



## C. Charles Townsend

### Partner in Charge of Dallas Office

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Charles Townsend represents national mortgage lenders and servicers in complex litigation and regulatory compliance matters. He has an authentic knowledge of the mortgage industry, having served within Bank of America, N.A., as senior vice president and assistant general counsel.

Charles advises clients across the consumer financial services industry on operational, regulatory, and compliance issues. He regularly performs audits, develops and enhances processes within a regulatory and compliance framework, coordinates responses to regulatory inquiries, and identifies and resolves systemic issues that may expose clients to risk.

In addition, he has significant experience litigating claims arising under the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Fair Credit Reporting Act (FCRA), Equal Credit Opportunity Act (ECOA), Fair Housing Act (FHA), Fair Debt Collection Practices Act (FDCPA), and those based on state fair lending, collection, and deceptive trade practice laws. He has managed litigation and investigations initiated by state and national regulatory and enforcement agencies and inquiries initiated by Congress members.

Charles is the Partner in Charge of the firm's Dallas office. Prior to joining Hinshaw, he was the founding office managing partner of a national law firm's Dallas office and served on its board of directors. Early in his career, he was a legislative assistant for the Office of Texas State Senator John Carona.

## Professional Affiliations

- Southwest Transplant Alliance, Board of Directors
  - Governance and Compliance Committee

## Representative Matters

### Mortgage Litigation

- Obtained summary judgment for investor relating to property involved in multimillion-dollar national title jacking. *Bank of N. Y. Mellon v. Fazli*, No. 471-2771-2019 (471st List. Ct., Collin County, Sept. 24, 2021)
- Successful representation of investor in defense of allegations a foreclosure was barred by quasi and equitable estoppel. *MTGLQ Inv'rs v. Alexander*, No.

## Practices

Consumer Financial Services  
Fair Credit Reporting Act  
The Telephone Consumer Protection Act  
Mortgage Servicing and Lender Litigation  
Regulatory and Compliance Counseling

## Industries

Banking & Finance

## Education

J.D., Southern Methodist University Dedman School of Law, 2000

B.A. Government and Sociology, University of Texas at Austin, 1996

## Admissions

Arizona

Texas

U.S. Court of Appeals for the First and Fifth Circuits

U.S. District Court for the District of Colorado

U.S. District Court for the Northern District of Florida

U.S. District Court for the Eastern, Northern, Southern, and Western Districts of Texas



20-20528, 2021 WL39214418 (5th Cir. Sept. 2021) (per curiam)

- Obtained summary judgment for investor and servicer finding restraining order tolled the statute of limitations, and the servicer effectively abandoned prior accelerations. *Cross v. Bank of N.Y. Mellon*, No. 21-20384, 2022 WL 1056093 (5th Cir. Apr. 8, 2022) (per curiam)
- Obtained trial judgment in favor of investor and servicer, allowing the investor's proof of claim and finding the statute of limitations had not expired because the servicer waived note acceleration on multiple occasions. *Jensen (In re Jensen) v. Bank of N.Y. Mellon*, No. 20-01199-KHT (Bankr. Co. Mar. 22, 2022)

### **Regulatory Compliance**

- Represented a major financial institution in developing, managing, and sustaining a national vendor management program. Identified risks, established compliance procedures, and successfully onboarded a 250-employee support team.

### **Litigation Avoidance**

- Serves as legal advisor to lines of business at leading banks and loan servicers, develops strategic priorities, identifies procedural gaps that may lead to exposure, and manages lawsuits when they occur.

### **Internal Reviews**

- Successfully led an over 10,000 loan lookback review for a national bank focusing on default servicing fees and loss mitigation.

## **Publications**

- Co-Author, Chapter 3, "Real Estate Settlement Procedures Act, Mortgage Servicing Rules, and TRID," *Consumer Financial Services Answer Book, 2024 Edition*