



Are you being contacted by a debt collector over the phone? It helps to know your rights under the Fair Debt Collection Practices Act (FDCPA) so that you can deal with your debt in a low stress way!

**DEBT COLLECTORS CANNOT:**

- Contact you at inconvenient times - generally all contact should be between 8.00am and 9.00pm local time for you
- Ring repeatedly – they should not call more than once a week
- Call your relatives or your employer
- Use abusive or profane language or make any threats of violence
- Send mail or postcards that clearly show the mail is debt-related
- Use FALSE statements – they cannot make statements that are not true
- Call you if you have requested that they stop calling you.

**DEBT COLLECTORS MUST:**

Within 5 days of their first contact with you they must send a notice in writing saying:

- The amount of money you owe
- The name of the creditor to whom you owe the debt
- That unless you dispute the debt within 30 days it will be assumed to be valid
- That if you dispute all or part of the debt in writing, they must mail you a copy of a verification that you owe the debt
- That if you request the name and address of the original creditor it must be provided

**WHAT YOU CAN SAY ON THE PHONE TO STOP CONTACT:**

*“Under the FDCPA you’re not allowed to call me repeatedly/this late at night/at work. You must stop contacting me otherwise I will report you to the State Attorney, please communicate with me by mail from here on out. Can you confirm your name and contact details?”*



*“Under the FDCPA you are not allowed to call members of my family/my employer. I will file a complaint about this with the State’s Attorney General or the Federal Trade Commission if this behaviour continues.”*

**WHAT YOU CAN DO TO FURTHER STOP THE CONTACT:**

- You can notify a debt collector IN WRITING that you want them to stop contacting you or that you are not going to pay the debt. They must stop contacting you except to notify you of potential legal action to collect the debt or to tell you that they will no longer be trying to collect the debt
- Make a copy of the letter, send it certified mail and get a ‘return receipt’
- You can file a complaint if you think a debt collector has violated the FDCPA. Contact your State Attorney’s Office ([www.naag.org](http://www.naag.org)) or the Federal Trade Commission ([www.ftc.gov](http://www.ftc.gov))
- Set up an appointment with Innovative Changes to make a plan for dealing with your debt: 503-249-5205

**KEY THINGS TO REMEMBER:**

1. ALWAYS GET EVERYTHING IN WRITING!: Even if this is just writing on a piece of paper the debt, time and general conversation that you had with the collector, keep track of your communications!
2. OPEN YOUR MAIL! The worst thing that can happen with a debt is that you are garnished for it. If you open your mail, even if you can’t afford to pay your debt, you can keep track of where it is in the collection process. Showing up for court if you have a judgment can mean paying less money and no surprises with your paycheck.
3. MAKE SURE YOUR IMMEDIATE NEED ARE #1: It can be stressful not being able to payback debt, but before you take care of past debt, make sure you immediate needs are met.