

Sample Letter

Your Name
Your Address
City, State, Zip

Date

Debt Collector's Name
Debt Collector's Address
City, State, Zip

Dear Sir/Madam:

You have contacted me concerning the following debt which you say I owe:

(Name of Creditor and Account Number)

Be advised that I insist upon my rights provided to alleged debtors under the Fair Debt Collection Practices Act and you are hereby instructed not to contact me or anyone else again regarding this debt.

Sincerely,

(your signature)

This is an informational brochure. It is not a substitute for legal advice and is not intended to cover all circumstances. If you have a legal problem, consult a private attorney, or contact your local Legal Services office.

West Tennessee Legal Services

Contact information

731.423.0616

1.800.372.8346

Email: wtls@wtls.org

Web address: www.wtls.org

Jackson

210 West Main Street

Jackson, Tennessee 38301

Selmer

141 North Third Street

Selmer, Tennessee 38375

Huntingdon

113 West Paris Street

Huntingdon, Tennessee 38344

Dyersburg

208 South Church Street

Dyersburg, Tennessee 38024

Debt Collectors Bugging you?

Pay Up Now!



The Fair Debt Collection Practices Act is a federal law that gives you rights when a debt collector is trying to make you pay a bill.



YOU HAVE RIGHTS UNDER THE FAIR DEBT COLLECTION PRACTICES ACT

This law protects you from abusive, dishonest, and unfair debt collection practices. It says that there are many things a debt collector legally cannot do when he or she is trying to collect money from you.

WHO DOES THIS LAW HELP?

You have rights under this law if a debt collector is trying to get you to pay money you owe. **YOU CANNOT USE THIS LAW AGAINST A PERSON OR COMPANY TO WHOM YOU OWE MONEY DIRECTLY;** but you can use this law against the debt collector who is hired by them to contact you for payment of a bill, including attorneys who regularly collect consumer debts.



THE BILL COLLECTOR CAN'T HARASS OR ABUSE YOU

The debt collector is not allowed to:

- Threaten you with violence or other criminal acts which would harm anyone's person, property, or good name;
- Use dirty or bad language to anyone;
- Use the telephone to call you several times a day or call someone else and bother them about your debt.

WHEN THE BILL COLLECTOR CAN'T BOTHER YOU

The debt collector can't contact you before 8:00 a.m. or after 9:00 p.m. unless he or she knows that those times are more convenient for you. The debt collector can't contact you at work if you write him or her and say that your employer doesn't allow you to get such phone calls at work.

THE BILL COLLECTOR CAN'T LIE OR TRY TO MISLEAD YOU

The debt collector is not allowed to:

- Pretend to be someone other than who he or she is, such as a lawyer or a sheriff;
- Tell you he or she is going to garnish your wages or take your property unless he or she has a legal right to;
- Threaten to have you arrested or put in jail;
- Use any false statements when collecting a debt.



STOPPING A COLLECTOR FROM BOTHERING YOU

You can stop a debt collector from contacting you, your employer, your relatives, or anyone else by **WRITING** the debt collector a letter. Just telling him or her over the phone is not enough. You should be sure the letter has a date on it, and you should keep a photocopy of the letter. If you have enough money, it is a good idea to send the letter by certified mail. The letter should ask them to stop all further contact with you or with anyone else.



It is a good idea to say that you're asking them to stop because of your rights under the Fair Debt Collection Practices Act. You can also tell them if you or anyone else in the household has any health problems which are being made worse because of the phone calls. You can use the sample letter on the back page to help you write your letter. Be sure to put the date on it. Once they get your letter, the debt collector cannot contact you again except to tell you **WHAT OTHER ACTIONS THEY PLAN TO TAKE**.

If the collection agent bothers you after he or she has gotten your letter, write down the dates he or she calls and what was said. Save any papers he or she sends you, and contact a lawyer.

STOPPING CALLS TO YOUR HOME WITH CALLER ID



Bill Collectors set up their phones so you, will not know who is calling. If your phone has Caller ID, press *77. This stops calls from phone numbers that don't show up on your Caller ID.

YOU MAY BE ABLE TO SUE THEM

The Fair Debt Collection Practices Act gives you many other rights to be treated fairly and truthfully by debt collectors. If you think a collection agent has behaved badly towards you, he or she may have broken the law. You may be able to collect damages up to \$1,000 or more. In addition, he or she might have to pay a fee to your attorney.