

DECEMBER 03, 2025

Warren, Warnock, Gallego, Kim Press Vought on How Illegally Shuttering the CFPB Would Risk Disrupting the Mortgage Market and Harm American Homebuyers

“Your short-sighted efforts to close down the agency, including the recent reporting that you intend to furlough a majority of the CFPB’s staff by December 31, would harm not only the millions of American homebuyers who rely on the availability of mortgages to afford homes but every single American who depends on the stability of our economy for their own financial security.”

Text of Letter (PDF)

Washington, D.C. – U.S. Senators Elizabeth Warren (D-Mass.), Ranking Member of the Senate Banking, Housing, and Urban Affairs Committee, Rev. Raphael Warnock (D-GA), Ruben Gallego (D-AZ), and Andy Kim (D-NJ) sent a letter to Consumer Financial Protection Bureau (CFPB) Acting Director Russell Vought raising concerns about how his illegal efforts to shutter the agency could affect the consumer mortgage market and the attainability of homeownership in the United States.

“The CFPB is the primary regulator of the \$13 trillion consumer mortgage market, and it is the federal agency responsible for preventing mortgage lenders from offering predatory and subprime mortgage terms to borrowers—a key driver of the

2008 financial crisis,” **wrote the Senators.** “If the CFPB stops publishing standardized APOR (Average Prime Offer Rates) tables, lenders might not make loans to lower-income borrowers, given the risk of coming in too far above the APOR and potentially getting sued. Or, they might raise interest rates on loans to compensate for the increased risk the market will price in without the liability shield that comes with making a QM loan—skewing the cost of homeownership and cutting off credit access for borrowers.”

The Senators referred to earlier comments made by the Mortgage Bankers Association, National Association of Home Builders, and National Association of Realtors in a 2023 amicus brief emphasizing the “potentially catastrophic consequences” of shuttering the CFPB’s work and “call(ing) into question . . . crucial regulations issued by the CFPB over the past years.” Their amicus brief explained that “drawing those rules into doubt” could “lead to immediate and intense disruption to the housing market, harming both consumers and the broader economy.”

The Senators described the potential negative effects of even temporary uncertainty around CFPB’s mortgage-related rules: “If the CFPB’s many rules regulating the mortgage industry were called into question, lenders would struggle to carry out their legal and contractual obligations; uncertainty would prompt a flood of lawsuits against mortgage lenders, servicers, and real estate professionals; and the ensuing confusion and litigation ‘could lead to severe instability, liquidity issues, and operational problems in the mortgage market.’”

They also highlighted how shuttering the CFPB could worsen the housing crisis: “The housing industry’s amicus brief also explained that illiquidity and instability in the mortgage market would make it extremely difficult for homebuilders and consumers to obtain mortgages, which would exacerbate the nation’s worsening housing crisis and ‘shift [the housing market] toward the

relatively few buyers who can afford to purchase a home with cash.’ In fact, nearly 80 percent of homebuyers and 97 percent of first-time homebuyers rely on loans to purchase their homes.”

The Senators concluded by calling for Vought to provide answers to the following questions no later than December 16, 2025:

1. Are CFPB staff who calculate the APOR among those you intend to furlough without pay on December 31?
2. Does the CFPB intend to stop publishing APOR tables? If so, when?
3. Has the CFPB developed alternatives to publishing APOR tables? If so, describe them.

###