

Your Rights & Collection Calls



Collection Calls

- Stay Calm
- Ask for the callers full name, name of the company they work for, number they can be reached at, name of the company collecting the debt, and origin of the debt
 - If they refuse, tell them you are ending the call immediately
- Accurately record the conversation by taking notes
- Immediately call Credit Advisors if you are in a Debt Management Plan

Calls On Old Debts

- Follow the same steps as collection calls
- Many debts are too old to collect, according to statute of limitation laws
 - These laws vary by state
- Never agree to pay anything over the phone, it may reactivate the debt
- Immediately call Credit Advisors if you are in a Debt Management Plan

In September of 1996 the Fair Debt Collections Practices Act was passed by Congress. The purpose of this act was to create guidelines for agencies trying to collect legitimate debts while providing protection to debtors. Understanding your rights according to the act will help you protect yourself from abusive collectors and their scare tactics.

Consumer's Rights

- Are not obligated to supply personal information to caller
- Entitled to know identity and reason for call
- May request termination of contact
- Can dispute all billing errors and overall debt
- Have the right to correspond in writing and keep records



Collectors Cannot

- Threaten violence or physical harm
- Threaten consumer's property
- Publish a list of consumers who refuse to pay their debts (except reporting to a credit bureau)
- Impersonate government agency, lawyer or credit bureau
- Falsely imply that you have committed a crime
- State that you will be arrested if you do not pay your debt
- Call you at work or anytime before 8:00 am or after 9:00 pm

If Act Is Violated

- File complaint with the Better Business Bureau
- Report any problems with debt collectors to you state Attorney General's office. As many states have additional debt collection laws, your Attorney General can assist you in determining what rights you may have under state law. (Contact information for your state Attorney General may located at www.naag.org)
- File a complaint with the Federal Trade Commission (www.ftc.gov)
- File suit in state or federal court

www.creditadvisors.org