

## Breaking Down the New York City Department of Consumer Affairs New Foreign Language Rules and FAQs

August 10, 2020 – 8:00am PT/10:00am CT/11:00am ET

One (1) RMAI Education Credit toward Certification/Recertification

The New York City Department of Consumer Affairs (DCA) has adopted new rules requiring licensed collection agencies to maintain records of consumer language preferences. The rules require debt collectors to disclose whether they provide "language access services." Debt collectors must also request and record the consumer's language preference. The rules were adopted on May 28, 2020 and became effective June 27. RMAI just received word from the New York City Department of Consumer Affairs (DCA) that they will extend the enforcement Grace Period on their new Foreign Language rule from August 26, 2020 to October 1, 2020. RMAI notified members of the new foreign language rules in Member Alerts distributed on June 12, June 18 and June 26 and continues communications with the DCA.

Some of the rules are unclear, making compliance problematic. RMAI has reached out to DCA raising several concerns and in response, DCA has issued [FAQs](#). Anne Thomas and Don Maurice will discuss the FAQs and whether they resolve open issues like:

- Do the rules apply to creditors?
- What is a "language access service" and does it differ from translation or interpretation services?
- If your organization provides translation or interpretation services, what are the implications if you disclose that these services are "language access services?"
- What is the difference between "Limited English Proficiency" and a "language preference" and why should it matter to your organization?
- If an organization provides translation or interpretation services in a foreign language, must it communicate in that foreign language?
- What other steps can your organization take to comply with the rules and address the ambiguities that are found throughout the new rules.

### Pricing:

**Member:** Free\*

**Non – Member:** \$94

[Register](#)

### Course Presenters:



**Donald Maurice** is a partner at national financial services law firm Maurice Wutscher LLP. For nearly 30 years, Don has counseled the financial services industry in defense and compliance matters. He has litigated in bench and jury trials in both individual and class actions, appearing before federal Circuit Courts of Appeals and as *amicus* counsel before the U.S. Supreme Court. Don also serves as RMAI's Outside Legal Consultant.

Don is peer-rated AV Preeminent by Martindale-Hubbell, the worldwide guide to lawyers. His prior firm was named a "Go-to Law Firm for the Top 500 Companies" and a "Go-to Financial Law Firm" by Corporate Counsel.



**Anne Thomas** has been with Cavalry Portfolio Services, LLC for over nine years and has been in the debt collection industry for over fifteen years. As part of her role, Anne is responsible to design, implement, and monitor the Compliance Management System. In addition, she serves as a member of Cavalry's Compliance Committee. Prior to working at Cavalry, Anne was the managing Attorney at her law office, Thomas Law Offices PLLC in Hawthorne, NY.

Anne is a member of the RMAI Board of Directors, serving as Treasurer and chairs several committees, including the State Legislative Committee. She is also a RMAI Certified Receivables Compliance Professional. Anne is an ACA International ("ACA") Credit and Collection Compliance Officer and has received ACA's Scholar and Fellow designations.

\*One free registration per member company; additional registrations at member rate)