

The Fair Debt Collection Practices Act – Know Your Rights!

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July 23, 2010 - [PRLog](#) -- Many consumers have their legal rights violated every day by debt collectors without even knowing it. The Fair Debt Collection Practices Act is a law designed to stop harassing, unfair, and abusive debt collection practices.

Knowing the important details of this law will help you stand up against abusive collection practices and stop unethical collection companies from violating your rights.

There are many requirements debt collectors must abide by per the FDCPA law.

Debt collectors are prohibited from telling others details about the consumer including that they owe a debt, they cannot speak with anyone other than the consumer about the debt, not communicate through post card or have ANY markings on the outside of their envelope indicating they might be a debt collector or collection agent.

Simply put, collection companies cannot use the fact that they are a debt collector to attempt to strong arm you into paying the debt.

Creditors cannot identify themselves as debt collectors to your employer, and they cannot send things in the mail to identifying that they are a debt collector with the intent of embarrassing you.

Debt collectors are cannot call a consumer at an unusual time or place, including before 8 a.m. and after 9 p.m. A debt collector cannot contact a consumer at their workplace if they have reason to believe this is prohibited by the employer.

They are also required to immediately cease and desist contact with you if you are represented by an attorney, or if you notify them to do so in writing or notify them that you refuse to pay the debt.

There are many restrictions to stop abusive and harassing practices in the FDCPA also. Debt collectors are prohibited from using threats of violence or other criminal means to cause harm to the consumer in an attempt to collect on the debt.

The use of obscene language is not allowed along with the publication of information that the consumer allegedly owes a debt.

Debt collectors cannot cause a consumer's phone to ring repetitively with the intent to annoy or harass any person; this includes the constant use of auto dialers. And they have to clearly identify themselves on every phone call they make to you.

False and misleading representations are also prohibited by this law. These include the debt collector identifying themselves as an affiliate of the United States government when they are not, miss-representing the legal status of a debt, or that they are an attorney or represent an attorney if they are not and they don't.

Your debt collectors cannot falsely represent that the nonpayment could result in the arrest or imprisonment

of the consumer or the seizure of their property or garnishment of wages unless such action is lawful and the debt collector intends on taking that action.

Creditors must have a long standing history of taking these actions in the majority of cases if they are going to make threats of legal action against you.

Debt collectors are not allowed to communicate to any person credit information which is known to be untrue or in dispute. They also cannot falsely issue you documentation representing itself as coming from the courts.

They also are prohibited from using any false representation or deceptive means to collect a debt. They must identify themselves to the consumer as a debt collector and that the nature of the call is for that purpose.

Debt collectors are NOT directly affiliated with the credit reporting agencies, and they cannot claim that they are per the FDCPA.

They cannot accept post dated checks of more than 5 days, or attempt to collect more than what is owed due to the original contract including bogus interest charges.

They must also send a written statement to each consumer within 5 days of contacting the consumer. This letter must contain the amount of the original debt, creditor's name, and many disclosures specific to FTC language.

Any and all violations within this act can be costly to the debt collector, especially in the civil and class action aspects.

Free Debt Advice

(<http://www.debtsquashers.com>)

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There are many debt settlement companies out there and not all of them are legitimate. That's why it's so important for consumers to use debt relief networks. These networks offer free help to determine what the most appropriate debt relief option is for you. They will give you an unbiased opinion and point you in the right direction whether it is debt settlement or another option. For free debt help check out the following link:

Free Debt Advice

(<http://www.debtsquashers.com>)

Or Call - 8008940286

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