



1700 G Street NW, Washington, D.C. 20552

RE: FOIA Request #CFPB-2023-0274-F

March 30, 2023

Mr. Dmitry Shkipin  
HomeOpenly  
325 Sharon Park Dr. #416  
Menlo Park, CA 94025

*Via email:* [support@homeopenly.com](mailto:support@homeopenly.com)

Dear Mr. Shkipin:

This letter is in final response to your Freedom of Information Act (FOIA) request dated March 26, 2023.

Your request sought:

"If the investigation by CFPB is concluded, this request asks for information relevant to CFPB's investigation, status of investigation, and any other information that can help establish that Rocket Homes Real Estate LLC past or present actions as a "sham" brokerage are, in fact, unlawful and harmful to consumers."

A search of our Office of Enforcement revealed documents responsive to your request. Those records are withheld in full pursuant to Title 5 U.S.C. § 552 (b)(7)(A).

As amended in 2016, the Freedom of Information Act provides that a federal agency or department (hereinafter "agency") may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates; or (2) disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A)(i). The CFPB has considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

**FOIA Exemption 7(A)** protects from disclosure records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. I have determined that the information you are seeking relates to an ongoing law enforcement investigation. Therefore, I am withholding all records, documents, [consumerfinance.gov](https://consumerfinance.gov)

and/or other material, which if disclosed prior to completion, could reasonably be expected to interfere with law enforcement proceedings and final agency actions related to those proceedings. Please be advised that once all pending matters are resolved and FOIA Exemption 7(A) is no longer applicable, there may be other exemptions which could protect certain information from disclosure, such as FOIA Exemptions 7(C), 7(D), 7(E), and/or 8.

You may appeal any of the responses or decisions set forth above. If you choose to file an appeal, you must do so within 90 calendar days from the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. You may send your appeal via the mail (address below) or email ([foia@consumerfinance.gov](mailto:foia@consumerfinance.gov)).

Your appeal should be addressed to:

Consumer Financial Protection Bureau  
Chief FOIA Officer  
Freedom of Information Appeal  
1700 G Street, NW  
Washington, DC 20552

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, we have waived all fees related to the processing of your request.

For inquiries concerning your request, please reference your FOIA request number above and contact our FOIA Public Liaison via email at [FOIA@consumerfinance.gov](mailto:FOIA@consumerfinance.gov) or by phone at 1-855-444-FOIA (3642).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Paul Levitan  
Acting FOIA Manager  
Office of the Chief Data Officer



Dmitry Shkipin  
Development and Operations at homeopenly.com  
325 Sharon Park Dr. #416  
Menlo Park, California 94025  
support@homeopenly.com  
(650) 281-6962

March 26, 2023

Consumer Financial Protection Bureau  
Attention: Chief FOIA Officer  
1700 G Street, NW  
Washington, DC 20552  
[FOIA@cfpb.gov](mailto:FOIA@cfpb.gov)

**RE: US-CFPB Investigation of Rocket Homes (aka RocketHomes.com; In-House Realty)**

Please accept this FOIA request to include the following:

- Your contact information (e.g. full name, address, phone number, email address). This enables (as needed) the CFPB to contact you to acknowledge receipt of your request, clarify the scope of the request, invoice fees associated with your request, update you on the status of your request, and ultimately provide you a response.

**Dmitry Shkipin**  
**Development and Operations at homeopenly.com**  
**325 Sharon Park Dr. #416**  
**Menlo Park, California 94025**  
**support@homeopenly.com**  
**(650) 281-6962**

- As many details as possible about the information you are seeking from the CFPB. This enables the CFPB to conduct a reasonable search, identify, and retrieve records responsive to your request.

