

The Debt Collector is Calling: What They Can and Cannot Do

The Fair Debt Collection Practices Act has rules about what debt collectors can and can't do — and you can sue if you believe your rights have been violated.

Here's what you need to know if a debt collector calls you:

Calls

Debt collectors can call only between 8 a.m. and 9 p.m. They can call you at work, but they have to stop if you tell them your boss doesn't approve.

You can write to the collection agency to demand that it stop calling you at home. A creditor could choose to note the debt on your credit report or get a court judgment against you.

Writing

Within five days of contacting you by phone, the debt collector must send you a letter telling you the amount you owe, the name of the creditor you allegedly owe it to and instructions for disputing if you don't believe the debt is yours. If you get a collection call, log the date on your calendar and start looking for that letter.

Taping

If you're getting calls you believe are abusive, you might consider taping them; just let the other party know at the beginning of the conversation that you are recording the calls. Check the rules before you tape.

Record-keeping

Getting one debt collection call could mean you're in for others. That's because debts may be resold over and over. Or if a consumer demands verification, the account may be bounced back to the original account holder, who ships it off to a new debt collector. To protect yourself, keep copies of letters, logs of calls, canceled checks or other documents relating to the account — and plan to keep them for years.

Fighting back

If you suspect a debt collector has violated the law, complain to both the Federal Trade Commission (1-877-382-4357) and to your attorney general. You also can stop repeated or harassing calls by going to court.

More information

The FTC's free Fair Debt Collection fact sheet is available online at this location or call 1-877-382-4357.

Calling No-Nos

Debt collectors are forbidden to:

- Harass you or people who know you.

- Talk to anyone except you (or the attorney that you designate) about the debt.
- Call people you know for any reason except to locate you.
- Physically or verbally threaten you.
- Swear at you or call you names.
- Call you repeatedly (or call you right back if you hang up on them).
- Imply they're government employees or work with government agencies.
- Say they're attorneys, if they're not.
- Falsely imply you've committed a crime (debts are civil, not criminal).
- Misrepresent the amount you owe.
- Ignore your written denial of the debt. (They need to show you proof it's yours or assure you the matter has been dropped.)