

I am writing to request that the Consumer Financial Protection Bureau (CFPB) propose an amendment to the Fair Debt Collection Practices Act (FDCPA) to enhance consumer protections regarding fraudulent transactions.

Type of Action Requested:

I propose that the CFPB amend the FDCPA to require debt collection companies, as defined under the Act, to include a specific notice in their initial notice letter, correspondence, or debt validation letters. The notice should state:

“If any transactions regarding this credit product were fraudulent, whether you owned or did not own the debt, you have protections under the Fair Debt Collection Practices Act and may file a report at <https://www.identitytheft.gov/> and send us a correspondence of the FTC Affidavit/report so we can further investigate this debt.”

Factual and Legal Reasons for the Proposed Action:

1. **Consumer Protection:** Consumers may be unaware of their rights or the procedures to follow if they suspect fraud related to a debt. This proposed notice would ensure that consumers are informed of their rights under the FDCPA and provide clear instructions on how to report and address fraudulent activity.
2. **FDCPA Requirements:** The FDCPA already requires that debt collectors provide certain disclosures to consumers. Including information about fraudulent transactions aligns with the Act’s purpose of protecting consumers from unfair or deceptive practices. It will ensure that debt collectors are transparent about the process for handling fraud claims.
3. **Identity Theft and Fraud:** Identity theft and fraudulent transactions are significant issues affecting many consumers. Providing clear guidance in initial communications helps consumers take prompt action to resolve any potential issues and prevents further complications in the debt collection process.
4. **Enhanced Transparency:** This amendment would foster greater transparency and accountability in the debt collection industry. It would help ensure that consumers are better informed about their rights and the steps they need to take if they believe their debt is the result of fraud.

Expected Effects on Relevant Parties:

1. **Consumers:** The proposed notice would provide consumers with critical information about their rights and the steps to address fraudulent transactions. This would empower

them to take timely action and protect themselves from wrongful debt collection practices.

2. **Industry:** Debt collection companies would be required to update their communication practices to include the new notice. This would involve minor adjustments to their standard procedures but would enhance their compliance with consumer protection regulations.
3. **Enforcement Authorities:** Clear requirements for fraud notification would aid enforcement efforts by ensuring that all debt collectors provide consistent information to consumers. It would also help the CFPB monitor and address issues related to fraudulent debt more effectively.

I urge the CFPB to consider this petition and take appropriate action to amend the FDCPA to include the proposed fraud notification requirement. Your attention to this matter will enhance consumer protections and promote fairer practices in the debt collection industry.

Thank you for considering this request.

Sincerely,

Andrew James Gonzalez
lolzersbugs@proton.me