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| **7**  **Consumer Complaints** |

**Adopt and maintain written procedures for resolving Consumer complaints.**

# Purpose

A process for receiving and addressing Consumer complaints helps ensure reported instances of poor service or non-compliance do not go undiscovered or unresolved.

# Considerations

(Note: The language in *italics* are questions FNF has created to help you develop your Best Practices. These questions are not exhaustive, and you should develop your own questions to fit your title agency’s needs.)

* Consumer complaint intake, documentation, tracking, and resolution.
  + *What constitutes a complaint?*
  + *What is the ‘type’ of complaint and who will need to be notified?*
  + *How does your state handle Consumer complaints?*
  + *Does your state send Consumers directly to the CFPB to make complaints?*
  + Standard procedures for logging and resolving Consumer complaints helps ensure that sufficient information to understand the nature and scope of the complaint is being received and acted upon.
    - Develop a standard Consumer complaint form that identifies information that connects the complaint to a specific transaction.
      * *How does the Consumer make a complaint? A fillable pdf online? A telephone number? An e-mail address?*
      * *Do you have a standard Consumer complaint form that identifies information to connect the complaint to a specific transaction?*

*See Resources – Samples – Complaint Intake Form*

* + - Set a single point of contact for Consumer complaints.
      * *Does your process have a single point of contact (Complaint Coordinator) for Consumer complaint submission and follow-up?*

*See Resources – Samples – Complaint Resolution: Policies and Procedures*

* + - Establish procedures for forwarding complaints to appropriate personnel.
      * *Do you have a training process for other employees on how to use the single point of contact?*

*See Resources – Samples – Complaint Resolution: Policies and Procedures*

*See Resources – Samples – Complaint Intake Form*

* + - Have appropriate follow up on complaints until resolved or closed, including periodic review of unresolved/open complaints, closed complaints, and, as appropriate, Consumer communication.
      * *Do you have processes developed for tracking addressing complaints?*
      * *What is your process for management review of unresolved or open complaints to confirm closure or resolution?*

*See Resources – Samples – Complaint Resolution: Policies and Procedures*

*See Resources – Samples – Complaint Intake Form*

*See Resources – Samples – Action Plan*

* + - Maintain a log of Consumer complaints that includes when and how the complaint was resolved or closed.
      * *Will you use the complaint log and procedures as a training tool for employees?*

*See Resources – Samples – Complaint Resolution System Annual Log*

# Resources

*Samples*

Complaint Resolution: Policies and Procedures

Action Plan

Complaint Intake Form

Complaint Resolution System Annual Log

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| --- |
| Your Steps  1. Define consumer complaints, including types and levels of complaint 2. Identify single point of contact for consumers to contact for follow-up 3. Identify person or department responsible for intake, logging, tracking progress and resolution of complaint 4. Periodically review the process to ensure complaints are being addressed per the process. 5. Utilize complaint procedure as a training tool |

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# Sample - Complaint Resolution: Policies and Procedures

**Policy Statement**

ABC Title Agency (ABC) is committed to providing a professional, fair, efficient, courteous and helpful service to the public and a key aspect for achieving this is to promptly investigate and, where possible, resolve complaints about its service to the satisfaction of the customer.

Dealing with complaints effectively and efficiently is a core element of ABC Title Agency’s customer service and reflects ABC’s commitment to service excellence.

***ABC’s Complaint Policy & Procedure will be posted on the Company website for easy access by consumers.***

**Scope**

This policy applies to the handling of all formal complaints submitted to ABC. For the purposes of this policy, **a complaint is *defined* as any expression of dissatisfaction about the service/s provided by ~~the~~ ABC and/or about the professional conduct of ABC staff, including any sub-contractors or vendors used by ABC**.

Examples of the types of complaints are (do not have an exhaustive list):

* Poor service or failure to meet promise/commitment
* A failure to follow policies, procedures or written instructions
* Mistakes/Errors by ABC personnel
* Unreasonable delay caused by ABC
* Wrong or misleading information provided to consumer (NOTE: ABC is NEVER to provide advice!)
* A failure to provide explanations or give reasons for decisions
* Discrimination of any kind, inconsistency or lack of objectivity
* Inappropriate staff behavior, discourtesy, disrespect or rudeness

**Purpose**

It is the policy of ABC Title Agency to provide a complaint resolution procedure that is timely and responsive to consumers of our services.

