



Olivia Kelman

Partner

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OVERVIEW

Olivia Kelman serves as practice group coordinator for the firm's financial institutions and services litigation group. She focuses on representing financial institutions and services clients in litigation, compliance, and enforcement matters, with a concentration on fair and responsible lending and servicing. She regularly advises clients seeking to identify and mitigate fair lending risk, or defend fair lending claims, in areas relevant to the client's business, including redlining, branching, pricing, underwriting, marketing, steering, servicing, and modeling.

With a deep understanding of the business practices of a wide variety of industry participants, Olivia has represented clients large and small, including national and community banks, non-bank mortgage lenders, fintech lenders, commercial and small business lenders, auto lenders, appraisers and appraisal management companies, loan servicers, private mortgage insurers, investors, broker-dealers, real estate sales corporations, and industry trade groups. She is recognized for crafting tailor-made solutions that appropriately balance business considerations and ever-changing regulatory requirements.

Olivia has successfully litigated government, individual, and class action matters in federal district and circuit courts, as well as in state trial and appellate courts. She also defends investigations, examinations, and enforcement actions by the United States Department of Justice, Department of Housing and Urban Development, Consumer Financial Protection Bureau, Federal Reserve Board, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, Federal Trade Commission and various state regulators, including the Florida Office of Financial Regulation, the New York Department of Financial Services, and Massachusetts Division of Banks. Her experience includes matters arising under various federal laws, including the Equal Credit Opportunity Act, Fair Housing Act, Community Reinvestment Act, Home Mortgage Disclosure Act, Federal Trade Commission Act, Gramm-Leach-Bliley Act, Fair Credit Reporting Act, Fair Debt Collections Practices Act, Truth in Lending Act, and Real Estate Settlement Procedures Act.

In addition to her representation of industry clients, Olivia is dedicated to advancing civil rights through pro bono representations. She has represented individual and organizational clients on a pro bono basis in federal trial and appellate courts on a variety of issues of national importance, including school desegregation, religious freedom for prison inmates, residential segregation, and voting discrimination.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Olivia was a judicial intern for the Hon. Frank A. Shepherd in the Florida Third District Court of Appeal, the Hon. United States District Judge Alan S. Gold in the Southern District of Florida, and the Hon. United States Magistrate Judge Edwin G. Torres in the Southern District of Florida. She was a legislative policy intern for United States Senator Edward M. Kennedy of Massachusetts in Fall 2009, and an editor of *Arché*, the *Undergraduate Journal of Philosophy* at Boston University in Spring 2009.

ACHIEVEMENTS

- Top Up & Comer, *South Florida Legal Guide*, 2018–2022
- Florida Rising Stars list, 2016 - 2023
- Pro Bono Award, Indian River County, Florida Branch of the National Association for the Advancement of Colored People, *29th Annual Freedom Fund Banquet*, 2019
- The Daily Business Review Most Effective Lawyers Pro Bono Award, 2019
- Legal Elite Up & Comer, *Florida Trend*, 2019
- Order of the Coif
- The Order of Barristers
- Who's Who Among Students in American Universities & Colleges, 2013

PROFESSIONAL / CIVIC ACTIVITIES

- Guest Lecturer, “Regulatory Compliance,” Fundamentals of Real Estate Finance, Barry University
 - (9 September 2023; 7 February 2023)
- Guest Lecturer, “Appellate Brief Writing,” Advanced Appellate Advocacy, University of Miami School of Law
 - (14 September 2022; 8 September 2021; 2 September 2020)
- Miami-Dade Florida Association for Women Lawyers
 - Chair, Elections Committee, 2016-2018
 - Co-Chair, Federal Court Liaison Committee, 2015-2016
 - Co-Chair, Elections Committee, 2015
 - Co-Chair, Installation Committee, 2015
- The Women's Fund Miami-Dade
 - Member, Grant Selection Committee, 2015

- Member, Cyber Civil Rights Legal Project, 2014-present
- Member, Florida Grand Opera, 2013-present
- Member, Pérez Art Museum Miami, 2015-present

SPEAKING ENGAGEMENTS

- Moderator, “Lessons for Success in 2024,” Wolters Kluwer CRA and Fair Lending Colloquium (12-15 November 2023)
- Speaker, “Section 1071: A Practical Approach to Unpacking the CFPB’s Final Rule,” Mortgage Bankers Association webinar (13 September 2023)
- Speaker, “Top Developments Driving Fair Lending Compliance,” Wolters Kluwer Webinar (18 May 2023)
- Speaker, “Fair Lending,” Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference (7 May 2023)
- Moderator, “What happens in Vegas should not stay in Vegas: Lessons to take home,” Wolters Kluwer CRA and Fair Lending Colloquium (13-16 November 2022)
- Panelist, “Tapping the Potential of SPCPs: A Hands-on Workshop for Mortgage Lenders,” iEmergent Workshop (9 November 2022)
- Speaker, “Important Fair Lending Cases,” Mortgage Bankers Association Regulatory Compliance Conference (18 September 2022)
- Speaker, “Fair Lending and Redlining: Managing and Maintaining Your Compliance Program,” Mortgage Bankers Association Webinar (9 February 2022)
- Moderator, “The Path Forward: Directional Strategies for 2022,” Wolters Kluwer CRA & Fair Lending Colloquium (17 November 2021)
- Speaker, “Fair Lending,” Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference (26 May 2021)
- Speaker, “Compliance Strategies for 2020,” Wolters Kluwer CRA & Fair Lending Colloquium (7 December 2020)
- Speaker, “Fair Lending Litigation,” Mortgage Bankers Association’s Regulatory Compliance Conference (22 September 2019)
- Speaker, “Certified Mortgage Compliance Professionals Track: Fair Lending and Equal Opportunity Laws,” Mortgage Bankers Association Regulatory Compliance Conference (5 May 2019)
- Speaker, “Fair Lending: Where Are We Now?” American Financial Services Association’s (AFSA) Law & Compliance Symposium (8 March 2019)

