Debt collector response sample letter

You’re saying: “Tell me more about this debt.”

Use the sample letter on the next page to ask for more information about this debt.

How to use this sample letter:

1. Read the background below.

2. Fill in your information on the sample letter and edit it as needed to fit your situation.

Delete any parts that don’t apply to you.

3. Print and send the letter as soon as you can. Keep a copy for your records. You should consider sending the letter by certified mail or another method by which you can establish when the letter is received by the intended recipient.

Background

Send this letter as soon as you can -- if at all possible, within 30 days of when a debt collector contacts you the first time about a debt. This is important because, under the Federal Fair Debt Collection Practices Act, your legal rights to obtain verification information from a debt collector are greater during the 30-day period.

When a debt collector is asking you to pay money, you’re entitled to ask for details. The sample letter below will help you to get details on the following:

* Why a debt collector thinks you owe this debt.
* The amount of the debt and how old it is.
* Details about the debt collector’s authority to collect this money.

A debt collector may not have a legal obligation to provide some or all of the information you seek, even if you request it within the 30-day period. If the collector doesn’t give you what you request, that doesn’t necessarily mean the debt collector has broken any laws or that you do not owe the debt.

After you send your letter:

* If the debt collector makes vague statements about what will happen if you do not pay, read their response to your letter carefully. If they tell you that they intend to sue you, you should take that seriously. Federal law prohibits a debt collector from threatening to take any action they can’t take or that they don’t intend to take.

If you have specific questions, you may want to contact a lawyer. If you need a lawyer, you can:

* Review this list of [state legal services](http://www.consumerfinance.gov/askcfpb/1549/how-do-i-find-attorney-my-state.html).
* Find lawyer referrals in your county and state by visiting the websites for your local or county bar association, or [legal aid](http://lsc.gov/find-legal-aid).

State laws, have statutes of limitations, or limited time periods when creditors or debt collectors can file a lawsuit to collect a debt.

* In Massachusetts, the statute of limitations is 6 years for most contract-based claims, including credit card debt. This runs from the time of you last payment (leaving a balance), or from the time the creditor asked you to pay (e.g. statement or letter).
* In Massachusetts, a partial payment on the debt will restart the 6 year time period.

If you suspect that the debt may be beyond the statute of limitations, you may not be required to make a payment, and may want to consult a legal services attorney or other lawyer about whether the statute of limitations has expired.

Not all states require debt collectors to be licensed. Where a license is required, knowing whether or not a debt collector is licensed may be useful. If the debt collector isn’t conducting itself properly, you can contact the state licensing agency. If you think a debt collector is required to be licensed, but is not licensed, you may want to consult with an attorney.

Sample letter begins on the next page

[Your name]

[Your return address] [Date]

[Debt collector name] [Debt collector Address]

Re: [Account number for the debt, if you have it]

**REQUEST FOR VERIFICATION OF DEBT**

Dear [Debt collector name]:

I am responding to your contact about a debt you are trying to collect. You contacted me by

[***phone/mail***], on or about [***date***] and said the debt was [***any information they gave you about the debt***, **e.g. $700 owed on a Bank America Credit Card]**.I am requesting verification of the debt at this time in accordance with the applicable laws (15 U.S.C. § 1692g, 940 Code of Massachusetts Regulations 7.08, and 209 Code of Massachusetts Regulations 18.18). Please send me the following information below so that I can be fully informed:

Why you think I owe the debt and to whom I owe it, including:

• The name and address of the creditor to whom the debt is currently owed, the account number used by that creditor, and the amount that you allege is owed.

• If this debt started with a different creditor, provide the name and address of the original creditor, the account number used by that creditor, and the amount allegedly owed to that creditor at the time it was transferred. When you identify the original creditor, please provide any other name by which I might know them. In addition, tell me when the current creditor obtained the debt and who the current creditor obtained it from.

• Provide verification and documentation that there is a valid basis for claiming that I am required to pay the debt to the current creditor, including all documents which bear my signature and which concern this debt. For example, provide a copy of the written agreement that created my original obligation to pay.

The amount and age of the debt, including:

• A copy of the last billing statement sent to me by the original creditor.

• A ledger, or similar record, whether paper or electronic, which reflects the date and amount of all payments, credits, balances, and charges concerning the debt, including but not limited to interest, fees, charges.

• A copy of any court judgment against me.

• State the amount of the debt when you obtained it, and when that was.

• If there have been any payments or other reductions since the last billing statement from the original creditor, provide an itemization showing the dates and amount of each of them.

• Tell me when the creditor claims this debt became due and when it became delinquent.

• Identify the date of the last payment made on this account.

• Have you made a determination that this debt is within the statute of limitations applicable to it? Tell me when you think the statute of limitations expires for this debt, and how you determined that.

Details about your authority to collect this debt.

• I would like more information about your company before I discuss the debt with you. Does your company have a debt collection license from my state? If not, say why not. If so, provide the date of the license, the name on the license, the license number, and the name, address and telephone number of the state agency issuing the license.

• If you are contacting me from a place outside my state, does your firm have a debt collection license from that place? If so, provide the date of the license, the name on the license, the license number, and the name, address and telephone number of the state agency issuing the license.

I have asked for this information because I have some questions.  I need to hear from you to make an informed decision about your claim that I owe this money.  I am open to communicating with you for this purpose.  In order to make sure that I am not put at any disadvantage in the meantime, please treat this debt as being in dispute and under discussion between us.

Thank you for your cooperation.

Sincerely,

[***Your name***]