**CONSUMER COMPLAINTS POLICY**

**PURPOSE**

[EMPLOYER'S NAME] places great importance on addressing and resolving consumer complaints promptly and professionally.

The purpose of this policy is to ensure that [EMPLOYER'S NAME] adheres to all relevant federal consumer financial regulations concerning the receipt, tracking, and resolution of complaints. Specifically, this policy aims to ensure that the company:

* Investigates, responds to, tracks, and, when appropriate, takes corrective actions based on complaints made by consumers or their representatives regarding any financial product or service provided by [EMPLOYER'S NAME].
* Provides accurate and timely responses to consumer requests for information about [EMPLOYER'S NAME]’s financial products or services.
* Informs consumers of the proper procedures for submitting requests for information or notifying [EMPLOYER'S NAME] of any disputes.
* Complies with all applicable legal requirements related to consumer complaints or disputes, including those in Montana.

[EMPLOYER'S NAME]’s [DEPARTMENT NAME] is responsible for handling all consumer complaints. Each complaint is logged, tracked, investigated, and responded to in a timely manner. All employees are expected to comply with this policy.

This policy is designed to ensure that [EMPLOYER’S NAME] handling of complaints aligns with relevant federal consumer financial regulations, including, but not limited to, the Fair Credit Reporting Act and the Fair Debt Collection Practices Act.

**DEFINITIONS**

For the purposes of this policy, the following terms are defined as follows:

* Complaint: Any expression of dissatisfaction, which may include, but is not limited to, complaints, error resolution notices, or notices of dispute submitted by a consumer. A complaint may also be submitted by a client of [EMPLOYER'S NAME] or a third-party vendor acting on behalf of the consumer.
* Dispute: A specific type of complaint that involves one or more of the following:
	+ Disagreements about the terms of a consumer’s account (e.g., account type, principal balance, scheduled payment amount, credit limit).
	+ Issues regarding the consumer’s actions or behavior concerning an account (e.g., payment status, high balance, payment date or amount).
	+ Discrepancies in information on a consumer’s credit report that affect their creditworthiness, standing, capacity, reputation, or personal characteristics.
* Disputed debt: A dispute related to a consumer’s responsibility for a debt, including issues such as identity theft or fraud.

**CONSUMER COMPLAINTS**

Overview

Managing complaints effectively is essential to minimize harm to consumers and clients. Complaints often indicate potential compliance issues within [EMPLOYER'S NAME]’s processes, products, or services. Proper handling of complaints presents an opportunity to improve, enhance relationships, and reduce regulatory risks. [EMPLOYER'S NAME] must address all complaints carefully, resolving them promptly and in compliance with applicable regulations.

Complaints may be received through various channels, including phone calls, in-person communication, social media, emails, regulatory agencies, or direct written contact. These complaints may concern legal, regulatory, or product-related issues. All complaints should be treated as legitimate concerns, and a prompt response with accurate information can often prevent escalation. However, some complaints may require further escalation for proper handling.

Receipt and tracking

Upon receiving a complaint from a consumer, [EMPLOYER'S NAME] will acknowledge receipt in writing within [5/[NUMBER]] business days (excluding legal public holidays, Saturdays, and Sundays). All complaints will be logged into the company’s system within [10/[NUMBER]] business days.

Complaint investigation and resolution

[EMPLOYER'S NAME] will respond to a complaint within [30/[NUMBER]] days of receiving it, either by:

* Correcting any identified errors and informing the consumer in writing, including the effective date of the correction and contact information for further support; or
* Conducting a reasonable investigation and providing the consumer with written notification that includes:
	+ A statement confirming no error occurred.
	+ The reasons for the determination.
	+ Information on how the consumer can request documents used in the investigation.
	+ Contact details for further assistance.

If [EMPLOYER'S NAME] requires more time to respond, it may extend the response period by up to [15/[NUMBER]] additional days, provided the consumer is notified in writing with an explanation.

If [EMPLOYER'S NAME] discovers additional errors during the investigation, beyond the consumer’s claim, it will correct these errors and notify the consumer with a written explanation and contact information.

