

Fair_Debt_Collection_Practices_Act

Source: <http://www.fazed.net/forum/view/?id=22401&p=1>

From: aramis - "I . . . drink . . . your . . . milkshake!"

Date: 1/10/06 @ 9:33 AM

1. MSN Article

Be aware if this because I got hit with a nice letter last night from one to the tune of \$25,000.

The original debt was for \$10,000.

They offered to settle for half. i freaked out and almost called them. But it was a good thing i didnt.

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 9:37 AM

2. i had a call from a collection place about 150.00 they said i owed for a loan on my gateway PC. i paid that gateway direct out of my checking account. no loan at all. it took me months before they would stop bugging me even after i faxed them proof.

From: jiffy is a big dumb animal

Date: 1/10/06 @ 9:37 AM

3. Do NOT CALL THEM!!

That is the worst thing you can do...

Type a letter to them requesting for Validation... make them prove to you that the debt is real.

Ask about UCC and SOL's...in YOUR state... not theirs!

Ask them if they are legally allowed to collect in your state.

From: bigmodaddy - I'm what they call a guitar hero

Date: 1/10/06 @ 9:45 AM

4. If you pay them even a penny the statute of limitations starts over...

what a bunch of scumbags

From: razor supplied Ron Jeremy with performance enhancers

Date: 1/10/06 @ 9:50 AM

5. I really thought this was about debt collectors terrifying new methods to get their way... wow, I was about to grab the machete and head for the forest

From: silentcry ... I got nothing

Date: 1/10/06 @ 9:52 AM

6. I thought this was about Zombie's showing up at your door to collect your debts.. and if you didn't pay, they'd eat your brain..

From: jiffy is a big dumb animal

Date: 1/10/06 @ 9:54 AM

7. And if they have reported incorrect information to your credit report... you can sue them for damages.

Here's a copy of a letter I sent recently.

This letter is being sent to you in response to a notice sent to me on December 16, 2005. Be advised that this is not a refusal to pay, but a notice sent pursuant to the Fair Debt Collection Practices Act, 15 USC 1692g Sec. 809 (b) that your claim is disputed and validation is requested.

This is NOT a request for "verification" or proof of my mailing address, but a request for VALIDATION made pursuant to the above named Title and Section. I respectfully request that your offices provide me with competent evidence that I have any legal obligation to pay you.

Please provide me with the following:

- What the money you say I owe is for;
- Explain and show me how you calculated what you say I owe;
- Provide me with copies of any papers that show I agreed to pay what you say I owe;
- Please evidence proof of the alleged debt, including specifically the alleged contract or other instrument bearing my signature.
- Prove the Statute of Limitations/UCC has not expired on this account
- Show me that you are licensed to collect in my state.
- Provide me with your license numbers and Registered Agent

At this time I will also inform you that if your offices have reported invalidated information to any of the 3 major Credit Bureau's (Equifax, Experian or TransUnion) this action might constitute fraud under both Federal and State Laws. Due to this fact, if any negative mark is found on any of my credit reports by your company or the company that you represent I will not hesitate in bringing legal action against you for the following:

- Violation of the Fair Credit Reporting Act
- Violation of the Fair Debt Collection Practices Act
- Defamation of Character

If your offices are able to provide the proper documentation as requested in the following Declaration, I will require at least 30 days to investigate this information and during such time all collection activity must cease and desist.

Also during this validation period, if any action is taken which could be considered detrimental to any of my credit reports, I will consult with my legal counsel for suit. This includes any listing any information to a credit reporting repository that could be inaccurate or invalidated or verifying an account as accurate when in fact there is no provided proof that it is.

If your offices fail to respond to this validation request within 30 days from the date of your receipt, all references to this account must be deleted and completely removed from my credit file and a copy of such deletion request shall be sent to me immediately. I would also like to request, in writing, that your offices make no telephone contact to me or to my place of employment. If your offices attempt telephone communication with me, including but not limited to computer generated calls and calls or correspondence sent to or with any third parties, it will be considered harassment and I will have no choice but to file suit. All future communications with me MUST be done in writing and sent to the address noted in this letter by USPS.

It would be advisable that you assure that your records are in order before I am forced to take legal action. This is an attempt to correct your records; any information obtained shall be used for that purpose.

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 9:55 AM

8. jiffy i saved that letter text.