* The compliant procedure will be timely and accessible to the consumer.
* All employees will welcome complaints with the understanding that our goal is satisfied customers.
* Where possible, all ABC staff should endeavor to resolve complaints at the first point of contact or knowledge of the complaint.
* Customers who remain dissatisfied after speaking to an ABC Employee should be offered the option of being transferred to an ABC Complaint Coordinator (CC). If the CC is unavailable to take the call and/or the consumer would prefer to write in to complain, the ABC Employee should provide the consumer with the company address details (email and/or postal address) and should direct the consumer to the ABC’s website where ABC’s Complaint Policy is posted that includes instructions for submission of the complaint and about the point of contact for the complaint process.
* ABC will always endeavor to *respond to consumer complaints using the consumers preferred mode of communication*. Where this is not specified, ABC will usually respond using the same mode of communication as the complainant has used to raise the complaint.

**Step One**

If a complaint cannot resolve a complaint at the first point of contact, the person receiving the complaint or becoming aware of a complaint will fill out the Company Complaint Intake Form. attaching a copy of any emails, letters, or notes from the voice mail, that will be helpful in providing a full picture to the Complaint Coordinator or anyone else involved later in the process should be attached. The person should also contact the customer to acknowledge receipt of the complaint, discuss the complaint, and ask the customer how they would like the matter resolved. The Consumer should also be provided with the Complaint Coordinator’s name and contact information.

The form and accompanying information should be delivered to the Complaint Coordinator as soon as possible, but no later than the end of the business day when the complaint came in or was discovered. If the Complaint Coordinator will be unavailable there should be a backup or Assistant Complaint Coordinator in place.

Note: All employees need to be sensitive to the idea that consumers may make a complaint in a variety of ways including phone calls, voice mail, email, or regular mail.

**Step Two**

The Complaint Coordinator (CC) will review the Complaint Intake Form and any documentation attached.

* The Complaint will be logged on the Company’s Annual Complaint Log and the CC will determine if there is a need to notify any other parties about the complaint.
* If necessary, the CC will request additional information or speak directly with any employees involved to confirm the CC has all the necessary information (including the employee’s “side of the story” and surrounding circumstances of any other entities or parties involved). The CC will then respond to the party who made the complaint to the best of their ability and authority.
* The goal is to resolve any complaint within three (3) business days. Depending on the nature of the complaint, the CC will contact the consumer by the end of the second business day from the Complaint Intake to acknowledge receipt of the complaint and update the customer with the status.
* If the CC is unable to resolve the complaint within three (3) business days, the consumer will be updated by the Complaint Coordinator on progress (even if there is no progress) every 3rd day from initial contact until resolution is reached.
* If the CC is unable to satisfactorily resolve the complaint within three (3) business days, they will bring the matter to the attention of the Office Manager/Owner/CEO.

**Step Three**

The Company CEO will respond to the consumer within two (2) business days of being notified by the Complaint Coordinator that the issue has not been resolved.

* The CEO will utilize objectivity and flexibility (being mindful of state and federal regulations for the title industry) in determining the proper resolution.
* The decision of the CEO is final. Only the CEO shall have the authority to revise the decision should additional information be provided that would warrant a change in part or whole of the CEO’s original decision for resolution.
* The CEO’s explanation and resolution will be communicated to the party that made the complaint directly by the CEO or if the CEO designates, by the Complaint Coordinator the same business day as the CEO outlines the resolution.
* Consider providing state DOI or CFPB contact information on the Company website or in other correspondence to address cases where the consumer remains dissatisfied despite the Company dealing with the complaint to the best of their abilities.

**HOW MIGHT ABC RESPOND AFTER REVIEWING A COMPLAINT?**

* An explanation
* Provision of a service, an additional service or a follow-up service;
* A change of the initial decision;
* Confirmation of the original decision;
* Additional training for staff;
* A change in operational practice to try to prevent a similar event from occurring; and/or
* In some cases, a change in policy or practice.