[EMPLOYER'S NAME] may request supporting documentation from the consumer but cannot require it as a condition for investigating the complaint. If the consumer does not provide requested information, [EMPLOYER'S NAME] will still conduct a reasonable investigation.

Upon request, [EMPLOYER'S NAME] will provide the consumer, free of charge, copies of any documents relied upon in the decision, excluding confidential or privileged information. [EMPLOYER'S NAME] will notify the consumer within [15/[NUMBER]] days if any such documents are withheld.

**CONSUMER DISPUTES**

This section applies to complaints that qualify as disputes, or notices of disputes, from consumers under the Fair Credit Reporting Act (FCRA) and/or the Fair Debt Collection Practices Act (FDCPA). Consumers may dispute information reported by [EMPLOYER'S NAME] to credit reporting agencies (CRAs) either directly or through the CRA. If [EMPLOYER'S NAME] is involved in debt collection, consumers may also dispute their liability for the debt.

Indirect disputes

When a CRA informs [EMPLOYER'S NAME] of a consumer dispute, [EMPLOYER'S NAME] must:

* Investigate the dispute and review relevant information provided by the CRA.
* Report the company's findings to the CRA.
* Correct the information provided to any CRA if [EMPLOYER'S NAME]’s investigation finds inaccuracies or incomplete details.
* Modify, delete, or block reporting of the information if it is found to be inaccurate, incomplete, or unverifiable.

Direct disputes

If [EMPLOYER'S NAME] receives a dispute directly from a consumer, [EMPLOYER'S NAME] must investigate the dispute if it concerns:

* The consumer's liability for a credit account or debt with the company.
* The terms of the credit account or debt.
* The consumer’s performance or conduct regarding the account or relationship.
* Any other information related to the account or relationship that impacts the consumer’s creditworthiness.

Dispute investigation and resolution

Upon receiving a dispute, [EMPLOYER'S NAME] must:

* Conduct a reasonable investigation.
* Review all relevant information provided by the consumer.
* Complete the investigation and report the findings to the consumer.
* Notify any CRA that received inaccurate information, correcting it if necessary to ensure accuracy.

Disputed debts

When [EMPLOYER'S NAME] attempts to collect a debt and the consumer disputes it within 30 days, [EMPLOYER'S NAME] must stop collection on the disputed debt or portion until validation is completed. To validate, [EMPLOYER'S NAME] must obtain verification or a copy of the judgment (or creditor details) and send the consumer the necessary verification or judgment details.

Frivolous or irrelevant disputes

[EMPLOYER'S NAME] is not required to investigate disputes that are frivolous or irrelevant, such as:

* Insufficient information provided by the consumer.
* Duplicate disputes with no new information.
* Disputes regarding identifying information, public records, credit repair organizations, or information exempt under 12 C.F.R. § 1022.42(b).

If a dispute is deemed frivolous or irrelevant, [EMPLOYER'S NAME] must notify the consumer within 5 business days, explaining the reason for the determination and any required information needed for further investigation.

Training

[EMPLOYER'S NAME] will provide regular training to all employees, especially those with consumer-facing roles, to ensure compliance with this policy. Personnel should be aware of their obligations related to consumer complaints and understand how to fulfill their role in ensuring compliance.

**COMPLIANCE AND MANAGEMENT**

[EMPLOYER'S NAME]’s [INSERT DEPARTMENT] will regularly review adherence to this policy. Any exceptions found during internal reviews or audits will be reported to the Board of Directors and senior management for tracking and corrective actions.

**ACKNOWLEDGEMENT OF RECEIPT AND REVIEW**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (employee name), acknowledge that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), I received and reviewed a copy of [EMPLOYER'S NAME]’s [NAME OF POLICY]. I understand that it is my responsibility to familiarize myself with the policy and adhere to its terms.

I also acknowledge that this policy is not intended to create an employment contract or alter my at-will employment status, unless otherwise specified in a written agreement signed by an authorized representative of [EMPLOYER'S NAME]. Any delay or failure by [EMPLOYER'S NAME] to enforce the provisions of this policy does not constitute a waiver of its rights to enforce them in the future.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date