- Panelist, “Fair Lending Litigation, Enforcement, and Regulation Roundup,” K&L Gates Consumer Financial Services Symposium (3 December 2018)
- Moderator, “Pillars of Fair Lending: Master the Fundamentals,” Wolters Kluwer CRA & Fair Lending Colloquium (6 November 2018)
- Panelist, “Reverse Engineering a Compliance Program from Consent Decrees, Enforcement Actions and More,” Wolters Kluwer CRA & Fair Lending Colloquium (6 Nov. 2017)
- Panelist, “Compliance Essentials/CMCP: Fair Lending and Equal Opportunity Laws,” Mortgage Bankers Association (MBA) Regulatory Compliance Conference (17 September 2017)
- Panelist, “Supreme Court Fair Lending Ruling Involving Big Banks,” Mortgage Bankers Association (MBA) Webinar (31 May 2017)
- Panelist, “Compliance Essentials: Overview of Fair Lending and Equal Opportunity Compliance,” Mortgage Bankers Association (MBA) Legal Issues and Regulatory Compliance Conference (7 May 2017)
- Panelist, “Fair Lending Essentials,” Mortgage Bankers Association (MBA) Legal Issues and Regulatory Compliance Conference (1 May 2016)
- Speaker, “Ethical Governance Day at New World School of the Arts,” sponsored by the Miami-Dade Commission on Ethics and Public Trust (2015-2019)
- Speaker, “The Resurgence of Redlining – The Hudson City Savings Bank Settlement and How to Manage Redlining Risk,” K&L Gates Webinar (14 October 2015)
- Speaker, “SCOTUS Disparate Impact Decision: The Supreme Court Recognizes but Limits Disparate Impact in its Fair Housing Act Decision,” K&L Gates Webinar (1 July 2015)

EDUCATION

- J.D., University of Miami School of Law, 2013 (*magna cum laude*; *University of Miami Law Review, Articles & Comments Editor*)
- B.A., Boston University, 2010 (*cum laude*; *Arché: Undergraduate Journal of Philosophy at Boston University, Editor*)

ADMISSIONS

- Bar of Florida
- Supreme Court of the United States
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Middle District of Florida

- United States District Court for the Northern District of Florida
- United States District Court for the Southern District of Florida

THOUGHT LEADERSHIP POWERED BY HUB

- 14 December 2022, Financial Services Companies Need Top-Down Focus on Compliance with Anti-Discrimination Laws
- 6 September 2022, Banks Take Notice: FDIC Continues Regulatory Scrutiny of Fees Charged to Consumers
- 3 August 2022 , First Settlement With Non-Bank Lender Exemplifies the DOJ's Commitment to Its "Combatting Redlining Initiative"
- 18 April 2022, Emerging Fair Lending Risk: Student Lending
- 26 October 2021, Banks and Non-Banks Beware: New Types of Redlining Claims are on the Horizon
- July 2021, July 2021 Accolades
- 11 November 2020, Congratulations to Our Diverse and Women Lawyers
- 24 October 2019, American Bankers Association, Consumer Bankers Association, and Housing Policy Council Joint Comments on HUD's Proposed Rule on the Fair Housing Act's Standard of Disparate Impact
- 24 October 2019, American Bankers Association, Consumer Bankers Association, and Housing Policy Council Joint Comments on HUD's Proposed Rule on the Fair Housing Act's Standard of Disparate Impact
- 3 April 2019, Legal Tropics: The Florida Public Records Act: A Primer for Private Entities
- 2 April 2019, HMDA Reality Check
- 21 August 2018, American Bankers Association Weighs In With a Comment on HUD's Disparate Impact Rule
- 12 September 2016, Inclusive Communities Excluded from Court—Plaintiff Can't Meet Supreme Court Standard for Disparate-Impact Claims under the Fair Housing Act
- 4 August 2016, HUD's Approach to Disparate Impact Remains Under Fire—Lending Trade Associations Weigh In
- 2 May 2016, Not Starry-Eyed: Massachusetts Imposes Rigorous Standard on Fair Housing Disparate Impact Claims in *Burbank Apartments*
- 24 March 2016, Divided Supreme Court Affirms Dismissal of "Spousal Guarantor" ECOA Discrimination Lawsuit
- 5 February 2016, Fair Lending Year in Review – 2015
- 26 June 2015, The Supreme Court Recognizes but Limits Disparate Impact in its Fair Housing Act Decision

