

Wiley Consumer Protection Download (January 21, 2026)

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Welcome to Wiley's update on recent developments and what's next in consumer protection at the Federal Trade Commission (FTC), the Consumer Financial Protection Bureau (CFPB), and the state level. Check out our new State Consumer Protection Series, where we provide practical insights into emerging trends and priorities at the state level. Recent posts include 2025 State AG Robocall Enforcement Trends: Targeting of VoIP Service Providers Continues, With Coordinated AG Scrutiny of "Intermediate" Providers; Expanding Patchwork of State "Junk Fees" Laws Presents Compliance Challenges; and Automatic Renewals and Risks: State Negative Option Laws and Enforcement Are Trending. Wiley has also launched an FTC Consumer Protection and Privacy Enforcement Series and Trump Administration Resource Center to provide practical insights into emerging FTC and Executive branch priorities. Please reach out to any of our authors with any questions about recent regulatory or enforcement activity on the federal or state level.

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Select Federal Enforcement Actions

FTC Sues Online Question-and-Answer Service Company and Its CEO for Allegedly Misleading Business Practices. On **January 13**, the FTC filed a complaint in the U.S. District Court for the Northern

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Practice Areas

Cyber and Privacy Investigations, Incidents
& Enforcement
FTC and Consumer Protection
Privacy, Cyber & Data Governance
Telecom, Media & Technology

District of California against a company that provides an online question-and-answer service and its CEO for alleged violations of the FTC Act and the Restore Online Shoppers' Confidence Act (ROSCA). The FTC alleges that the defendants failed to appropriately disclose that consumers were signing up for a monthly subscription service and did not obtain affirmative consent from consumers to charge them monthly for the service. The FTC seeks monetary and injunctive relief.

FTC Sends Letters to 20 Universities Regarding SPARTA Compliance. On **January 12**, the FTC sent letters to 20 universities with National Collegiate Athletic Association Division I sports programs requesting information about whether sports agents who work with student athletes have complied with the Sports Agent Responsibility and Trust Act (SPARTA). SPARTA, which was enacted in 2004, requires sports agents to provide specific disclosures to student athletes before entering an agency contract and to provide notice to schools after entering such a contract. The law also prohibits agents from recruiting a student athlete by giving them false or misleading information, or by providing anything of value to the athlete before they enter a contract. The letters request information on when agents properly notified the schools when an athlete signed an agency contract and whether the schools have received complaints about specific agents' relationships with students. The letters request responses from the schools by March 23, 2026.

Select State Enforcement Actions

California DFPI Settles with Cryptocurrency Lending Platform for Allegedly Making Loans to California Residents Without a License. On **January 14**, the California Department of Financial Protection & Innovation (DFPI) announced that a Cayman Islands-based cryptocurrency lender agreed to a settlement, including a \$500,000 penalty, for allegedly making consumer and commercial loans to at least 5,456 California residents without a license. According to the settlement, the lender also made these loans without first considering the residents' ability to make repayments as required by the California Financing Law. In addition to the fine, the settlement requires the cryptocurrency lender to transfer all funds belonging to California residents to its U.S.-based affiliate that holds a California Financing Law license within 150 days, and to comply with all licensure and disclosure requirements.

CPPA Announces New Enforcement Actions Against Data Brokers. On **January 8**, the California Privacy Protection Agency (CPPA) Board announced that it had issued decisions against two data brokers (see [here](#) and [here](#)) for allegedly failing to register with the CPPA as a data broker under the Delete Act. The Delete Act requires data brokers to register with the CPPA on or before January 31 following each year in which a business meets the definition of a data broker under the Act. According to the decisions, both companies that were the subject of the enforcement actions conducted business as data brokers during the 2024 calendar year. The decisions require the companies to pay fines of \$45,000 and \$62,600, respectively, and to adopt certain behavioral remedies.

New York AG Sends Letter to Online Grocery Shopping Platform Requesting Information About Algorithmic Pricing. On **January 8**, the New York Attorney General (AG) sent a letter to an online grocery shopping platform requesting additional information about its use of algorithmic pricing and price-setting following a report that users of the platform were allegedly being charged different prices for the same

products. New York's Algorithmic Pricing Disclosure Act requires companies to clearly and conspicuously disclose when they use consumer data to make pricing decisions. The letter requests an array of information from the online grocery shopping platform, including: its agreements with its retail and food brand partners concerning price setting, discounts, and automated tools to run shopper price experiments; the automated tools used by the online grocery shopping platform and its partners to adjust prices and discounts, including how consumer data may be used; the platform's price experiments, including information about those revealed by public reporting; and the grocery shopping platform's and its partners' use of algorithmic pricing and any efforts to comply with the Algorithmic Pricing Disclosure Act.

