



Clayton C. Swears

May 30th, 2024

Professional Experience



Clay has extensive experience navigating the state and federal regulatory hurdles that impact consumer and commercial credit programs, with a focus on the development, maintenance, and review of those programs. As a partner in our Maryland office, he assists all manner of licensed companies, depository institutions, and investors with:

- Consumer and commercial loan programs, including installment, revolving, mortgage, and automobile finance programs
- State licensing issues related to loan and credit programs, money transmitter and money services businesses, bank partnerships, servicing and collection operations, and real estate brokerages
- Guidance on licensing requirements, including the process for obtaining and maintaining licenses, and addressing ownership or control changes

Clay's extensive experience with state law ensures that clients can effectively navigate complex regulatory requirements across local and nationwide lending programs.

A member of the American Bar Association's Section of Business Law and the Maryland and District of Columbia Bar Associations, Clay is committed to helping clients manage compliance challenges.

Clay earned his J.D. *magna cum laude* from The University of Maryland School of Law, where he was inducted into the Order of the Coif. He holds a B.A. in Business Management, *summa cum laude*, from Washington College, where he graduated as First Honor Graduate.

His experience in regulatory compliance and licensing makes him a key resource for institutions and lenders seeking to navigate the complex landscape of financial services law.

Outside of work, Clay and his wife stay busy shepherding their two kids to soccer and rock climbing outings.

Practice Areas

Automotive and Personal Property Finance and Leasing

Professional Affiliations & Certifications

- Member, American Bar Association, Section on Business Law
- Member, Maryland State Bar Association
- Member, District of Columbia Bar

Publications

- “State Licensing Pitfalls Mortgage Servicers Must Beware,” *JD Supra*, July 2024.
- “Company Violates Mortgage Law by Holding Servicing Rights without License,” *JD Supra*, June 2024.
- “Arkansas Limits Use of License Plate Readers for Repossession,” *JD Supra*, March 2024.
- “Florida Regulator Clarifies Money Transmitter Licensing Exemptions (or lack thereof),” *JD Supra*, December 2023.
- “Are Your Employees Taking Loan Applications? The Reach and Consequence of Mortgage Loan Originator Licenses,” *JD Supra*, October 2023.
- “[Change in Control Considerations for Investments in Licensed Financial Services Companies](#),” *JD Supra*, December 2020.