What Does the CFPB's Withdrawal of Guidance Documents Mean for Bank Compliance

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On May 12, 2025, the Consumer Financial Protection Bureau (CFPB) announced the withdrawal of various guidance, interpretive rules, policy statements, and advisory opinions issued since the CFPB assumed its functions in 2011. See Federal Register published (2025-08286.pdf). Financial service providers and their compliance staff will want to carefully evaluate what this means for their operational, compliance and risk management practices.

Historically, financial service providers have studied and even applied as appropriate the multitude of the non-binding policy guidance the CFPB has issued over its history. However, Russell Vought, as acting director of the CFPB, notes in the background section of the Federal Register publication that some of the CFPB's guidance under current review standards impermissibly ventured far afield from the statute or regulation from which it purportedly arose and often was issued without following the provisions of the Administrative Procedure Act. The Federal Register notice also indicated that the guidance documents were withdrawn based upon principles outlined in Executive Order 13891 issued by President Trump during his first term on October 9, 2019.

The guidance withdrawn included the following:

- Eight policy statements
- Seven interpretive rules
- Thirteen advisory opinions
- Thirty-nine other guidance documents consisting of circulars, bulletins, and policy guidance

The effective date of the CFPB guidance document withdrawals was May 12, 2025. This action touches upon a broad range of important operational concerns, including staff employment, loan servicing, unfair deceptive abusive acts and practices (UDAAP), account agreement drafting, credit reporting, indirect auto lending and other areas. As is the case whenever new guidance is issued, the withdrawal of any guidance likewise poses new options—and attendant risks and rewards—for those offering financial products and services.

Practice Pointer

Financial services companies should evaluate their policies, procedures and programs to determine whether those documents should be revised in light of the CFPB's withdrawn guidance documents. Frost Brown Todd's consumer financial services team has the institutional experience and know-how to assist financial institutions in navigating the evolving regulatory compliance landscape. For more information, please contact the authors or visit our Consumer Financial Services & Protection page.

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