB or industry and in light of the harm caused to creditors of having unverified complaints published for the world to see, AFSA requests that the CFPB cease publishing consumer complaint narratives immediately.

2. Ways to Enhance the Quality, Utility, and Clarity of the Information to be Collected

AFSA is eager to assist the CFPB improve the efficacy of the consumer complaint portal. By reducing the amount of false, illegitimate, or duplicative complaints in the portal, and reducing the volume of form complaints that dilute and inflate complaint data, creditors will be better able to effectively research, resolve, and respond to legitimate complaints. The CFPB will also benefit by having a more reliable source of insights into actual market conditions.

Steps the CFPB should consider to improve the quality of the information in the consumer complaint portal include:

- Reject all complaints that are credit disputes. Credit disputes should be (1) returned to the author with instructions for initiating credit disputes to the consumer reporting agencies and/or the furnisher of the credit data as provided under the FCRA and (2) excluded from complaint analytics and publication.
- Use technology to screen for repetitive complaints. Reject complaints that contain the same information as prior complaints, including template complaints that do not contain adequate customer or account information to be actionable.
- Use technology to screen complaints for actual allegations of harm rather than vague assertions of dissatisfaction.
- Require consumers filing complaints to confirm their identity when filing a complaint.
- Require consumers filing complaints to offer documentary evidence that they have a relationship with the entity about which they are filing a complaint.
- Investigate other means to reduce the number of negligent or intentional misrepresentations in submissions to the CFPB complaint portal.
- Allow companies to make corrections to inaccurate consumer-input data, such as product type, complaint issue or sub-issue.
- Introduce a mechanism for companies to quickly close frivolous complaints.
- Provide financial institutions with feedback regarding the resolution of complaints.

3. Revision to Company Response Timelines to Help Ensure Companies Complete Complaint Verification and Research

Providing additional time to research and respond to complaints will likely lead to clearer data and information about the complaints being submitted. The CFPB's current 15-day non-statutory deadline places a significant strain on a company's ability to verify a complainant's identity, fully research the complaint, and respond in a timely manner especially when there is an unexpected spike in complaints.

⁴ *Id.*

AFSA requests that the CFPB extend its existing 15-day non-statutory response timeline to 30 days. This will drive consistency in complaint response timelines and will also align the response timeline with the OCC and state agencies.

AFSA appreciates the opportunity to provide feedback regarding the CFPB consumer complaint portal. Thank you for your time and attention.

Philip Bohi
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American Financial Services Association