

People



Thomas J. Kearney

Chair, Data Privacy and Security

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A former regulatory lawyer at the Consumer Financial Protection Bureau, Thomas Kearney helps lenders, financial and regulatory technology companies, banks, investors, and other financial services providers navigate issues arising under financial services laws, including TILA, HMDA, ECOA, FCRA, GLBA, EFTA, and RESPA. Thomas works with clients to operationalize state and federal laws and regulations, ranging from implementing the recent HMDA amendments to assessing program compliance with information privacy, data breach, and cybersecurity requirements. He counsels fintechs, regtechs, and vendors on developing and maintaining compliant technology and data systems. He advises on transactional matters, evaluates UDAAP risk, provides guidance on state licensing issues, and interfaces with government agencies on behalf of clients.

Thomas joined Akerman from the Consumer Financial Protection Bureau's Office of Regulations, where he played a key role developing and drafting multiple mortgage originations related rulemakings. He led the team responsible for the Home Mortgage Disclosure Act rulemakings. Thomas was substantially involved in the CFPB's Truth in Lending Act – Real Estate Settlement Procedures Act Integrated Disclosure (Know Before You Owe) rulemaking and the Ability-to-Repay and Qualified Mortgage rulemakings. He also worked on various CFPB outreach efforts regarding the Dodd-Frank Act Title XIV rulemakings, and handled guidance for industry and other CFPB offices on legal and regulatory issues arising under TILA, HMDA, FCRA, and RESPA. He was also responsible for providing regulatory guidance on supervisory matters to the OCC, FDIC, and other prudential regulatory agencies.

Prior to the CFPB, Thomas worked for several years as in-house counsel for a mortgage technology company providing compliance services to national banks, securitizers, non-depository mortgage lenders and other financial services companies. During his time in-house, he specialized in issues related to federal and state consumer credit and bank regulatory regimes, including state licensing requirements, as well as program requirements for loans owned by

Areas of Experience

Consumer Financial Services, Data and Technology (CFS+)
Data Privacy and Security
Technology Transactions

Education

J.D., University of Southern California Gould School of Law, 2004
B.A., Rutgers University, Economics and History, 2001, cum laude, Phi Beta Kappa

Admissions

Bars

District of Columbia
California

Related Content

Akerman Represents Trivest Partners, L.P. in Its Sale of HighGround Restoration
March 19, 2025

Akerman Represents H2 Health in Partnership with Valir Outpatient Clinics
January 27, 2025

Akerman Represents Yingling Aviation in Acquisition of Global Engineering & Technology, Inc.
January 14, 2025

Fannie Mae/Freddie Mac or insured by the Federal Housing Administration/Veterans Administration.

Thomas is a frequent speaker on consumer financial services topics and is actively involved with several trade associations. He currently serves on the Housing Finance Subcommittee of the American Bar Association's Consumer Financial Services Committee.

Prior Professional Experience

- Consumer Financial Protection Bureau, 2011-2015
- Mavent Inc./Ellie Mae, Inc., 2005-2011

Published Work and Lectures

- Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference, Speaker, "Data Protection and Privacy Challenges," May 2021
- Mortgage Bankers Association Spring Conference and Expo 2021, Speaker, "The Big Picture: Strategic Structuring Decisions," April 2021
- *The Review of Banking & Financial Services*, Co-Author, "Overview of the CFPB's Efforts to Foster Innovation and Provide Guidance to Industry," August 2020
- *Journal of Financial Compliance*, Co-Author, "Cross-Border Crosswalk: An Overview of Canadian and US Banking and Consumer Financial Services Regulators," June 11, 2020
- *The Business Lawyer*, Co-Author, "Regulation Across the Border: Developments in Canadian and U.S. Consumer Financial Services," Spring 2020
- American Conference Institute's 26th National Forum on Residential Mortgage Regulatory Enforcement and Litigation, Speaker, "Privacy and Data Security: CCPA and Forecasting What to Expect as Consumers Become More Conscious of Their Privacy Rights," October 2019
- American Bar Association, 10th National Institute on Consumer Financial Services Basics, Speaker, "Mortgage Origination and Servicing," October 2019
- MBAC 64th Annual Convention, Speaker, "Data Privacy," October 2019
- Mortgage Bankers Association Regulatory Compliance Conference, Speaker, "IT for Compliance Professionals," September 2019
- Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference, Speaker, "Data Security and Privacy Update," May 2019
- American Bar Association (ABA) Business Law Section Spring Meeting, Speaker, "Cross-Border Mortgage Regulation – Stress Tests v. Qualified Mortgages," March 2019
- Ellie Mae Experience 2019, Speaker, "When is Communication an Advertisement," March 2019
- CRA and Fair Lending Colloquium 2018, Speaker, "HMDA Data: The Ultimate Transition Year," November 2018
- Chicagoland Compliance Association Annual Conference, Speaker, "Privacy, Cybersecurity, and Fair Lending – New Developments and Compliance Challenges," October 2018
- Mortgage Bankers Association Regulatory Compliance Conference, Speaker, "Compliance Challenges of Alternative Communications Channels," September 2018

- Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference, Speaker, “Controlling the Narrative: Using Internal Data for Better Market Penetration” and “HMDA Compliance Q&A,” April 2018
- Ellie Mae Experience 2018, Speaker, “HMDA In Focus: 2018 and Beyond,” March 2018
- Consumer Bankers Association 2018 CBA Live, Speaker, “HMDA Data & Analytics: How Are You Utilizing the New Data?,” March 2018
- American Bar Association, Consumer Financial Services Committee 2018 Winter Meeting, Speaker, “HMDA – Privacy, Implementation, and New Developments,” January 2018
- American Bar Association, Eighth Annual National Institute on Consumer Financial Services Basics, Speaker, “Mortgage Origination and Servicing,” October 2017
- Mortgage Bankers Association Regulatory Compliance Conference, Speaker, “HMDA Workshop Part II: Critical Data Point Overview” and “HMDA Issues Resolved and Still Open,” September 2017
- Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference, Speaker, “Critical Data Point Overview: The URLA and Other Data Point Issues, Part II” and “Six Months and Counting... HMDA Rule Major Issues and Concerns,” May 2017
- Mortgage Bankers Association Chicago HMDA Implementation Workshop, Speaker, “Critical Data Point Overview: The URLA and Critical Data Point Issues,” March 2017
- Mortgage Bankers Association National Technology in Mortgage Banking Conference & Expo 2017, Speaker, “Getting Your HMDA Implementation Right,” March 2017
- Mortgage Bankers Association National Technology in Mortgage Banking Conference & Expo 2017, Speaker, “HMDA Update,” March 2017
- American Bar Association Consumer Financial Services Committee 2017 Winter Meeting, Speaker, “Fair Lending Under the Amended HMDA: Implementation and Beyond,” January 2017
- American Bar Association, Seventh Annual National Institute on Consumer Financial Services Basics, Speaker, “Mortgage Origination,” October 2016
- Mortgage Bankers Association Los Angeles HMDA Implementation Workshop, Speaker, “Understanding the HMDA Data Points,” September 2016
- Mortgage Bankers Association Regulatory Compliance Conference 2016, Speaker, “HMDA Workshop - Deep Dive into Data Points,” September 2016
- American Bar Association 2016 Business Law Section Annual Meeting, Speaker, “An In-depth Look at HMDA Issues,” September 2016
- Mortgage Bankers Association Austin HMDA Implementation Workshop, Speaker, “Understanding the HMDA Data Points,” June 2016
- *Law360*, Co-Author, “The CFPB’s Proposal for an Arbitration Archive: Design, Implementation, and Privacy Considerations,” April 2016
- Ellie Mae Experience 2016, Speaker, “Organizational Compliance Management Insights & Strategies,” March 2016
- Ellie Mae Experience 2016, Speaker, “Recent Regulation Updates (Everything non RESPA-TILA),” March 2016

- Consumer Bankers Association 2016 CBA Live, Speaker, “HMDA Expansion: It’s a Risky Business,” March 2016
- American Bar Association Consumer Financial Services Committee 2016 Winter Meeting, Speaker, “The Revised HMDA Rule: Changes, Challenges and Litigation,” January 2016

Affiliations

- American Bar Association, Consumer Financial Services Committee, Housing Finance Subcommittee, Co-Vice Chair
- American Bar Association, Business Law Section, Member
- State Bar of California, Business Law Section, Member