

# Banking, Commercial, and Consumer Finance

## Overview

Carlton Fields represents banks and other financial institutions in connection with commercial finance transactions and consumer lending litigation and regulatory matters. Our commercial finance lawyers represent many of the country's largest and most sophisticated institutions, including national and regional banks, in the full range of commercial finance transactions, with an emphasis on commercial real estate and asset-backed financing. Our consumer finance lawyers represent banks, servicers, and other industry clients in high-stakes individual and class action consumer litigation with the goal of limiting or eliminating portfolio-level risk. We also provide regulatory and compliance advice on data security, cyber risk, and compliance with federal and state consumer financial protection laws and regulations.

## Consumer Finance

Carlton Fields has extensive experience representing banks and other financial service industry clients in state, federal and bankruptcy court litigation, and arbitration. In addition to defending banks in high-stakes individual and class action consumer litigation, our lawyers counsel and advise the industry on data security, cyber risk, and compliance with federal and state consumer financial protection laws and regulations, including Consumer Financial Protection Bureau (CFPB) regulations. Learn more about our [consumer finance](#) practice.

## Creditors' Rights and Bankruptcy

Our extensive insolvency, reorganization, and restructuring practice includes the representation of foreign and domestic commercial lenders, creditors' committees, unsecured creditors, Chapter 11 and Chapter 7 trustees, court-appointed receivers, assignees, landlords, bondholders, and purchasers of assets of bankruptcy estates. We have also represented debtors in possession in several large Chapter 11 cases. Learn more about our [creditors' rights and bankruptcy](#) practice.

## Distressed Asset and Workout

We provide strategies and solutions throughout all phases of problem loan resolution, including workouts, litigation, and bankruptcy proceedings. Our representation begins with a thorough review of the debt relationship, which includes an analysis of credit and litigation risk from which we develop a timely, cost-effective strategy. Learn more about our [distressed asset and workout representation](#), and our [real estate workouts and problem loan resolution](#) practice.

## Lending

Our team of commercial lending lawyers offers a multidisciplinary approach that spans the spectrum of real estate finance at all levels of the capital stack. We routinely handle a diverse range of transactions in various roles and capacities, from large, complex structured finance matters to more conservative balance sheet loans, and everything in between. We represent Wall Street investors, life companies, commercial banks, REITs, private equity funds, pension funds, conduits, master and special servicers and rating agencies in a wide range of sophisticated real estate transactions, including the negotiation, documentation, and closing of CMBS, balance sheet, mezzanine, construction, development, and other loans (participations and syndications) involving properties of all types. Learn more about our [lending](#) services.

## Insights

01.29.2024

Can You Live Local? Benefits and Challenges of Developing Affordable Housing in Florida

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07.18.2022

Eleventh Circuit Addresses Potential Conflict Between FDCPA and TILA, Holds That Debt Collector Must Comply With Both

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05.06.2022

Why Every State Should Require Financial Literacy Education, as Florida Does  
*Tampa Bay Business Journal*

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11.04.2021

FTC Sharpens Its Cyber Enforcement Tool by Amending and Expanding the Safeguards Rule

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10.22.2021

Hunstein and the FCCPA

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10.11.2021

Payment for Order Flow (PFOF): Your Questions Answered

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07.19.2021

UPDATED: House Bill 59 Creates Delays on the Filing of New Comprehensive Plan Amendments

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05.12.2021

Food for Thought: Can the Small Business Reorganization Act Be a Path for Restaurant Franchises?

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05.06.2021

Certain Debtors Are Now Eligible to Apply for PPP Loans

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05.05.2021

More Is Not Merrier: Eleventh Circuit Sends Message to Debt Collectors Using Third-Party Vendors

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03.04.2021

COVID-19 Economic Stimulus Programs: Different Countries, Similar Programs  
*Business Law Today*

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01.22.2021

Can Doing Nothing as a Creditor Get You Sanctioned – In re Fulton Part II

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12.28.2020

Stimulus Package Ushers in New Loan Opportunities and Support for Small- to Medium-Sized Businesses / Extends FFCRA Tax Credit

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10.26.2020

Florida's Uniform Commercial Real Estate Receivership Act

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07.24.2020

Florida's New Receivership Act Offers Some Clarity for Commercial Real Estate Stakeholders

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07.23.2020

Bank Regulator Clarifies Crypto Custody Rules

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06.24.2020

Is the CARES Act Caring Enough?

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06.10.2020

Federal Reserve Board Expands Main Street Lending Program

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05.14.2020

Lessons Learned: Receiverships

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05.04.2020

Update on the Reserve Board's Main Street Program: Moves to Assist Larger Businesses

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04.24.2020

New Funds Available Under the Small Business PPP and EIDL Programs

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04.23.2020

Economic Impact Payments Authorized by the CARES Act Are Not Exempt From Garnishment in Florida

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04.10.2020

Federal Reserve Moves to Assist Larger Businesses

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03.31.2020

Small Business Administration Loans Summary Under the CARES Act

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02.10.2020

Big Changes for Small Business Bankruptcies

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01.25.2020

Can Doing Nothing as a Creditor Get You Sanctioned?

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12.23.2019

Changes to Florida Notarization Statutes Effective January 1, 2020

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04.17.2019

Senate Follows House Seeking to Make Cannabis Banking "S.A.F.E."