From: jiffy is a big dumb animal

Date: 1/10/06 @ 9:58 AM

9. you can also goto www.annualcreditreport.com and get a free copy of your credit report from each of the 3 bureaus.

Dispute the information...

BUT DO NOT DISPUTE THE POSITIVES.... DO NOT!!!!

Positives help you... and if they find anything wrong they will delete it.. even if its positive!!!

From: ih8mylife - and i'll tell you why

Date: 1/10/06 @ 10:39 AM

10. I have this problem right now. Verizon shafted me, and long story short, I paid off, and it is on my credit report as a new debt with a new company. It is actually on there 3 times.

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 10:46 AM

11. wow i seem to have an open shell account i never kenw about..... and 99% of my debt is medical bills that the ex was supposed to pay for the kids. and that last credit report agancy didnt even have my employer information correct...so..wtf.

From: gunrunner is arming the other 11

Date: 1/10/06 @ 10:48 AM

12. where is our govt protection on this?.....debt collectors are scum!!

From: tunnel rat

Date: 1/10/06 @ 10:52 AM

13. Fortunately you can kill zombie debt collectors the same way you deal with human debt collectors: Shoot them in the head.

From: T u n a

Date: 1/10/06 @ 10:52 AM

14. where is our govt protection on this?.....debt collectors are scum!!

What do you propose? Should the government send someone to your house to keep track of your credit report for you? Should they come over and write dispute letters for you, too?

From: yazuun is filled with shame... and cookie dough

Date: 1/10/06 @ 10:54 AM

15. gunrunner said:

where is our govt protection on this?.....debt collectors are scum!!

Wouldn't this Fair Debt Collection Practices Act, 15 USC 1692g Sec. 809 (b) be govt protection?

From: Slumlord has a two day head-start on you, which is more than he needs

Date: 1/10/06 @ 10:54 AM

16. debt collectors are scum!!

So are people who rack up debt and don't ever pay it back.
From: jiffy is a big dumb animal

Date: 1/10/06 @ 11:37 AM

17. shut up slummy.. you have bills too...
and things can happen.

But if someone purposely ran them up then yaa... they is scum..

I have this problem right now. Verizon shafted me, and long story short, I paid off, and it is on my credit report as a new debt with a new company. It is actually on there 3 times.

Get your report... contact each one and request VALIDATION.. use the letter I posted above.

wow i seem to have an open shell account i never kenw about.....

and 99% of my debt is medical bills that the ex was supposed to pay for the kids.

and that last credit report agancy didnt even have my employer information correct...so..wtf.

First thing I would do is go online and dispute them first...

Then order your report and contact each one with this letter im gonna post in a minute. Its a HPAAs letter of some kind. Kinda makes them validate the debt... the same way.
From: jiffy is a big dumb animal

Date: 1/10/06 @ 11:44 AM

18. <http://whychat.5u.com/hipltr.html>

Use this HPAAs letter. It gets real nasty about health care providers giving out your personal information to Collection Agencies.
From: Slumlord has a two day head-start on you, which is more than he needs

Date: 1/10/06 @ 11:45 AM

19. But if someone purposely ran them up then yaa... they is scum..

And those are the people I was talking about. The college kids that rack up thousands and thousands in debt trying to make their 5' x 5' dorm room look like a mini Best Buy, then get pissed off that "the man" won't stop bothering them when they have to pay up.

shut up slummy.. you have bills too...

and things can happen.

Hell, I know ... I had a major issue with Cingular a few years back. If you keep yelling at me like this, you'll never taste my seed again.
From: jiffy is a big dumb animal

Date: 1/10/06 @ 11:47 AM

20. i apologize.. I thought you were raggin on people who had bills.

Dispute the Cingular information online. Is it older than 4 years?

From: Slumlord has a two day head-start on you, which is more than he needs

Date: 1/10/06 @ 11:48 AM

21. i apologize.. I thought you were raggin on people who had bills.

My BILLS have bills!!!

Actually, I guess that's technically "interest" ... ?

From: jiffy is a big dumb animal

Date: 1/10/06 @ 11:56 AM

22. its 2006... fix your shit...

From: gunrunner is arming the other 11

Date: 1/10/06 @ 11:58 AM

23. What do you propose? Should the government send someone to your house to keep track of your credit report for you.

.....no, make the law work..and punish frauds with hard time instead of giving them to the country club jails or stupid fines

Wouldn't this Fair Debt Collection Practices Act, 15 USC 1692g Sec. 809 (b) be govt protection?

