



# QUICK REFERENCE GUIDE COMMON FDCPA VIOLATIONS

## 15 FDCPA Violations

The Fair Debt Collection Practices Act, FDCPA, dictates how debt collectors can act when collecting a debt from you. These are things a debt collector can't do. If you need to reference the law, citations have been provided.

### 1. Ask you to pay more than you owe

The collector cannot misrepresent the amount you owe. [15 USC 1692e] § 807(2)(a)

### 2. Ask you to pay interest, fees, or expenses that are not allowed by law

The collector can't add on any extra fees that your original credit or loan agreement doesn't allow. [15 USC 1692f] § 808(1)

### 3. Call repeatedly or continuously

The FDCPA considers repeat calls as harassment. [15 USC 1692d] § 806(5)

### 4. Use obscene, profane, or abusive language

Using this kind of language is considered harassment. [15 USC 1692d] § 806(2)

### 5. Call before 8:00 am or after 9:00 pm

Calls during these times are considered harassment. [15 USC 1692c] § 805(a)(1)

### 6. Call at times the collector knew or should know are inconvenient

Calls at these times are considered harassment. [15 USC 1692c] § 805(a)(1)

### 7. Use or threaten to use violence if you don't pay the debt

Collectors can't threaten violence against you. [15 USC 1692d] § 806(1)

### 8. Threaten action they cannot or will not take

Collectors can't threaten to sue or file charges against you, garnish wages, take property, cause job loss, or ruin your credit when the collector cannot or does not intend to take the action. [15 USC 1692e] § 807(5)

## COMMON FDCPA VIOLATIONS



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## **9. Illegally inform a third party about your alleged debt**

Unless you have expressly given permission, collectors are not allowed to inform anyone about your debt except:

- ***your attorney***
- ***the creditor***
- ***the creditor's attorney***
- ***a credit reporting agency***
- ***your spouse***
- ***your parent (if you are a minor)***

[15 USC 1692c] § 805(b)

## **10. Repeatedly call a third party to get your location information**

The collector can only contact a third party once unless it has reason to believe the information previously provided is false. [15 USC 1692b] § 804(1)

## **11. Contact you at work knowing your employer doesn't approve**

A collector is not allowed to contact you at work if you've let them know your employer doesn't approve of these calls. [15 USC 1692c] § 805(a)(3)

## **12. Fail to send a written debt validation notice**

Within five days of the collector's initial communication, it must send you a notice include the amount of the debt, name of the creditor, and notice of your right to dispute the debt within 30 days. [15 USC 1692g] § 809(a)

## **13. Ignore your written request to verify the debt and continue to collect**

A collector can't continue to collect on a debt after you've made a written request to verify the debt as long as the request was made within 30 days of the collector's written notice. [15 USC 1692g] § 809(b)

### **COMMON FDCPA VIOLATIONS**



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## **14. Continue to collect on the debt before providing verification**

After receiving your written dispute, the collector must stop collecting on the debt until you have received verification. [15 USC 1692g] § 809(b)

## **15. Continue collection attempts after receiving a cease communication notice**

If you make a written request for the collector to cease communication, it can only contact you one more time, via mail to let you know one of the following: that further efforts to collect the debt are terminated, that certain actions may be taken by the collector, or that the collector is definitely going to take certain actions. [15 USC 1692c] § 805(c)