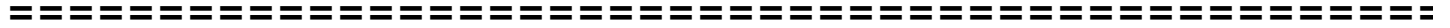


fdcpa legal templates when a debt collector tries to sue you without validating the debt

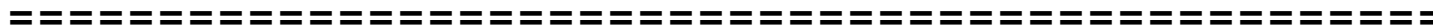
Being Sued By A
Debt Collector



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Ten Most common Issues With Debt Collectors Calling
SRC:MixSentence,
IDs:0F514025;7161FFE0;5A6E2CBF;0B6851B7;0D2FCB1A;DB9I
Furthermore, the federal Fair Debt Collection Practices Act, the Illinois Consumer Fraud and Deceptive Practices Act and the Illinois Collection Agency Act establish the legal rights Illinois consumers have against deceptive debt collection practices. It is important for consumers to know their rights and to understand that certain federal laws were designed to protect them from unfair practices by debt collectors. Collectors cannot threaten you with harm. "We continue to hear about serious problems with debt collection - debiting accounts without authorization, calling at all hours of the day or night, threats of arrest or criminal prosecution, or threats of physical harm to consumers

and even their pets,” CFPB Director Richard Cordray said in remarks prepared for Thursday’s hearing. If you’ve got so many debt collectors calling and demanding money that you’re afraid to answer your phone, relief isn’t as hard to find as you might think. Whether it be sending multiple text messages to your cell phone or calling relatives, they will do whatever they deem necessary to get you to pay up. 2. Making threats. It's illegal to threaten anyone to try to get them to pay a debt. Save it for later when you can get something in return such as asking the creditor to remove negative items from your credit report in exchange for a payment.

Under Georgia law, the statute of limitations on claims purchased by debt collectors is six years from the date of your last payment to the original creditor. State and Federal law requires debt collectors to follow what they are afforded to do and not do. You can sue the collector in federal or state court for damages. If you have a problem with a collection agency located outside of your state, contact the Federal Trade Commission. This is why it’s of utmost importance to ensure your business does the appropriate due diligence when selecting a collections agency (or avoid needing collection agencies by using an AR management platform). Lenders, consumer credit agencies and collection agencies face criminal and civil penalties for violating the Illinois consumer protection laws. In an effort to protect Illinois residents against advance-fee loan lenders, the Illinois legislature enacted consumer protection laws prohibiting lenders from charging borrowers advance fees prior to entering into loan agreements with them. Although the regulations provide extensive protection to consumers, several important aspects include the prohibitions placed on creditors' conduct. A debt collector may not engage in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.

The Illinois Attorney General's Office works with the Canadian government to prosecute advance-fee loan lenders who conduct business illegally in Illinois but are registered in Canada. The Illinois Attorney General's

Office has the legal authority to investigate consumers' complaints filed against creditors who violate the Illinois anti-predatory loan acts. Often, however, when your attorney files a lawsuit against an agency, the agency will want to settle the suit, and you'll never have to go to court. Generally, you will have one year from the date of the alleged violation to file a lawsuit against a debt collector. This means that a debt collector cannot falsely claim that he or she is an attorney, and they may not falsely claim that they have filed a lawsuit against you. When they send bailiffs to reclaim items of value from your property to repay your creditor, you may incur collection charges if they are not able to enter your property. LexisNexis Accurint and SearchAmerica are two examples of popular databases Dunn mentioned. By law, collection agencies are prohibited from making false threats and from falsely representing themselves.

If you find that a collection agency is breaking the law, there are steps you can take to defend yourself. And if you have an attorney, you can tell the collector to deal only with your attorney. You may also be able to recover court costs and attorney fees. Debt collectors may not use false names, and they are prohibited from contacting you using stationery that is designed to look like an official court or government document. Debt collectors must comply with Fair Debt Collection Practices Act, the Illinois Consumer Fraud and Deceptive Practices Act and the Illinois Collection Agency Act. Under the three laws, they cannot engage in harassing or unfair collection practices. The debt collection agency cannot add any more. The Illinois Payday Loan Reform Act of 2005 applies to payday loans after December 7, 2005. According to the act, payday loan lenders cannot enter into business transactions with consumers for more than 45 days and must wait at least seven days before renewing or reissuing subsequent loans. To avoid more substantial problems to arise later on, it would be a good idea that you settle every one of your financial obligations to the various institutions.

3 Commonest Issues With Debt Collectors Calling

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When Can Debt Collector Sue Me How Should You Reply To A Letter Of Being Sued By A Debt Collector How To File A Lawsuit Against A Debt Collector That I Owe Nothing To Or Anyone Else?