

Maura K. McKelvey

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She/Her

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About Maura

Maura defends mortgage servicers, lenders, investors, and trustees of securitized mortgage trusts in disputes related to the origination, transfer, and servicing of residential and commercial loans. Maura handles matters alleging predatory lending, mortgage fraud, consumer protection violations, and challenges to foreclosure rights.

Leveraging industry knowledge and experience, Maura resolves clients' conflicts surrounding claims of violations of the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), and the Fair Debt Collection Practices Act (FDCPA). She also represents lenders, servicers, and their agents in contested foreclosures and evictions in Massachusetts and Rhode Island state courts and assists clients with title and lien disputes.

In addition, Maura defends broker-dealers and registered representatives in securities arbitrations before the Financial Industry Regulatory Authority (FINRA), handling claim such suitability, misrepresentation, unauthorized trading, failure to supervise, and securities statutes violations.

Her background extends to advising clients on professional liability, insurance coverage, and securities litigation.

Areas of Focus

Industries: Consumer Financial Services; Financial Services; Insurance;
Mortgage Lending & Servicing ; Professional Services

Services: Consumer & Class Action Defense; Fair Credit Reporting Act (FCRA); Fair Debt Collection Practices Act (FDCPA); Insurance Coverage Litigation & Counseling; Litigation & Trial; Mortgage Lending & Servicing Litigation ; Regulatory & Compliance ; Telephone Consumer Protection Act (TCPA)

Experience

- Secured a defense verdict in Florida for a client accused of forgery and Truth in Lending Act (TILA) violation. The court found the claim time-barred, forgery irrelevant, and amendment futile. The appeal was rejected in May 2024.
- Represented a mortgage servicing company in an enforcement investigation by the Massachusetts attorney general over Massachusetts foreclosure activities and debt collection regulation activities. Hinshaw represented the client in responding to a civil investigative demand, making multiple presentations to the Office of the Attorney General, and negotiating a settlement.
- Obtained a defense verdict for a mortgage servicer client following a jury trial on allegations of breach of contract, negligence, and violation of the Massachusetts consumer protection statute arising out of the servicer's purchase of force-placed insurance on behalf of the borrower.
- Obtained judgment in favor of a mortgage servicer client in an adversary proceeding before the US Bankruptcy Court where the debtor challenged the mortgage servicer's actions in relation to her modification requests and the mortgage holder's standing to foreclose based on the assignment of mortgage.
- Successfully argued on behalf of all defendants in the consolidated appeal before the First Circuit Court of Appeals. Hinshaw served as the co-defense liaison counsel in the In Mortgage Foreclosure Cases. 11-mc-88-M-LDA consolidated docket pending in the US District Court for the District of Rhode Island from 2011-2013. *Fryzel v. Mortg. Elec. Registration Sys., Inc.*, 719 F.3d 40, 44–46 (1st Cir.2013).

Recognition

- *Massachusetts Lawyers Weekly*, Top Women of Law, 2018
- Boston College Law School, *Boston College International and Comparative Law Review*, Member

Credentials

Education

Boston College Law School, JD, 1995

University of Michigan, BA, *with distinction*, 1992

Bar Admissions

Massachusetts

Rhode Island

Court Admissions

US Court of Appeals for the First Circuit

US District Court for the District of Massachusetts

US District Court for the District of Rhode Island

Interests

Did you know...

Maura enjoys traveling and spending time in nature, especially near beaches, rivers, and lakes. She is also an avid reader of mystery novels.

Thought Leadership

Presentations

- Co-Presenter, “Right Sizing Your Compliance Management System (CMS) for Volume Today,” Mortgage Bankers Association, Legal Issues and Regulatory Compliance Conference, San Diego, California, May 8, 2024
- Panelist, “Resuming Judicial and Non-Judicial Foreclosures,” Hinshaw’s Peer-to-Peer Financial Services Forum: The Frontlines of Mortgage Servicing, Virtual Event, March 30, 2021
- Co-Presenter, “Preparing for Federal and State Examinations, Investigations, and Enforcement Actions Under a New Administration,” Hinshaw’s Peer-to-Peer Financial Services Forum: The Frontlines of Mortgage Servicing, Virtual Event, March 30, 2021
- Co-Presenter, “Anticipating Disputes Relating to Forbearance Programs: How to Interpret Consumers’ Statutory Rights and Appropriately Disclose Terms,” 27th National Forum on Residential Mortgage Regulatory Enforcement & Litigation, Virtual Event, November 17, 2020
- Co-Presenter, “Hot Topics & Trends in Mortgage Servicing 2019,” CLE Client Program, June 11, 2019

Blog Posts

- Stepping Beyond the CARES Act: Massachusetts Expands Forbearance and Issues Sweeping Moratorium on Foreclosures and Evictions during COVID-19 Emergency, Apr 21, 2020
- Case to Watch: U.S. Supreme Court Decision Provides Florida Homeowner Grounds to Challenge Excessive Fees for Code Violations, Aug 26, 2019
- SCOTUS Determines Foreclosure Firm is Not a Debt Collector Under the FDCPA’s Primary Definition, Mar 22, 2019
- SCOTUS to Decide Whether Non-Judicial Mortgage Foreclosures are Subject to the FDCPA, Jan 8, 2019
- Mortgages or milk - do you need to check your expiration date?, Sep 12, 2017

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
- Maura McKelvey to Present at National Forum on Residential Mortgage Regulatory Enforcement & Litigation, Nov 17, 2020
- Mortgage Bankers Association's Legal Issues and Regulatory Compliance Conference, May 6, 2019

Hinshaw Newsletters

- Consumer & Class Action Litigation Newsletter - August 2011 Edition, Aug 3, 2011
- Consumer & Class Action Litigation Newsletter - July 2011 Edition, Jul 5, 2011
- Consumer & Class Action Litigation Newsletter - May 2011 Edition, May 5, 2011
- Consumer & Class Action Litigation Newsletter - March 2011 Edition, Mar 1, 2011
- Consumer & Class Action Litigation Newsletter - February 2011 Edition, Feb 9, 2011

In The News

- Maura McKelvey's Appeal to First Circuit in the Rhode Island In re: Mortgage Foreclosure Cases Docket Receives National Attention, Feb 6, 2013

Press Releases

- Hinshaw Partner Maura McKelvey Named to Massachusetts Lawyers Weekly's Top Women of Law 2018, Sep 17, 2018
- 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