

# How the CFPB Constitutionality Case Will Play Out

February 17, 2017

Carlton Fields Special Counsel Sarah Auchterlonie was quoted in the *National Mortgage News* article, “How the CFPB Constitutionality Case Will Play Out.” The article discusses the lowered firing odds for the Consumer Financial Protection Bureau’s director, Richard Cordray, with their temporary legal victory. Auchterlonie shared:

*Once the panel ruling came out the market decided that it was back to business as usual until the D.C. Circuit accepted the appeal. Because we don't have a good regulation that matches the market right now, there is a lot of uncertainty. One potential outcome is that the appeals court could remand the case back to the CFPB, which would have to refile their charges against PHH with a different rationale. Such an outcome would not resolve many of the underlying questions about RESPA. It's an area that has the entire mortgage lending community concerned.*

[READ the article.](#)

## Related Practices

[Consumer Finance](#)

