



Patricia E.M. Covington

June 3rd, 2024

Professional Experience



Patty has 33 years of experience working with clients, focused on results. She has worked both in-house and in private practice. She focuses on all areas of consumer financial services law, with significant experience in auto finance, fintech, installment lending, federal regulatory compliance, CFPB-readiness, privacy, data security, electronic transactions, lead generation and marketing. When working with clients, Patty is inquisitive. She seeks to understand the company's ultimate goal or business purpose to appropriately analyze the risks and legal issues involved. She counsels banks, sales finance companies, fintech companies, motor vehicle dealers, installment lenders, service providers, and technology providers on regulatory compliance and risk management.

With extensive experience in federal and state consumer finance, Patty helps clients:

- Develop, implement and maintain compliance management systems, and targeted compliance programs.
- Undergo federal and state regulatory exams, including preparing for, working through, and responding to findings and issues raised during the exam.
- Stand up new finance companies, from licensing issues and product development, to establishing the compliance management system infrastructure.
- Expand into new jurisdictions, including considering state-specific risk issues, compliance requirements and relationships with regulators.
- Consider the legal and regulatory issues and risks related to new product and feature development.
- Review existing compliance functions and the issues that arise within them, including reviewing materials and processes, identifying gaps and deficiencies, recommending remediation, and enhancing risk management.
- Conduct Board and senior management training and presentations.

Before joining Hudson Cook, Patty was with CarMax Auto Superstores, Inc., where she managed the legal department's business operations group. In this role, she oversaw compliance with federal and state laws governing motor vehicle retail sales, vehicle and voluntary protection product financing, dealer regulations, electronic transactions, franchise laws, privacy, data security, and data management. In addition to playing a key role in implementing regulatory compliance

programs, Patty led dealership acquisition projects, including negotiation, documentation and due diligence.

From 1992 to 1997, Patty was an attorney at Maloney, Barr & Huennekens, P.C., where she represented banks, creditors, and Chapter 7 bankruptcy trustees in commercial loan transactions, bankruptcy matters, and corporate mergers and acquisitions.

Patty is a recognized leader in the consumer finance industry. She was named to the inaugural Women in Auto Finance list by Auto Fin Journal and is a Fellow of the American College of Consumer Financial Services Lawyers. She co-founded the National Automotive Finance Association's Consumer Credit Compliance Certification Program. She was President of the National Association of Dealer Counsel. Patty has also been actively involved in several industry associations, including:

- American Bar Association's Business Law Group, Consumer Financial Services Committee
- National Automotive Finance Association
- National Association of Dealer Counsel
- American Financial Services Association
- Conference on Consumer Finance Law

With a proven track record of leadership and regulatory knowledge and experience, Patty helps clients navigate the complexities of consumer finance law, ensuring compliance while supporting business innovation and growth.

Outside of her legal practice, Patty enjoys spending time with her family, reading, writing, learning about other industries and volunteering at her church.

Practice Areas

Credit Reporting, Privacy and Data Security

FinTech

Automotive and Personal Property Finance and Leasing

Professional Affiliations & Certifications

- Virginia State Bar
- American Bar Association: Business Law Group, Consumer Financial Services Committee, Privacy Subcommittee Chair 2009 to 2011; Privacy Subcommittee Vice-Chair 2006 to 2008; Liaison to Gatekeeper Task Force 2007 to 2009
- American Financial Services Association: State Government Affairs Committee; Vehicle Finance Board; Counsel to Independents Auto Finance Executive Group; Ancillary Products Working Group; Operations & Regulatory Compliance Committee; Business Partner Group
- National Association of Dealer Counsel: Board of Directors, Past-President, Founding Board

Member

- Fellow, American College of Consumer Financial Services Lawyers
- Governing Committee, Conference on Consumer Finance Law

