Title:
Collection Agency Law Explained

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Summary:
If you have ever been contacted by a collection agency, you know that it can be an unpleasant experience. A collection agency can turn simple acts, such as checking the mail or answering the phone, into dreaded tasks. However, it is important to know that there is a law in place intended to protect the people that collection agencies contact. The FDCPA (Fair Debt Collection Practices Act) was enacted to keep debt collectors from abusing, harassing, or deceiving a person when ...

Keywords:

Article Body:
If you have ever been contacted by a collection agency, you know that it can be an unpleasant experience. A collection agency can turn simple acts, such as checking the mail or answering the phone, into dreaded_tasks. However, it is important to know that there is a law in place intended to protect the people that collection agencies contact. The FDCPA (Fair Debt Collection Practices Act) was enacted to keep debt collectors from abusing, harassing, or deceiving a person when attempting to collect a debt. It also gives debt collectors strict guidelines to follow when collecting a debt. In this article, we will have this collection agency law explained in simple terms, to better inform debtors of their rights.

For starters, the FDCPA outlines very clear practices for debt collectors to follow when contacting a debtor. Debt collectors are only allowed to call during reasonable hours (usually 8:00 a.m. - 9:00 p.m.), but they are also allowed to call a debtor at work. However, if the debtor notifies the collection agent that their employer wants the calls to cease, the debt collector must stop calling the person's place of employment.

There are also rules of conduct a collection agency must follow when collecting a debt. A debt collector is forbidden from harassing any person from whom they are trying to collect a debt.Examples of harassment include excessively calling, insulting the debtor, or using obscene language. A debt collector is also not

allowed to make false statements when collecting a debt. Examples of false statements include posing as a government official, making threats (lawsuits, imprisonment, seizing of home and property, etc.), or telling the debtor they owe more than they actually do. In addition, a debt collector can not use unfair practices in attempting to collect a debt. These practices include collecting an amount larger than what the debtor actually owes, or suing the debtor for a debt they do not owe.

The FDCPA requires collection agencies to notify debtors of their rights, and any correspondence (mail or phone) has to contain the information that the contact is being used to collect a debt. The only reason a collection agency can contact a third party (family or friend) is to acquire the debtor's phone number or address. If the collection agency has this information, they are forbidden to contact a third party. It is also illegal for collection agencies to tell a third party that they are attempting to collect a debt.

The FDCPA is in place to protect the rights of debtor's while making a collection agent's job clear and concise. If a person being contacted by a debt collector feels that they are experiencing the violations discussed in this article, it is important that these misconducts are accurately documented. The reason for this is so that the claims can be proven if the debtor decides to take legal action.

Now that you have had this collection agency law explained, you should feel more confident about your rights if you are ever contacted by a debt collector. It is best to avoid the situation altogether by staying current on your debts, but it is good to know that the FDCPA exists if ever find yourself on the receiving end of a collection call.