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04.01.2019

Caps Off to You: DOL Proposes Raising Salary Cap

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04.01.2019

Is Cannabis Banking "SAFE"? Marijuana and Its Secure and Fair Enforcement

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11.19.2018

Three Takeaways from the DOL's New Labor Condition Application Form

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10.01.2018

NIST Provides Guide and Example Solution for IT Asset Management

---

10.01.2018

In California, a New Era in U.S. Privacy

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09.26.2017

Jump in Credit Scores Means Dip in Underwriting Predictability

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09.30.2006

Fringe Banking

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05.30.2006

Journey to the Fringe: A Survey of Select Fringe Lending Products

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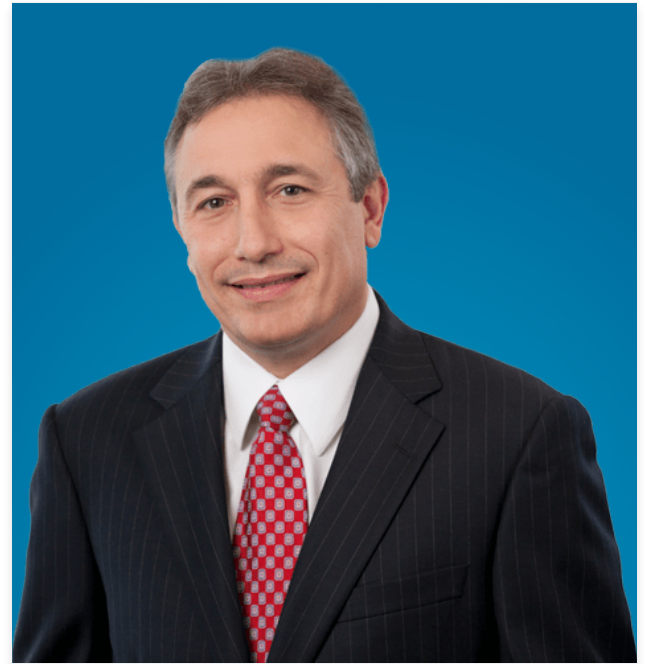
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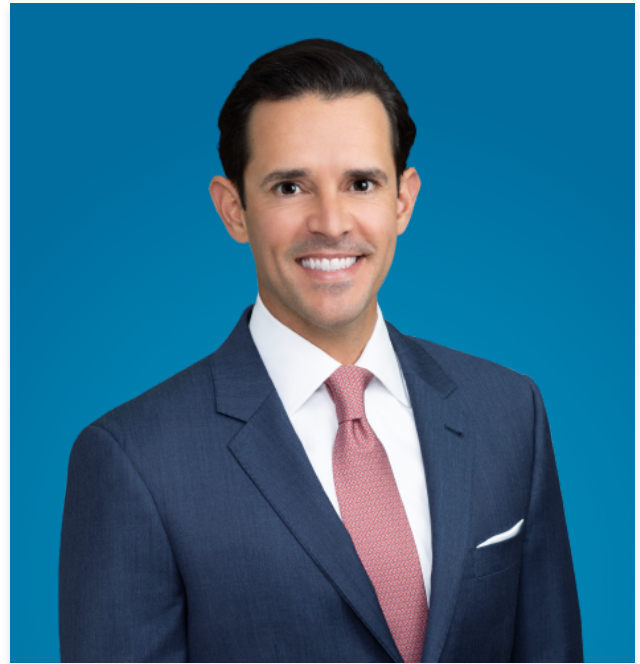
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## Related Capabilities

### Practices

- Appellate & Trial Support
- Business Transactions
- Consumer Finance
- Creditors' Rights and Bankruptcy
- Cybersecurity and Privacy
- Distressed Asset and Workout
- Financial Services Regulatory
- Institutional Investment and Finance

### Industries

- Life, Annuity, and Retirement Solutions
- Technology
- Real Estate
- Health Care

- Litigation and Trials
- Real Property Litigation
- Title Insurance
- Real Estate Workouts and Problem Loan Resolution
- Public and Private Offerings
- Estates, Trusts and Probate
- International: Asia
- International: Brazil
- International: Cuba
- International: Europe
- International: Latin America
- International: Mexico
- Investment and Ownership
- Lending
- Development
- Technology
- Real Estate
- Securities Transactions and Compliance
- Public-Private Partnerships
- Private Equity and Venture Capital
- Mergers and Acquisitions
- Investment Funds
- Corporate Law and Governance
- Construction Transactions
- International Privacy Compliance
- Technology & Intellectual Property Transactions
- Intellectual Property Litigation
- International Litigation & Arbitration
- Employee Benefits, Compensation & ERISA
- Discrimination
- Antitrust and Trade Regulation
- Tax Litigation & Controversy
- Blockchain and Digital Currency

- AdTech
- False Claims Act, Qui Tam, and Whistleblower Defense
- Internal Investigations
- Eminent Domain
- White Collar Crime & Government Investigations
- Tax
- Securities Litigation and Enforcement
- Multifamily Finance and Affordable Housing
- Health Care
- Labor & Employment
- Education
- Government Law & Consulting
- Class Actions
- Cannabis Law