

Position Summary

The Senior Legal Counsel I position reports directly to the Chief Legal Counsel for Consumer Lending and participates as a member of the Consumer Banking Legal Team. The position will be based in Plymouth, Minnesota, and will support business lines of TCF Financial Corporation (and its affiliates) (“TCF”) that service consumer loans, including loans secured by 1-4 family residential real property, as well as the deposit collections group.

TCF is seeking a consumer loan servicing attorney with strong academic and professional credentials that includes 8+ years practicing law in an in-house legal department of a financial institution, a bank regulatory agency, or a law firm that represents financial institutions.

The position requires a working understanding of consumer loan servicing, including collections, loss mitigation, foreclosure, and bankruptcy, and applicable federal and state laws and regulations that govern them, to provide legal advice and regulatory support to business lines engaged in consumer loan servicing activities. The position also requires knowledge of federal and state laws governing deposit collections.

The successful candidate will be expected to help analyze and address legal risks associated with consumer loan servicing, to provide transactional support, to assist with development of consumer disclosures, to assist in response to consumer complaints, to help resolve legal issues as they arise, and to provide legal advice in connection with implementation of business strategy. The ideal candidate will have some expertise in laws governing the origination and servicing of loans secured by 1-4 family residential real property, the ability to work with limited supervision, and the ability to communicate effectively both verbally and in writing.

Major Areas of Accountability

- A. Represents TCF in consumer loan servicing and deposit collections matters, preparing and/or reviewing account documents and disclosures, resolving legal issues as they arise, performing legal research and analysis, and assisting in resolving legal claims, consumer complaints and other legal issues.
- B. Provide in-depth expertise and advice on federal and state laws applicable to consumer loan servicing, foreclosure, loss mitigation, bankruptcy and deposit collections, including the Truth in Lending Act (such as requirements regarding ARM adjustment notices, periodic billing statement and treatment of credit balances), Real Estate Settlement Procedures Act (such as requirements regarding error resolution procedures, general servicing procedures, requests for information, forced placed insurance, and loss mitigation), Fair Credit Reporting Act, Equal Credit Opportunity Act, Fair Housing Act, Fair Debt Collection Practices Act, the U.S. Bankruptcy Code, UDAAP, and state laws governing consumer loan servicing and foreclosure.
- C. Work with representatives from consumer loan servicing and deposit collections on developing and modifying forms, training materials, policies, practices and procedures to conform to legal requirements. Ensure all forms, policies and procedures of TCF

comply with all applicable laws and regulatory requirements. Formulate and implement corporate legal policy concerning consumer loan servicing and deposit collections.

D. Draft, review and revise legal documents and contracts related to consumer loan servicing and deposit collections.

E. Identify, research and analyze relevant federal, state and local requirements and translate the requirements into pragmatic business solutions.

F. Act as a liaison with outside law firms.

G. Represent TCF in significant corporate litigation and legal transactions.

H. Keep informed of legislation, regulation, and case law affecting consumer loan servicing, foreclosure, loss mitigation, bankruptcy and deposit collections and advise business as to potential impacts.

I. Plan and determine course of action regarding legal disputes, including the commencement or defense of litigation and the disposition of litigation.

J. Advise and represent TCF on a variety of legal matters before regulatory agencies, including examinations, and requests for interpretive guidance.

K. Lead with integrity, demonstrate ethical behavior, and set an example for regulatory compliance at the department and business levels.

L. Review record retention schedules for consumer loan servicing and deposit collections business lines.

Minimum Qualifications

Education

Required:

- Juris Doctorate and admitted to practice law, and in good standing, in the State of Minnesota. Attorney candidates must be in compliance with all relevant licensing requirements, including the requirements of the State of Minnesota prior to commencement of employment.

Required Work Experience/ Skills

- 8+ years related work experience in legal department of a financial institution, bank regulatory agency, or law firm representing financial institutions.
- Ability to deal effectively and confidently with attorneys, business leaders, and management.
- Extensive knowledge of laws, rules and regulations which affect consumer loan servicing, foreclosure, loss mitigation, bankruptcy and deposit collections.
- Experience in communicating legal issues, strategies and recommendations to clients, and in translating legal requirements into written materials and oral presentations
- Experience in effectively advising clients in the development or modification of products and services, as well as in developing or modifying compliance policies, procedures and training programs
- Excellent communication skills, both written and verbal.
- Demonstrated credibility with business leaders, legislative bodies, supervisory authorities and government agencies.
- Strong interpersonal and facilitator skills.
- Ability to travel periodically as needed.

Preferred Work Experience/ Skills

- Proficiency with Microsoft Office, Adobe, Excel and SharePoint as well as other systems and software packages.
- Experience working with state or federal banking regulators and enforcement agencies
- Fundamental knowledge of the laws and regulations governing the servicing of mortgage loans and deposit collections.

Supervisory Responsibilities

- May informally supervise paralegals and/or legal assistants