**Record Keeping and Reporting**

* Copies of all documentation related to the complaint, such as the initial email or submission form, the Complaint Intake Form, notes, etc. will be scanned to the server and held in an electronic file folder or kept in hardcopy.
* All complaints will be updated on the Annual Complaint Log completing all the areas listed on the Log at the close/resolution of complaint. Management shall periodically review the log and document the review of the same.

**Monthly Meeting**

* On a monthly basis, the Complaint Coordinator will make a brief presentation to the Staff about the complaints received and any resolutions.
* The purpose is to keep the Staff informed and to provide an opportunity for suggestions on how to avoid similar complaints in the future, illuminate training needs and discuss trends.

**Revision History**

|  |  |  |
| --- | --- | --- |
| REVISION # | DATE | DESCRIPTION |
| **1** | **Enter Date** | **Original Date Published (add any revision dates/notes below)** |
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**Sample - Action Plan**

|  |  |
| --- | --- |
| ACTION | TIMEFRAME |
| Complaint intake form is filled out | By end of the day |
| Complaint intake form emailed to Complaint Coordinator | By end of the day |
| Customer is contacted for acknowledgment of receipt of complaint, to obtain any additional information needed and explanation of follow-up procedure | By end of the second day |
| If applicable, outside parties notified (Lender, Realtor, Underwriter, etc.) | By end of the second day |
| Status update is made to the consumer If the complaint is not resolvable within 3 additional business days. | By the end of the 5th business day |
| Status update is made to the consumer | Every 3rd business day thereafter. |
| Complaint intake form is completed, and complaint log is updated by Complaint Coordinator | At resolution of the complaint. |

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# Sample - Complaint Intake Form

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Complaint Intake Form  Attach copies of any emails, notes, letters, etc. Use extra sheets as necessary | | | | | | | | |
| **File #** |  | | | **Complaint Type** | |  | | |
| **Customer Information** | | | | | | | | |
| **Name** |  | | | | | | | |
| **Phone #** |  | | | | | | | |
| **Address** |  | | | | | | | |
| **Email** |  | | | | | | | |
| **Complaint Information** | | | | | | | | |
| **Date** |  | | | | | | | |
| **Details**  **(attach additional sheets if necessary including proposed solution from Consumer)** |  | | | | | | | |
| **Other persons/parties involved** | | | | | | | **Notified?** |  |
| **Notes** | | | | | | | | |
| **Person assigned to resolve** | | |  | | | | | |
| **Suggested course of action** | | |  | | | | | |
| **Contact #1** | |  | | | | | | | |
| **Date/Time** | |  | | | | | | | |
| **Notes** | |  | | | | | | | |
| **Contact #2** | |  | | | | | | | |
| **Date/Time** | |  | | | | | | | |
| **Notes** | |  | | | | | | | |
|  | |  | | | | | | | |
| **Date** | |  | | | | | | | |
| **Resolution** | |  | | | | | | | |
| **Complaint closed/resolved?** | | | | |  | | | | |
| **Complaint added to annual log?** | | | | |  | | | | |
| **All related documents scanned and saved?** | | | | |  | | | | |

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Signature of Owner or Complaint Coordinator (Indicates close of complaint)

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# Sample - Complaint Resolution System Annual Log

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | ABC Title Complaint Resolution System Annual Log | | | | | | |  |  |
|  | | **Office Location/Branch Office Location** | | |  | | | | **Year** |  |
| **Complaint #** | **Person Making Complaint** | | **Consumer? Y/N** | **Respondent Name** | | **Type of Complaint** | **Date Filed** | **Intake Staff Person** | **Complaint Referred to** | **Resolution & Date Resolved** |
| **1** |  | |  |  | |  |  |  |  |  |
| **2** |  | |  |  | |  |  |  |  |  |
| **3** |  | |  |  | |  |  |  |  |  |
| **4** |  | |  |  | |  |  |  |  |  |
| **5** |  | |  |  | |  |  |  |  |  |
| **6** |  | |  |  | |  |  |  |  |  |
| **7** |  | |  |  | |  |  |  |  |  |
| **8** |  | |  |  | |  |  |  |  |  |
| **9** |  | |  |  | |  |  |  |  |  |
| **10** |  | |  |  | |  |  |  |  |  |