Know Your Rights When Debt Collectors Call

You’re getting annoying calls from debt collectors day and night, and you’re sick of it. Can you make it stop? The answer is yes! The Fair Debt Collection Practices Act (FDCPA) is a federal law that dictates what debt collectors can and cannot do. Know your rights!

1 Creditors Covered By FDCPA  The law only applies to debt collectors, not your original creditors. Your credit card company would not be subject to the FDCPA, but if they turn your account over to a collection agency, the collection agency would have to follow the FDCPA. Obtain a free copy of your credit reports (annualcreditreport.com) and confirm for yourself which debts are now held by a debt collector.

2 Rules For Debt Collectors

- May not contact you at work if they know your employer does not allow personal calls at work
- May not harass, oppress, or abuse you
- May not lie when collecting debts, such as falsely implying that you have committed a crime
- Must identify themselves to you on the phone
- Must stop contacting you if you ask them to do so in writing
- Can’t talk to any third parties (your employer, friends, relatives, etc.) about your debts, except once to find out how to contact you
- Can’t contact you once they know you are represented by an attorney
- May contact you only once between 8 a.m. and 9 p.m

For each debt collector violating the FDCPA, keep a detailed log of each contact and violation. If the problem persists even after Step 3, this information may come in handy.

3 Stop The Calls  You can force debt collectors to stop calling you by sending a cease and desist letter. See How To Get Debt Collectors To Stop Contacting You. Once the debt collector receives your letter, it can only contact you once more to “verify” the debt (tell you what you owe and how the debt collector plans to proceed). The law prohibits the debt collector from contacting you again. Remember, just because you got the debt collector to stop bothering you doesn’t mean your debt is erased. You still owe the money. If you don’t pay or settle, the debt collector may sue you.
Deal With Mistakes  If you think the debt collector has made a mistake and you don’t owe what it says, the law gives you the right to dispute the debt. To do so, send the debt collector a debt verification letter. See How To Tell A Debt Collector That You Think It Has Made A Mistake. Once the collector receives your letter, it must give you proof that you owe the debt. It also can't report a disputed debt to credit reporting agencies.