

What is a debt Collector?

Debt Collectors are businesses or persons who collect debts on behalf of others. Most debt collectors are professional collection agencies. Collection agencies are often used by doctors, hospitals, stores, mail order companies, and sometimes used by banks and loan companies. In addition, most attorneys collecting debts for their clients are considered “debt collectors” under federal law.

What is the Fair Debt Collection Practices Act?

This is a federal law that protects consumers from being harassed and abused by debt collectors. The Act requires debt collectors to treat consumers fairly, and gives consumers important rights.

What debts and collectors are covered by the law?

Personal, family and household debts are covered under the Act. For example, say you owe money to a jewelry store. If the jewelry store tries to collect the money, it is NOT covered by the Act. If, however, the jewelry store hires someone else (such as a collection agency or attorney) to collect that money, the collection agency or attorney IS covered by the Act.

What specific actions are not allowed?

Debt collectors cannot harass, oppress or abuse any person. For example, a debt collector:

- ◆ Cannot use abusive, profane, threatening, or obscene language.
- ◆ Cannot call you before 8 a.m. or after 9 p.m. (unless you agree)
- ◆ Cannot repeatedly call to harass you.
- ◆ Cannot tell others about your debt (except a credit bureau).
- ◆ Cannot contact your job if they know your employer does not allow personal calls.
- ◆ Cannot pretend or lead you to believe that they are attorneys or government representatives.
- ◆ Cannot falsely tell you that you have committed a crime by not paying the debt.
- ◆ Cannot threaten to do things they cannot do (or do not plan to do).
- ◆ Cannot make you accept collect calls or pay for telegrams.

- ◆ Must tell you who they are and who they work for when they call you.
- ◆ Must tell you the amount of the debt and the name of the creditor.

There are other things debt collectors cannot do. You should contact an attorney if you believe a debt collector is treating you badly.

How may a debt collector contact me?

A debt collector may contact you in person, by mail, telephone, telegram or FAX. However, a debt collector may not contact you at unreasonable times or places.

Can I stop a debt collector from contacting me?

Yes. You can stop a debt collector from contacting you by sending them a letter telling them to stop. After the agency receives the letter, the agency cannot contact you again except to say they won't contact you again, or to tell you they are taking specific action (such as suing you).

What if I don't think I owe the money that the debt collector wants me to pay?

Within 30 days after you are first contacted, you should send the debt collector a letter stating that you do not owe the money. The debt collector must then stop contacting you. However, the debt collector can start contacting you again if they send you proof of the debt (such as a copy of the bill).

What is the debt collector required to tell me about the debt?

Within 5 days after you are first contacted, the debt collector must send you a written notice telling you the amount of money you owe, the name of the creditor to whom you owe the money, and what you should do if you do not think you owe the money.

What should I do if I think a debt collector is violating the law?

You should contact a private attorney or your local legal services program. If the debt collector violated the law, you might be able to get money damages in a lawsuit. You must sue the debt collector within one year from the date

you believe the law was violated. If you win, you may also get court costs and attorney fees from the debt collector. You can also make a complaint to the Indiana Attorney General's Office at 1 (800) 382-5516.

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ILS Office Contact Numbers	
Bloomington: (812) 339-7668 1-800-822-4774	Hammond: (219) 853-2360
Columbus: (812) 372-6918 1-866-644-6407	Indianapolis: (317) 631-9410 1-800-869-0212
Evansville: (812) 426-1295 1-800-852-3477	Lafayette: (765) 423-5327 1-800-382-7581
Fort Wayne: (260) 424-9155 1-888-442-8600	New Albany: (812) 945-4123 1-800-892-2776
Gary: (219) 886-3161 1-888-255-5104	South Bend: (574) 234-8121 1-800-288-8121

DEBT COLLECTION: YOUR RIGHTS UNDER FEDERAL LAW

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Laws and Policies change. Please look at the last revised date to make sure the information is still current.

Information Available on the web
www.indianajustice.org