OTHER PUBLICATIONS

- "Due Diligence on Fair Lending Helps Improve M&A Transactions," *Bloomberg Law*, 10 January 2024
- "Banks Take Notice: Federal Deposit Insurance Corporation Continues Regulatory Scrutiny of Fees Charged to Consumers," *The Banking Law Journal*, January 2023
- "Mortgage Lenders Must Prioritize Anti-Bias Compliance," *Law360*, 8 December 2022
- "The Recent Onslaught of Fair Lending Litigation Against Mortgage Industry Participants," *The Review of Banking & Financial Services*, Vol. 38 (12), December 2022
- "Mortgage Lenders Must Prioritize Anti-Bias Compliance," *Law360*, 8 December 2022
- "First Settlement with Non-Bank Lender Exemplifies DOJ's Commitment to Its 'Combatting Redlining Initiative'," *The Banking Law Journal*, October 2022
- "Banks Take Notice: FDIC Continues Regulatory Scrutiny of Fees Charged to Consumers," *National Law Review*, 6 September 2022
- "Is CFPB moving the target for addressing immigrants' financial needs?" *American Banker*, 10 August 2022
- "Can Fannie Mae, Freddie Mac racial equity programs move the needle?" *National Mortgage News*, 5 July 2022
- "The Florida Public Records Act: A Primer for Private Entities," *Bulletin: Dade County Bar Association*, April 2018
- "Fair Lending Enforcement in the First 100 Days of the Trump Administration," *Mortgage Compliance Magazine*, May 2017
- "Inclusive Communities Project's Silver Linings: Assessing the High Court's 2015 Fair Housing Act Ruling," *30 Legal Backgrounder* 28, 20 November 2015

NEWS & EVENTS

- 9 November 2022 , Special Purpose Credit Programs Workshop - Tapping the Potential of SPCPs: A Hands-on Workshop for Mortgage Lenders, Hosted by iEmergent
- 9 February 2022, Fair Lending and Redlining, Part II – Managing and Maintaining Your Compliance Program, Hosted by Mortgage Bankers Association (MBA)
- 17 November 2021, The Path Forward: Directional Strategies for 2022, hosted by Wolters Kluwer
- 9 July 2021, 2021 Consumer Financial Services Symposium - Virtual Edition: Panel 3 - Policy Developments Affecting the Financial Services Sector
- 25-26 May 2021, MBA's Legal Issues and Regulatory Compliance Conference/Litigation Forum: Fair Lending, hosted by Mortgage Banker's Association

- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform
- 2 November 2020, Numerous K&L Gates Diverse and Women Lawyers Recognized for Leadership and Legal Accomplishments

MEDIA MENTIONS

- Quoted, "Tennessee Bank Will Pay \$1.9M To End DOJ's Redlining Suit," *Law360*, 17 January 2024
- Quoted, "Incarcerated Man Wins Years-Long Legal Fight to Keep His Bushy Beard Despite Corrections Department's Grooming Policy," *Atlanta Black Star*, 29 August 2023
- Quoted, "Florida may never free this prisoner, but court says one of his freedoms must be restored," *Miami Herald*, 17 August 2023
- Quoted, "11th Circuit Affirms Prisoner's Right to Sue for Religious Violations After Completing Inmate Grievance Protocol," *Daily Business Review*, 8 August 2023
- Quoted, "Banks foresee compliance challenges as new CFPB loan reporting rules approach," *S&P Global Market Intelligence*, 28 March 2023
- Quoted, "Banks scrutinizing their lending practices as DOJ cracks down on redlining," *S&P Global Market Intelligence*, 7 February 2023
- Mentioned, Fair Lending and Redlining, Part II – Managing and Maintaining Your Compliance Program, *Mortgage Bankers Association*, 21 December 2021
- Mentioned, "On the Rise: Meet Florida's Most Impressive Young Attorneys," *DailyBusinessReview.com*, 3 May 2021
- Mentioned, "Senior-level hires and promotions for the week of March 15, 2021," *Miami Herald*, 15 March 2021
- Quoted, "Civil Rights Veterans Argue Against Florida Voting Law," *wlrn.org*, 3 August 2020
- Mentioned, "Justices Toss 11th Circ. FHA Ruling After Miami Yanks Suits," *Law360*, 2 March 2020
- Mentioned, "K&L Gates Associates Win First Trial in Challenge to Florida Prison Policy," *DailyBusinessReview.com*, 9 December 2019
- Quoted, "He's lost his freedom for life, but he's won the religious freedom to grow his beard," *Miami Herald*, 2 October 2019
- Mentioned, "School board attorney discourages Equity Committee from including charters in desegregation effort," *VeroNews.com*, 9 January 2019
- Mentioned, "Federal judge orders School Board to mediation before hearing deseg lawsuit," *VeroNews.com*, 16 November 2017

AREAS OF FOCUS

- Financial Institutions and Services Litigation
- Appellate Litigation
- Commercial Disputes