

Schuyler B. Kraus

New York, NY

He/Him

📞 212-471-6204

✉️ skraus@hinshawlaw.com



About Schuyler

For over two decades, Schuyler has defended clients in consumer and class action matters, representing mortgage lenders, servicers, and investors in actions alleging mortgage fraud, predatory lending, and violations of state and federal consumer protection statutes, including the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Home Owners Equity Protection Act (HOEPA), Telephone Consumer Protection Act (TCPA), Fair Debt Collection Practices Act (FDCPA), and the Fair Credit Reporting Act (FCRA).

Schuyler advises clients on regulatory and compliance matters, including handling complaints involving the Consumer Financial Protection Bureau (CFPB) and State Attorneys General.

He has served on Hinshaw's Executive and Management Committees and as co-chair of the firm's Consumer Financial Services Practice Group.

Before joining Hinshaw, Schuyler practiced at an international law firm, managing a Fortune 100 company's mass tort litigation in New York. Prior to private practice, he served as an assistant corporation counsel for the New York City Law Department and as Deputy Director of the County Court Victim/Witness Unit at the Boulder County District Attorney's Office in Colorado.

Schuyler's Affiliations

- Mortgage Bankers Association
- New York City Bar Association, Compliance Committee

Areas of Focus

Industries: Banking & Financial Institutions; Consumer Financial Services; Financial Services; Mortgage Lending & Servicing ; Professional Services

Services: Appellate; Consumer & Class Action Defense; Fair Credit Reporting Act (FCRA); Fair Debt Collection Practices Act (FDCPA); Litigation & Trial; Mortgage Lending & Servicing Litigation ; Regulatory & Compliance ; Subpoena Response Management ; Supervisory Examinations, Investigations & Enforcement; Telephone Consumer Protection Act (TCPA)

Experience

- Represented a national bank in a case of first impression, wherein the Court of Appeals (New York’s highest court) held that the automatic bankruptcy stay caused by a bankruptcy filing is a valid “statutory prohibition” under New York law CPLR sec. 204. Accordingly, the Court determined that the statute of limitations for commencement of an action was tolled and rejected the borrower’s appeal of the denial of his motion to dismiss which had been issued by the trial court and upheld by the intermediate appellate court. The case has wide-ranging implications for all cases where there has been an intervening bankruptcy.
- Member of regulatory and compliance team which advised a national mortgage lender on all facets of origination compliance. The team addressed a variety of complex compliance questions related to the development of a new business product. Providing advice on appropriate disclosures, potential risks across jurisdictions, and state and federal lending laws in key states.

Recognition

- *Crains’ New York Business*, Notable Leaders in Accounting, Consulting & Law, 2024

Credentials

Education

Benjamin N. Cardozo School of Law, JD, 1999
University of Colorado, BA, 1994

Bar Admissions

Connecticut
New York

Court Admissions

US Court of Appeals for the Second Circuit
US District Court for the District of Connecticut
US District Court for the Eastern District of New York
US District Court for the Northern District of New York
US District Court for the Southern District of New York
US District Court for the Western District of New York

Interests

Community/Civic Activities

- Benjamin N. Cardozo School of Law, Cardozo Advocates for Battered Women, Co-Founder and Co-President
- Member of the local chapter of the Boys & Girls Club of America

Thought Leadership

Presentations

- “New York FAPA Update,” Legal Issues and Regulatory Compliance Conference, Mortgage Bankers Association, San Diego, California, May 5, 2024
- “Regulatory Development/Post Pandemic Track: State Trends and Issues,” Legal Issues & Regulatory Compliance Conference, Mortgage Bankers Association, Virtual Event, May 25, 2021
- Panelist, “The Pitfalls of Foreclosure Delay: Statute of Limitations Defense and Property Preservation,” Hinshaw’s Peer-to-Peer Financial Services Forum: The Frontlines of Mortgage Servicing, Virtual Event, March 30, 2021
- Co-Presenter, “Update on New York Statute of Limitation Issues,” Hinshaw’s Peer-to-Peer Financial Services Forum: The Frontlines of Mortgage Servicing, Virtual Event, March 23, 2021
- Co-Presenter, “Hot Topics & Trends in Mortgage Servicing 2019,” CLE Client Program, June 11, 2019
- Co-Presenter, “Mortgage Servicing – Current Litigation Challenges – Hot Topics and Trends,” CLE Program, September 2017
- Co-Presenter, “What’s Certain in Uncertain Times? Implications on Consumer Finance in Trump’s First 173 Days,” Hinshaw University, July 12, 2017
- “Basic Skills Program: Pleadings and Motions,” Hinshaw University, October 18, 2016; October 27, 2015

Blog Posts

- Second Circuit Rules Homeowners Established Article III Standing for Statutory Damages Claim, May 14, 2021
- New York Court of Appeals Decision Clarifies RPAPL Notice Requirements, Affirms Heightened Standard for Borrowers, Apr 1, 2021

- Landmark New York Court of Appeals Decision Clarifying Calculation of Statute of Limitations in Mortgage Foreclosure Actions, Feb 19, 2021

Events

- Hinshaw Attorneys Present at Firm-Sponsored Mortgage Bankers Association’s Legal Issues and Regulatory Compliance Conference 2024, May 5-8, 2024
- Mortgage Bankers Association’s Legal Issues and Regulatory Compliance Conference 2022, May 23, 2022
- Schuyler Kraus and Lauren Campisi to Speak at Mortgage Bankers Association’s Legal Issues & Regulatory Compliance Conference 2021, May 25 and May 26, 2021
- Mortgage Bankers Association’s Legal Issues and Regulatory Compliance Conference, May 6, 2019

Hinshaw Newsletter

- Consumer & Class Action Litigation Newsletter - June 2015 Edition, Jun 9, 2015

In The News

- Reviewing Landmark NY High Court Ruling in “Mortgage Prom” Litigation: Schuyler Kraus and Brian McGrath Provide Analysis in Law360 and American Banker, Mar 10, 2021
- Schuyler Kraus Quoted in Washington Post Article on New York Residential Foreclosure Litigation, Jan 24, 2013

Press Releases

- Schuyler Kraus Selected for Crain’s New York Business 2024 Notable Leaders in Law, Dec 9, 2024
- Hinshaw & Culbertson LLP Announces New Managing Partner and Other Firm Leaders, May 18, 2016
- Hinshaw Names Four New Members of Management Committee, May 18, 2016

Webinar

- Peer-to-Peer Financial Services Forum: The Frontlines of Mortgage Servicing, Mar 30, 2021