



Bill Collectors Worrying You?

Here's how to stop it.

You do have rights!

The law gives you rights when a **bill collector** tries to make you pay money you owe. Bill collectors are people who work for collection agencies. Collection agencies are companies that buy debts and try to collect them for themselves. Companies who are paid to collect someone else's debt are also called collection agencies.

The law about bill collectors tells them what they **can't** legally do to collect money from you.

What if the company you first owed money to is trying to collect from you themselves? Then, most of the time, this law can't help you.

It's against the law for bill collectors to lie or mislead you

It's against the law for bill collectors to:

- Make you think they are someone else (like a lawyer or a deputy sheriff)
- Say you will be arrested or put in jail for a debt
- Lie to you when collecting a debt
- Tell you they are going to garnish your wages or take your property (unless they have a legal right to do that).
- Call or visit you if they know you have a lawyer. They must contact the lawyer. They can only contact you if your lawyer won't answer them.
- Deposit a post-dated check or payment before the date on the check.
- Try to make you pay more than you owe
- Use money you send in for one debt to pay on a different debt.

It's against the law for bill collectors to threaten or worry you.

The law says bill collectors **can't**:

- Threaten to hurt a person, property, or anyone's good name

- Use dirty or bad language
- Call many times a day
- Call before 8:00 a.m. or after 9:00 p.m. This is against the law unless they know those times are better for you.
- Call over and over to bother you or anyone else about your debt.
- Threaten or abuse anyone else about your debt.



The bill collector must tell you what you owe

Has a bill collector asked you to pay a debt? They have 5 days after they first contact you to tell you about the debt. They must tell you:

- How much you owe
- Who you owe the money to
- That they will give you the name and address of the company you owe the money to
- That you owe what they say **unless you tell them they are wrong**
- **If you ask**, they have 30 days to send you proof of what you owe

You can use the letter in this booklet to ask them for proof.

What if you don't ask for proof of what you owe? You still have the right to show you don't owe the debt. In court, you can ask the bill collector to show proof of what you owe. If this is a debt you already paid, show your receipt or cancelled check.



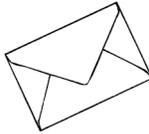
How to stop bill collectors from bothering you

You can stop their calls

You can stop their calls to you **at work**. You must tell them **in writing** not to call you at work. Your letter must say your boss doesn't let you take these phone calls at work. You can use the letter in this booklet.

You can stop their calls to **your home** with Caller ID. Bill collectors set up their phones so you will not know who is calling. If your phone has Caller ID, press *77. This stops calls from phone numbers that don't show up on your Caller ID.

You can stop their letters



You can tell bill collectors not to contact you, your husband or wife. If you are under age 18, you can tell them not to contact your parents. If you have one, you can tell them not to contact your guardian, executor or administrator.

But you can't just tell them over the phone. You must write to the bill collectors. You can **use the letter in this booklet**. Just fill in the blanks. Be sure to put the date on it. Keep a copy of the letter. If you can, it's a good idea to send the letter by certified mail.

Want to write your own letter? Tell the bill collector to stop contacting you or anyone else about this debt. Say this is your right under the Fair Debt Collection Practices Act. Does anyone in your home have health problems? Do the phone calls or letters make them worse? Then say that in the letter, too.

If you use our letter or write your own, put the date on it. Keep a copy. If you can, send it by certified mail. Ask for a return receipt. This will prove the bill collector got the letter.

Can the bill collector contact your boss, friends or other relatives? Yes, to ask for your address or phone number. But the bill collector can only contact them one time. Can the bill collector ever contact them more than once? Yes, **IF** they give the bill collector your wrong address or phone.

Can the bill collector tell your boss, friends or other relatives about your debt? No, not unless you say in writing that the bill collector can tell them. Is there any other time when the bill collector can tell them about your debt? Yes, if a judge says the bill collector can tell them.

What if you gave the written OK but have changed your mind? Write to the bill collector. Tell them they

no longer have your OK to contact your boss, friends or relatives.

Has the bill collector taken you to court and won? Then the court can also give the OK to contact your boss, friends or relatives.

What happens when the bill collector gets your letter?

They can only contact you again to say if they plan to take you to court. Or to say that they plan to take back (re-possess) what you bought. They can contact you to say they will no longer try to get you to pay.

What if a bill collector bothers you after getting your letter?

Write down the dates they call and what they say. Also save any papers they send you and **take them to a lawyer**.

You may be able to sue the bill collector for money.

The Fair Debt Collection Practices Act gives you many other rights. It says bill collectors must treat you fairly and tell the truth. Do you think a bill collector has treated you badly? He or she may have broken the law. The bill collector may have to pay you money. He or she may also have to pay for your lawyer.



If you think the bill collector broke the law, see a lawyer.

If you can't afford to pay a lawyer, call your local Legal Aid office. They may be able to help.



1-800-238-1443
It's a free call.

On the internet at **www.las.org**

This information cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice.

Your name _____
Your Address _____

Name of Bill Collector _____

Address of Bill Collector _____

Dear Sir/Madam:

You have contacted me about the following debt which you say I owe:

(Name of creditor and account number)

The Fair Debt Collection Practices Act gives me rights. By that law, I am asking:

- Send me proof of what you say I owe.
- Don't contact me again about this debt, except to send me proof.
- Don't contact any of my family, friends or boss about this debt.
- Don't tell any of my family, friends or boss about this debt.
- Don't call me at work about this debt. My boss will not let me take these calls.
- Don't call me at home about these debts.

Sincerely yours,

(You sign here)

Date: _____