.....yet again, we need more laws against fraud protection, if it worked, we wouldnt have this problem. And it doesnt work, let me explain.

I filed a report against a "collections company" just like this one. I had their address, their name, phone number, ect ect ect. They were trying to collect on a debt that was forgiven due to failure to fulfill a contract(ie. they didnt finish the work on time((or at all for that matter)) and still expected me to pay full price). The collector called me about 3 times a day, and, I kid you not, each time called me a "deadbeat". I said this violated the Fair Debt Collection Act because

- a. my signature was for a contact that was for completed work
- b. they could not produce said signature
- c. and you can't call people deadbeats without proof

long story short..I got the govt involved, and in a typical "let us handle it" fashion they disapeared..and the collector kept calling me, threatening me with harassing phone calls. I called the police, the fcc, ect, ect and still nothing could stop it. So I got a lawyer. I used to think lawyers are like nuclear weapons, no one should need them, no one wants to have them, but by God, if your the last one to get one, your screwed. I changed my mind. So what the govt could not do in amost a nine months, a lawyer did in 2 weeks. I still wanted to file charges, but I was told by a judge, that "these things tend to just clog up the works" and that it would never see trial. So this scum dropped my case and went on to the next guy, until he gets a lawyer, ect ect ect.

slumlord its called "uncollected debt" take it off your taxes and move on. The faster you accept this the better. Also, getting huge deposits, security or otherwise, helps take away the sting too

From: aggrazel

Date: 1/10/06 @ 11:58 AM

24. Its good to know that even a Zombie can find a job in america.

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 11:58 AM

25. What do you propose? Should the government send someone to your house to keep track of your credit report for you? Should they come over and write dispute letters for you, too?

yes please!

From: gunrunner is arming the other 11

Date: 1/10/06 @ 12:00 PM

26 . lol.....sorry Slumlord..I fired my "shotgun of post" too fast to see you werent attacking "the debted"

From: jiffy is a big dumb animal

Date: 1/10/06 @ 12:01 PM

27. i was not alone.. i thought my brain was broke.

From: aggrazel

Date: 1/10/06 @ 12:02 PM

28. Well the government is good about managing debt, isn't it?

From: kagemusha would play SEGA with Harrison Ford

Date: 1/10/06 @ 12:02 PM

29. I got a debt collector to hang up on me because I told him he must live in a fantasy world if he thought I would give him access to my bank account when I could just send a check for the full amount to settle it. He said that wasn't good enough so I disputed the claim and they waived it all together without telling me for over two years.

From: jiffy is a big dumb animal

Date: 1/10/06 @ 12:04 PM

30. Everyone makes mistakes Aggrazel... even the govt..

Who cares if theres a national debt...

From: NeutralBuoyancy will hate for you

Date: 1/10/06 @ 12:06 PM

31. I move that we should rename the thread How to Survive a Zombie Debt Collector Attack

From: kagemusha would play SEGA with Harrison Ford

Date: 1/10/06 @ 12:07 PM

32. I move that we should rename the thread How to Survive a Zombie Debt Collector Attack

Seconded

From: jiffy is a big dumb animal

Date: 1/10/06 @ 12:09 PM

33. great...I refreshed and was like "WHERE THE FUCK DID THE THREAD GO???"

From: razor supplied Ron Jeremy with performance enhancers

Date: 1/10/06 @ 12:13 PM

34. I almost wanna watch this thread now just cuz of the title change

From: gunrunner is arming the other 11

Date: 1/10/06 @ 12:19 PM

35. shoot'em in the head, its the only way

From: aggrazel

Date: 1/10/06 @ 12:26 PM

36. These are not the debts you're looking for.

/waves hand

From: aramis - "I . . . drink . . . your . . . milkshake!"

Date: 1/10/06 @ 12:28 PM

37. Jiffy, you posted the credit thread a while back right?

well, how do i dispute online the items that you mentioned?

does each of the three credit reporting agencies have their own dispute place online?

or do i have to dispute in writing to each of the companies?

From: Woundtootight hunts for the meat and the horns

Date: 1/10/06 @ 12:37 PM

38. <http://www.annualcreditreport.com>

Just went here and got my credit report.

Very interesting...

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 12:40 PM

39. so i either have a gas card in my name or a limited credit card.....i wonder how i find out which one it is? when did i sign up for one? wtf is going on?

