

Six Simple Ways to Stop Debt Collector Harassment

Debt collectors have been the most complained about industry on the Federal Trade Commission's consumer complaint website for several years running. Federal and Montana laws protect consumers from debt collection harassment. These laws provide protection regardless of whether the person owes the debt being collected.

What Types of Debt Collection Conduct is Prohibited?

The Fair Debt Collection Practices Act generally prohibits the following collection conduct:

- *Making false threats (Example: threatening to sue on a debt which is past the statute of limitations)
- *Attempting to collect more than is legally owed ("debt padding")
- *Calling before 8 a.m. or after 9 p.m.
- *Making repeated/continued calls to harass the consumer
- *Contacting the person's work after being told not to
- *Contacting family, friends or neighbors about the debt
- *Any other type of harassing or abusive conduct



1. Write a Cease and Desist Letter

Federal law requires a collection agency to stop collection efforts after receiving a written request to do so. Send a letter, certified, telling the collector to stop contacting you. Here is a sample:

*Dear Debt Collector,
I am writing to request that you stop contacting me regarding account number _____ of [credit card company/ creditor] pursuant to the Fair Debt Collection Practices Act. [Describe harassing contacts, if applicable.] Thank you in advance for your cooperation.*

2. Raise Complaints About Billing Errors or Other Defenses

Consumers have the right to dispute the debt the collector is attempting to collect. If the consumer disputes the debt, in writing, then the debt collector must cease all further collection efforts while the collection agency investigates the dispute.

3. Complain to a Government Agency

The Federal Trade Commission and Montana Attorney General enforce laws that prohibit collection abuse. The FTC can be reached at 1-877-FTC-HELP or online at www.ftc.gov. The Montana Attorney General's consumer protection unit can be reached at 1-800-481-6896 or by email at contactocp@mt.gov.

4. File a Bankruptcy

While a bankruptcy is not recommended if the financial circumstances don't justify it, filing a bankruptcy triggers an "automatic stay," which is a powerful tool requiring collectors to immediately cease all collection activity.

5. Hire a Lawyer

Federal law requires debt collectors to stop communicating with a consumer once they have retained legal counsel. Hiring a lawyer means the collector must only communicate through your lawyer.

6. Sue the Debt Collector for Illegal Conduct

Federal and Montana laws provide strong protections from debt collection harassment. These laws require the debt collector to pay statutory damages for their abusive collection conduct to the victim, and require the debt collector to pay your legal fees. Unfortunately, many people don't know their rights or know how to fight back. If you think you are the victim of debt collection harassment, contact us to see if you have a claim. More information is available on our website- www.MontanaConsumer.com

Or, simply call or email us to schedule a free consultation with a bankruptcy attorney.



Learn more at
www.MontanaConsumer.com

About Us

The Heenan Law Firm helps people who are having problems with bills. The firm assists people who are having problems with debt collectors by prosecuting lawsuits against abusive debt collectors. The firm has recovered hundreds of dollars on behalf of the victims of debt collection abuse.



*"I am committed to my personal best every case, every time."
John Heenan*

At the Heenan Law Firm, there is no such thing as a "small" client. No matter what the legal issue may be, our clients are guaranteed the same high level of commitment and resources. We work hard to gain the trust of our clients through personal service and hard work.



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