Speaking Engagements

- NAF Power 30: Navigating Change – The 2024 Elections and What’s Next for the Auto Finance Industry, February 19, 2025
- NAF Power 30: What’s New in Fair Lending?, November 20, 2024
- Hudson Cook Financial Services Conference, Auto Finance: Recent Regulatory Trends, November 7, 2024
- NAF Association Compliance Workshop, Facilitator, and Presenter on the State and Federal Examination Issues and Preparation Panel, October 28, 2024
- Compliance Coffee Breaks: – FTC’s Combating Auto Retail Scams (CARS) Trade Regulation Rule – Finance Co. Impact, March 7, 2024
- NIADA FTC Vehicle Shopping Rule – What to Know, February 23, 2024
- Compliance Coffee Breaks: FTC’s Combating Auto Retail Scams (CARS) Trade Regulation Rule, January 23, 2024
- NAF Power 30 – Adverse Action Notices – Are You Doing them Correctly? September 20, 2023
- “F&I Masters Series Forum – The Digital Age,” Chernek Consulting, LLC Webinar, April 2022
- “Regulatory Compliance,” AFSA’s THE EDGE, September 2021
- “The CFPB, State Agencies and 2021 Legislative Agenda,” Hudson Cook Compliance Coffee Break, March 2021
- “The Impact of Address Confidentiality Programs on Extending and Servicing Credit,” AFSA Webinar, February 2021
- “Roundtable Discussions: Privacy & Data Security,” AFSA Annual Meeting & Independents Conference & Expo, October 2020
- “Remote Working: Best Practices and Strategies,” AFSA Webinar, April 2020
- “Special Compliance Coffee Break – Payment Accommodations and Modifications During a Crisis (Auto & Installment Lending): A Two-Part Series for Navigating COVID-19,” Hudson Cook Webinar, March/April 2020
- “Consumer Credit Compliance Certification – Module 4,” NAF Association, February 2020
- “Regulatory Compliance,” AFSA’s THE EDGE, June 2019
- “Credit Reporting Issues Faced by Auto Finance Companies,” Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2019
- “Managing Fair Lending Risk in a Growth Environment,” NAFCU’s Regulatory Compliance School, March 2019
- “The Endless Opportunities to Get and Use Data – Are There Legal Implications?,” Automotive Intelligence Summit, July 2018

- “What’s that Loud Sucking Noise? The Sound of States Filling the Federal Enforcement Gap,” Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2018
- “Regulatory Environment: Let’s Level Set and Look Ahead,” Wells Fargo Preferred Capital Annual Summit, November 2015
- “Facing The New Reality: The Need for Strengthened F&I Compliance,” AICPA Auto Dealership Conference, October 2015
- “CMS Development, Implementation & Monitoring...How Is It Getting Done?,” American Financial Services Association, October 2015
- “Regulatory Compliance,” AFSA Education Foundation: THE EDGE, June 2015
- “Practical Compliance for Auto Finance and Leasing Professionals,” Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, June 2015
- “Addressing Regulator Concerns on Dealer Payments and What’s Next in Auto Lending Regulation,” CU Direct Lending & Marketing Conference, May 2015
- “Snippets on the Law,” October 2015, American Financial Services Association, Independents Vehicle Finance Executive Group, April 2015
- “Today’s Top Regulatory Activity & Issues,” Leedom Group BHPH World Convention, April 2015
- “The CFPB, Their Expectations & Compliance Management Systems,” Leedom Group Twenty Groups, March 2015
- “Conquer Compliance: Protect Your Profits and Legacy,” National Automobile Dealers Association Annual Convention, January 2015
- “Compliance Management System, What’s Needed,” The National Alliance of Buy Here Pay Here Dealers, January 2015

Publications

- “Time to Pull Out the Trusty Old Crystal Ball,” *Non-Prime Times*, February 2022, co-authored with Rochelle Fowler, Eric Johnson and Nikki Munro
- “Legal Musings: Keep Privacy and Data Security on Your Radar,” *Used Car Dealer Magazine*, May 2021
- “How Not to Handle a Crisis: FTC Sues Marketer for Deceptive COVID Stimulus Mailers,” Hudson Cook *Insights*, July 2020, co-authored by Christopher J. Capurso
- “Georgia AG Warns Against Deceptive Advertising Related to COVID-19 Stimulus Payments,” Hudson Cook *Insights*, April 2020, co-authored by Christopher J. Capurso
- “For Dealers, Many COVID-19 Questions, but Not Many Answers,” Hudson Cook *Insights*, April 2020, co-authored with Thomas J. Buiteweg
- “En Garde! Do You Have Dueling Arbitration Agreements?,” Hudson Cook *Insights*, February 2020
- “The California Consumer Privacy Act,” Hudson Cook *Insights*, July 2019, co-authored with

Meghan Musselman and Nora Udell

Recognition and Accomplishments

- AFSA Woman Leader of the Day, March 2022
- Women in Auto Finance honoree, 2018