

WHEN THE DEBT COLLECTOR CALLS . . .
20 Most Common Violations of the Law That Debt Collectors Make

A debt collector cannot

1. Call you at work more than once.
2. Call other people more than once to try to locate you.
3. Tell anyone else that the collector is trying to collect a debt from you.
4. Leave a message on an answering machine without saying that the collector is trying to collect a debt; he must leave his name and his company.
5. Sue or even threaten to sue on a debt that you have not made a payment on for more than four years (CA – other states differ).
6. Say or imply anything about arrest, going to jail, or the like.
7. Threaten to sue you when the collector has no intention of doing so. This is usually proven by the collector giving a deadline that passes without filing suit.
8. Threaten to garnish your wages without explaining that first the creditor must file suit and get a judgment.
9. Same as 6 for threats of taking cars, furniture, or any other property and putting liens against your property.
10. Sue you on the debt except a) where you live now or b) where you entered into the debt agreement.
11. Embarrass you by saying things like: “You are a deadbeat; why don’t you pay your bills; you are a disgrace; why don’t you get rid of your spending spouse.” Things like that.
12. Use profane or other abusive language.
13. Shout, scream, or get angry with you.
14. Give the impression that the caller or his company has some connection with the government, the courts, the police, etc.
15. Try to collect the wrong amount: add small fees, for instance.
16. Threaten to deposit a post-dated check, particularly when the collector knows you do not have the money to cover the check. Typical situation: “Give us a check to stop the calls and we will hold it.” The perfect response to this should be: “The check is in the mail.”
17. Call you repeatedly. A call a week is OK. More than one call a week is harassment. Certainly more than one call in the same day is an abuse, particularly if you hang up and the collector calls right back.
18. Call you before 8 a.m. or after 9 p.m., your local time.
19. Call you after you write a letter to the collector’s company telling them not to call you.
20. Call you or anyone else (looking for you), after the collector knows you have an attorney.