

# Monica Shepard Law, PLLC - Consumer Report

## TOP 10 ESSENTIAL TIPS FOR DEALING WITH BILL COLLECTORS

- 1. Don't Believe The Threats.** They can not send you to jail nor take your children (Yes, some debt collectors have threatened these actions).
- 2. Choose Your Words Carefully.** Keep the conversation as short as possible. They are sizing you up trying to determine if you have the capacity to pay.
- 3. Limit Phone Conversations.** Within 5 days of initial contact a collection agency must send you written notice stating the debt amount, the name of the original creditor and methods to dispute. There's no point in engaging in phone chitchat until you have **VERIFIED** that you actually owe the debt. Why just take the collectors word for it?
- 4. Demand Validation.** You have the right to request "validation" or proof of your obligation to pay. The collection agency should provide verification that you owe **THEM**...not just proof that you owe or owed someone else. Make your dispute in writing and send it by certified mail (otherwise they may deny receiving it).
- 5. Agreements Should Be In Writing.** If you decide to pay the collector (it is advisable to consult with an attorney before doing so) make sure to get the agreement in writing. The collection agency should send you something on their letterhead or you should draft something and send it to them for a signature **BEFORE** you pay.
- 6. Stay Guarded.** Never disclose bank account information to a bill collector.
- 7. Know Your Rights.**
  - Debt collectors may contact others about your debt, but only to find ways to contact you.
  - Debt collectors may not discuss your debt with anyone but you, your spouse or your lawyer.
  - Debt collectors may not harass, use threats, obscenities or repeated phone calls.
  - Debt collectors may not lie about their identity or the nature of the debt.
  - Debt collection may not call before 8 am. or after 9 pm.
  - Debt collectors may not call you at your work if you've told them not to contact you there.
- 8. Gather Evidence.** Save voice mail messages, letters and copies of all written correspondence to and from the collector. Write the date and time of every collection call, the collection agency's name and a summary of the conversation.
- 9. Cease Communication.** If you would like to end communication with the collector send a letter by certified mail with a return receipt stating so. They are then prohibited from contacting you again except under very specific circumstances.
- 10. Seek Legal Help.** The Fair Debt Collection Practices Act (**FDCPA**) allows consumers to sue debt collectors for violating the law. If successful, a consumer may recover actual damages and up to \$1,000 in statutory damages, plus court costs and attorney fees. If you feel that you have been a victim of abusive debt collection practices do not hesitate to contact **Monica Shepard Law, PLLC** for a free case review.