

Servicemembers: Know your rights when a debt collector calls

When a debt collector calls, your best response is to confront the situation head-on.

For servicemembers, trouble with your personal finances can put your duty status, potential promotions and even your military career in jeopardy. Your first instinct may be to hide or ignore the situation and hope it goes away. But that can make things worse. Instead, take action to protect yourself - and protect your rights, by knowing what's OK for a debt collector to do and what's not.

First, if you don't recognize the company or the debt, be sure the debt collector and the debt are legitimate

Find out:

- Who you're talking to (get the person's name)
- The name of the debt collection company
- The company's address and phone number

Ask the debt collector for:

- The amount owed
- The name of the creditor
- How you can dispute the debt or verify the debt is yours

If the debt collector doesn't tell you this information the first time they contact you, ask for the

Harassment is illegal

The Fair Debt Collection Practices Act says debt collectors can't harass, oppress, or abuse you or anyone else they contact.

This means they can't:

- Make repeated phone calls that are intended to annoy, abuse, or harass you or anyone answering the phone
- Use obscene or profane language
- Make threats of violence or harm

For servicemembers, this also means debt collectors can't:

- Tell your chain of command that you owe a debt
- Threaten you with prosecution under the Uniform Code of Military Justice
- Threaten an action they are not authorized to pursue, such as revoking your security clearance or getting you demoted

If you believe a debt collector is harassing you, you can submit a complaint to the CFPB at consumerfinance.gov/complaint/, or you can use our sample letters to respond to debt collection efforts. The sample letters can be found at consumerfinance.gov/askcfpb/1695/.

information in writing. If you have questions about the collector or the debt, it is a good idea to get this written notice before you agree to pay the debt collector or try to negotiate.

Second, identify the debt

If you recognize the debt

You can contact the debt collector and try to work out a repayment plan that makes sense for you.

If the debt is several years old

Before making a payment or agreeing to a payment plan for a debt that is old, find out what the state's statute of limitations is for filing a lawsuit to collect the debt. Consult your local JAG office for more information about the applicable law. To find your JAG Legal Assistance Office use the locator at legalassistance.law.af.mil/content/locator.php.

If the debt is not yours

Write the debt collector to dispute the debt and tell the collector the debt is not yours. You may also want to state that you do not want to be contacted about the debt again, though be aware that ceasing contact may not make the debt go away.

Third, keep your letters

Keep the letters you receive and make copies of the letters you send in case you need to dispute the issue later.

CFPB answers and sample letters

More information about your debt collection rights is available at consumerfinance.gov/askcfpb.

Read sample letters you can use to respond to debt collection efforts at consumerfinance.gov/askcfpb/1695/.

Submit a complaint

Have an issue with a financial product or service? We'll forward your complaint to the company and work to get a response from them.



Online

consumerfinance.gov/complaint



By phone

(855) 411-CFPB (2372)

(855) 729-CFPB (2372) TTY/TDD



By mail

Consumer Financial Protection Bureau

P.O. Box 4503

Iowa City, Iowa 52244



By fax

(855) 237-2392

Office of Servicemember Affairs



Online

consumerfinance.gov/servicemembers/



Email

military@consumerfinance.gov