



DEPARTMENT OF  
INSURANCE AND  
FINANCIAL SERVICES

## OFFICE OF CONSUMER FINANCE

### Frequently Asked Questions for Consumer Finance Licensee, Registrants, and Applicants

*Affected by Coronavirus Disease 2019 (Referred to as COVID-19)*

#### CONSUMER FINANCE INDUSTRY FAQs

- 1. I am a licensee under one of the licensing statutes administered by the Michigan Office of Consumer Finance (OCF). Does Governor Whitmer's Executive Order 2020-42 regarding the temporary requirement to suspend activities that are not necessary to sustain or protect life require that I close my business while the order is in effect?**

No. The financial services sector is identified as Critical Infrastructure Sector by the Director of the U.S. Cybersecurity and Infrastructure Security Agency in his guidance of March 19, 2020 on the COVID-19 response. Licensees and registrants under the Mortgage Brokers, Lenders and Servicers Licensing Act, Secondary Mortgage Loan Act, Mortgage Loan Originator Licensing Act, Regulatory Loan Act, Deferred Presentment Service Transaction Act, Consumer Financial Services Act, Debt Management Act, Money Transmission Services Act, Motor Vehicle Sales Finance Act, and Credit Card Arrangement Act are considered part of the financial services sector. Please review the following Bulletins for further information:

- [Bulletin 2020-11-BT/CF/CU](#)
- [Bulletin 2020-13-BT/CF/CU](#)

- 2. The guidance provided in Bulletins 2020-11-BT/CF/CU and 2020-13-BT/CF/CU concerning the specific industries included within the term "financial services" as used in Executive Order 2020-42 includes inspectors. Is the activity of inspectors limited?**

Nothing exempts critical infrastructure workers from the requirements under Executive Order 2020-42 that any work must be completed remotely wherever possible. Where it is not possible to complete that work remotely, it may occur subject to all applicable conditions in Executive Order 2020-42, such as social distancing practices and other mitigation measures to protect workers and patrons. Inspectors are included under the term "financial services" only to the extent that a loan program or an existing purchase agreement requires an inspection by a qualified inspector before the transaction can be completed. Any inspection activity conducted must abide by all applicable conditions in Executive Order 2020-42, such as social distancing practices and other mitigation measures to protect workers and patrons. Additionally, nothing in the bulletin requires the use of an inspector in connection with a transaction or that an inspector accept an assignment.

- 3. Will OCF continue with 2020 examinations?**

Yes. OCF will continue conducting its examinations for 2020. However, we have moved towards conducting our examinations off-site during the COVID-19 pandemic. We continue to appreciate your patience and cooperation in providing (securely) as much information as possible via remote means; critical examination functions which are impossible to complete offsite may be rescheduled for a later date. If any licensee finds themselves in a position unable to facilitate such an examination, please contact Jim Westrin at 517-284-8611 or [WestrinJ1@michigan.gov](mailto:WestrinJ1@michigan.gov) directly to discuss the situation.

Information around this outbreak is changing rapidly. As such, this document will be updated as more information is available.

#### 4. Will OCF services be reduced?

No. OCF is adjusting our internal operations as needed, to ensure uninterrupted availability to you and uninterrupted processing of examinations and licensing activities. Applications will continue to be processed, calls answered, examinations performed, and we will work to keep you informed of any changes. As of March 16, 2020, only off-site examination functions are being performed, with critical reviews which cannot be performed offsite being postponed to a later date. Conditions will continue to be monitored in order to determine when on-site examination functions may resume. Rescheduling of full examinations is occurring on a case-by-case basis, with accommodations being made wherever possible and prudent.

#### 5. Has FinCen identified emerging fraudulent transaction trends since the onset of COVID-19 outbreak?

Yes. On March 16, 2020, FinCEN [issued a press release](#) related to the COVID-19 and encourages financial institutions to communicate concerns and remain alert to related illicit financial activity, including the following:

- **Imposter Scams:** This trend includes bad actors that impersonate government agencies (such as the Centers for Disease Control), international organizations (such as the World Health Organization), or healthcare organizations in order to solicit donations, steal personal information, or distribute malware.
- **Investment Scams:** This trend includes promotions that falsely claim that the products or services of a publicly traded company can prevent, detect or cure the coronavirus or COVID-19.
- **Product Scams:** This trend covers the sale of unapproved or misbranded products that make false health claims pertaining to COVID-19, including by companies that have received public warning letters or statements from the U.S. Federal Trade Commission and the U.S. Food and Drug Administration. The Guidance notes that FinCEN has also received reports relating to the fraudulent marketing of COVID-19 related supplies, including facemasks.
- **Insider Trading:** FinCEN has also received reports of suspected insider trading related to COVID-19.

#### 6. What strategies should we consider in working with consumers during this time?

OCF encourages licensees to work with affected consumers in addressing the impact and challenges resulting from COVID-19. Strategies to consider may include:

- Waiving or reducing late fees.
- Offering payment accommodations where appropriate.
- Adjusting or modifying terms on existing loans where possible and appropriate.

#### 7. I have closed or reduced access to my office due to COVID-19. What should I do?

If you have closed your office due to COVID-19, please send notification of such closure to the OCF by email to [DIFSOCFinquiriesandInfo@michigan.gov](mailto:DIFSOCFinquiriesandInfo@michigan.gov). Please mark your message "High Importance" and include OFFICE CLOSURE COVID-19 in your subject line. Include in your email (1) the dates that you plan to be closed; (2) how you have provided notice to your customers of the closure and any information that you provided them regarding alternative ways that they may contact you, make payments, make inquiries, or file complaints; (3) the name, phone number, and email address that customers may use to contact you; and (4) the name, phone number, and email address that OCF may use to contact you.

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**8. Is DIFS currently processing non-NMLS applications and amendments? If so, where do I send them?**

Yes, DIFS is currently accepting credit card, debt management, deferred presentment, and motor vehicle installment seller and sales finance applications and amendments during the Covid-19 pandemic.

Applications should be mailed to the following address:

DIFS – CFLU  
PO Box 30220  
Lansing, MI 48909-7720

Please DO NOT use overnight mail at this time.