Federal and State Regulatory Announcements

CFPB and DOJ Withdraw Statement Regarding ECOA and Noncitizen Borrowers. On **January 12**, the CFPB and the U.S. Department of Justice (DOJ) withdrew a joint statement regarding the potential risks of a creditor's consideration of immigration status under the Equal Credit Opportunity Act (ECOA). The joint statement, initially issued on October 2023, cautioned that creditor policies related to an applicant's immigration or citizenship status could potentially run afoul of the ECOA and Regulation B's prohibition on discrimination. According to the agencies, the October 2023 statement "did not purport to interpret ECOA or Regulation B, which generally permits creditors to consider immigration or citizenship status."

FTC Issues Biennial Report on National DNC Registry. On **January 6**, the Commission issued its biennial report to Congress on the National Do Not Call (DNC) Registry. According to the report, consumers placed more than 258 million telephone numbers on the DNC Registry by the end of Fiscal Year (FY) 2025 and filed more than 2.6 million DNC complaints in the last year. The report identified debt reduction schemes, imposters, and medical and prescription inquiries as the most commonly reported telemarketing calls in FY 2025 and reported that most telemarketing violations came via robocalls, as opposed to live telemarketing.

Upcoming Events and Deadlines

FTC Workshop on Noncompete Agreements. On **January 27**, the FTC's Joint Labor Task Force will host a workshop titled "Moving Forward: Protecting Workers from Anticompetitive Noncompete Agreements." The workshop, originally scheduled for October 8, 2025, follows several FTC actions focused on noncompete agreements, including a Request for Information on employee noncompete agreements, a recent enforcement action in which a company agreed to cease enforcing such agreements, and a series of warning letters sent to health care companies warning them to review and eliminate any anticompetitive noncompete agreements they may have. The workshop will include public statements from FTC Commissioners, employees subject to noncompete agreements, and leading experts in the field.

FTC Age Verification Workshop. On **January 28**, the FTC will hold a workshop to discuss age verification technologies that companies use to obtain the age information of individuals visiting their websites and online services. The FTC states the workshop will bring together researchers, industry, consumer advocates, and government regulators to discuss several topics including age verification and estimation tools; regulatory

contours of age verification; how to deploy age verification more widely; and how age verification technologies interact with the Children's Online Privacy Protection Act Rule.

FTC to Host Workshop on the Impact of Data-Driven Economy to Consumers. The FTC will host a workshop on **February 26** entitled "Measuring Injuries and Benefits in the Data-Driven Economy." The workshop will examine how to best "understand and measure consumer injuries and benefits that may result from the collection, use, or disclosure of consumer data." Specifically, the workshop will explore developments since the FTC's December 2017 Informational Injury workshop and will feature discussions on: (1) quantifying informational injuries and the potential benefits of consumer data collection and use; (2) the impacts of data breaches on consumers and efforts to minimize injuries; (3) the costs and benefits of behavioral and contextual advertising; and (4) measuring consumers' privacy preferences, beliefs, and decisions.

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Five Privacy Checkpoints to Start 2026

Updates to NIST Cybersecurity Guidance Show Continued Focus on Cloud Services

SB 361: Defending Californians' Act – Expanding Requirements for Data Brokers

White House Issues Executive Order to Promote National AI Policy Framework and Challenge Certain State AI Laws

2025 State AG Robocall Enforcement Trends: Targeting of VoIP Service Providers Continues, With Coordinated AG Scrutiny of "Intermediate" Providers

AI Chatbots: How to Address Five Key Legal Risks

Automatic Renewals and Risks: State Negative Option Laws and Enforcement Are Trending

Expanding Patchwork of State "Junk Fees" Laws Presents Compliance Challenges

State AGs Discuss Consumer Protection Priorities: Privacy, Health, Junk Fees, and Coordination at the Forefront

Fraud and Scam Prevention Series: Navigating Increasingly Sophisticated Cybersecurity Threat and Fraud Tactics

California Finalizes Pivotal CCPA Regulations on AI, Cyber Audits, and Risk Governance

Cyber Enforcement Hits Hard: New York DFS Imposes \$19 Million in Penalties

Subscription Cancellation Policies Remain a Top FTC Priority

Amidst Scrutiny of E-Commerce Platforms, FTC Brings First INFORM Consumers Act Case

Kids' Online Safety Is a Top Priority

The Fair Credit Reporting Act – Who Is Covered and How to Comply

PADFA Enforcement – What Companies Need to Know

Practical Tips for When Your Company Gets an FTC CID

Webinar: Navigating FTC Health Care Advertising and Privacy Compliance in the Trump Administration: Key Insights for Health Service Providers

Executive Order on Ticket Resale Market Calls for Greater FTC Enforcement

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