From: Woundtootight hunts for the meat and the horns

Date: 1/10/06 @ 12:45 PM

40. wtf is going on?

Call me...

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 12:47 PM

41. you took out a credit card in my name??

From: the_big_wiggle - Official 2007 Fazed Fantasy Football Champion - Vet

Date: 1/10/06 @ 1:03 PM

42. I hate Duluth, Georgia. Pricks.

From: Woundtootight hunts for the meat and the horns

Date: 1/10/06 @ 1:03 PM

43. you took out a credit card in my name??

Yeah, and you're gonna like the Victoria's Secrets nightie I bought you!

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/10/06 @ 1:06 PM

44. LOL

From: aggrazel

Date: 1/10/06 @ 1:06 PM

45. This is going to be the best prom ever.

From: Woundtootight hunts for the meat and the horns

Date: 1/10/06 @ 1:12 PM

46. Oh yeah...:D

From: jiffy is a big dumb animal

Date: 1/10/06 @ 1:37 PM

47. Each Credit Reporting Agency has their own ONLINE DISPUTE website.

use it..

If that doesnt work CALL THEM...

but DO NOT CALL the collection company...

From: kagaines

Date: 1/12/06 @ 12:41 AM

48. *sighs*

For what it's worth, I used to be a debt collector. Specialized in the area of student loans. I'll gladly offer up any advice to fellow fazers ...

I stopped being a debt collector because, despite it being good money, I had a nasty attack of, let's say, "being able to live with myself."

From: lord_nightrose is a ticking time bomb of sex

Date: 1/12/06 @ 2:37 AM

49. Ugh, Arrow Financial Services. I've gotten calls from those assholes.

From: lord_nightrose is a ticking time bomb of sex

Date: 1/12/06 @ 2:41 AM

50. To expand on my previous remark...

It's always an Illinois number, and we always let it ring through. The message it leaves is pre-recorded, and says, "Hi, this is Alex. Please stay on the line to connect to my voicemail, or press 0 now to hear an important message." If you press 0, not only do you get connected to their call center, you somehow get charged for the call.

From: beakly will smack you so hard, your sister's menstrual cycle will shift a week

Date: 1/12/06 @ 2:59 AM

51. How to Survive a Zombie Debt Collector Attack

Climb a sycamore tree?

From: lord_nightrose is a ticking time bomb of sex

Date: 1/12/06 @ 3:21 AM

52. Shoot them in the CEO.

/head?

From: jiffy is a big dumb animal

Date: 1/12/06 @ 7:17 AM

53. Im trying to find out if "refinancing" a vehicle will do your credit any good.

I am financing my new car right now... I got a call lastnight from Wells Fargo and they stated I was approved before for the car loan but the dealership used the one I have now. They said I could get a lower monthly payment.

And Im terminating my apartment lease early. We got a co-signer for a home loan. Im gonna be lookin at houses around \$100K.

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/12/06 @ 7:20 AM

54. And Im terminating my apartment lease early. We got a co-signer for a home loan. Im gonna be lookin at houses around \$100K.

oh congratulations!

From: jiffy is a big dumb animal

Date: 1/12/06 @ 7:29 AM

55. thank you..

We might look at the house across the street from my father n law. Its beat up.. the people want \$40K for it. Its a ranch home, built in 1953.

Get a loan for \$80K... fix it up... the other homes are going for \$125K around it...

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/12/06 @ 7:32 AM

56. that sounds like a good plan jiffy. and you like that guy too so it wouldnt be bad to live across from him.

From: jiffy is a big dumb animal

Date: 1/12/06 @ 7:52 AM

57. yea he's a good guy..

From: DorgoDorato is the man now dog

Date: 1/12/06 @ 8:13 AM

58. I have a settlement fund from back in the early nineties that was put into a trust fund that will start coming to me this June. I will then continue to send me checks for a few months ending with a final payment of \$20k. Is there anything I can do to get this taxed as little as possible?

From: jiffy is a big dumb animal

Date: 1/12/06 @ 10:50 AM

59. contact your tax office... ?

From: ladyalthea is nicely trying to tell you to STFU

Date: 1/12/06 @ 1:30 PM

60. you could immediately put it into IRA accounts.....

From: aramis - "I . . . drink . . . your . . . milkshake!"

Date: 1/12/06 @ 1:32 PM

61. IRA's can only hold 3 grand right? till you are like 45 or so.
i say moderate-aggressive funds.