

Know your rights when a debt collector calls

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

Your first instinct may be to hide or ignore the situation and hope it goes away. But that can make things worse.

First, 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 it contacts you, ask for the information in writing. It is a good idea to get this written notice before you agree to pay the debt collector or try to negotiate.

Harassment is illegal

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

For example, debt collectors can't:

- Make repeated phone calls that are intended to annoy, abuse, or harass you or any person answering the phone.
- Use obscene or profane language.
- Make threats of violence or harm.
- Publish lists of people who refuse to pay their debts (this does not include reporting information to a credit reporting company).
- Talk to you without telling you who they are.

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 your state's statute of limitations is for filing a lawsuit to collect the debt. Legal time limits can apply, and after the limit you might be able to argue that the creditor or debt collector is barred from starting a lawsuit against you. You may want to consult an attorney or the applicable law in your state.

If you don't think the debt is yours

Write and dispute the debt, and ask for formal written verification, including:

- The name and address of the original creditor (if different than the current creditor)
- How much you owe
- Proof the debt is yours

If the debt is not yours

Write the debt collector to tell it the debt is not yours and that you do not want to be contacted about it again.


Answers and sample letters


More information about your debt collection rights is available at consumerfinance.gov/askcfpb. You can also find sample letters at consumerfinance.gov/blog/debtcollection.


Submit a complaint

Have an issue with a financial product or service? We'll forward your complaint to the company and work to get you a response - generally within 15 days.

 **Online**
consumerfinance.gov/complaint

 **By phone (180+ languages)**
M-F, 8 a.m. - 8 p.m. ET
(855) 411-2372
(855) 729-2372 TTY/TDD

 **By mail**
P.O. Box 2900
Clinton, IA 52733-2900

 **By fax**
(855) 237-2392

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.