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Rocket Homes Real Estate LLC (formerly, In-House Realty) (MI-LARA License 6505-346028) is a “sham” Michigan real estate brokerage operated by Rocket Mortgage, LLC (formerly, Quicken Loans) (NMLS ID 3030) parent company, Rocket Companies, Inc. (NYSE: RKT), in an effort to funnel consumers into a “Verified Partner Agent Network” of colluding third-party brokers that “spans over 3,000 counties across all 50 states” in exchange for kickbacks. Rocket Homes scheme concurrently allocates consumers for kickbacks and suffers from a major conflicts of interest: “... Rocket Homes expects brokers and Verified Partner Agents to preserve and protect the relationship between Rocket Mortgage and our mutual client ...” where “... [p]urposefully steering a client from Rocket Mortgage to another mortgage lender is prohibited and could result in termination of the broker’s relationship with Rocket Homes...” Rocket Homes admits to administer plain agreements to divide and assign customers in its Terms and Conditions “Glossary of Terms” as the following definition for a customer: “Referral: A client that we have allocated to a brokerage partner for assignment to a Verified Partner Agent.” (Source: <https://homeopenly.com/docs/Rocket-Homes-Terms-and-Conditions.pdf> ) On July 7, 2020, Rocket Companies have filed an IPO Form S-1 disclosures with US-SEC that stated: “In May 2020, the CFPB issued a civil investigative demand to our subsidiary, Rocket Homes, the stated purpose of which is to determine if Rocket Homes conducted any activities in a manner that violated RESPA and to determine if further CFPB action is necessary. We intend to cooperate fully with the CFPB in this investigation and are confident in the compliance processes that Rocket Homes has in place.” (Source: <https://www.sec.gov/Archives/edgar/data/1805284/000104746920004008/a2241988zs-1.htm> ) US-CFPB has yet to publically announce any further developments on this matter. The investigation has been reported by the media (<https://www.housingwire.com/articles/cfpb-investigating-rocket-homes-for-illegal-kickbacks/> ) In this media report Rocket Homes admits that “it acts as the concierge for the client, assisting and checking in throughout the home buying process.” The work of a “concierge for the client” has no legitimate safe harbor provisions under RESPA. 12 C.F.R. § 1024.14(g)(1)(v) and 12 U.S.C. § 2607(c)(3) narrowly allow payments pursuant to



cooperative brokerage and referral arrangements between real estate agents and real estate brokers. These limited exemptions on kickbacks only apply to fee divisions within bona fide real estate brokerage arrangements when all parties are acting in a real estate brokerage capacity. Customer allocation by competitors holds no justification or defense, and, instead, carries severe consequences, such as trebled damages, fines, criminal charges by the US-DOJ, etc. Customer allocation agreements that unreasonably restrain trade do not meet safe harbor under § 1024.14(g)(1)(v) and 12 U.S.C. § 2607(c)(3) either.

**If the investigation by CFPB is concluded, this request asks for information relevant to CFPB’s investigation, status of investigation, and any other information that can help establish that Rocket Homes Real Estate LLC past or present actions as a “sham” brokerage are, in fact, unlawful and harmful to consumers.**

- Type of requester (e.g. commercial, media, other). This relates to the purpose in which you are requesting the information, such as for commercial purposes. Fees are assessed based on the type of requester. Fees are explained later in this Guidebook.

**This is public request is made in the interest of justice due to an ongoing legal action. The status of this civil investigative demand is relevant to a current legal action pending in the United States District Court Northern District of California - Homelight, Inc. v. Shkipin, 22-cv-03119-TLT (N.D. Cal. Oct. 27, 2022).**

- Indicate if you are willing to pay fees for searching, reviewing, and/or duplication of records.

**Due to the broader public interest of this request, no fees should be posted to receive this information.**

- If you are seeking a fee waiver and/or expedited processing of your request, provide justification in your request. Fee waivers and expedited processing are explained later in this Guidebook.

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**This is a public request that could assist federal court system to produce a ruling in federal antitrust and trademark dispute that involves an entity that engages in similar kickbacks scheme to that of Rocket Homes, called HomeLight. HomeLight is in an alleged collusion with +/- 28,000 “partner agents.” Both legal matters hold public interest and affect vast numbers of consumers everywhere in the United States: over a million consumers have been collectively steered by HomeLight to “partner agents” with “well over \$17 billion of real estate [agent representation] business nationwide” (Source: <https://www.prnewswire.com/news-releases/homelight-secures-109-million-to-simplify-the-real-estate-transaction-process-for-homebuyers-and-sellers-300951757.html> ).**

**HomeLight collects a kickback of 33% “of gross commissions from each home sale or purchase made by a third-party “partner agent” and acts as a “sham” brokerage and a hub in a hub-and-spoke conspiracy of independent brokers. Consumers who used HomeLight and Rocket Homes are subjected to “referral fee network” experience, where “sham” brokers no longer act in brokerage capacity, but act to form massive networks of third-party agents affiliated with third-party brokerages (Source: <https://www.consumerfinance.gov/rules-policy/petitions-rulemaking/dmitry-shkipin-petition/> )**

- Please specify how you would like to receive the responsive records. Options include in an electronic format (e.g., Adobe PDF) and via email or physical media (e.g., CD, DVD, or harddrive).

**Please forward all relevant and available information in Adobe PDF via email to [support@homeopenly.com](mailto:support@homeopenly.com) or any alternative method preferred by CFPB.**

Thank you for your time.

Sincerely,

*/s/ Dmitry Shkipin*

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