

# Know your rights when a debt collector calls

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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
- The name of the creditor

### 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 debt collectors 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).
- Call you without telling you who they are.

If you believe a debt collector is harassing you, you can submit a complaint with the CFPB.

## Second, identify the debt

### If you recognize the debt

You can contact the debt collector and 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. You may want to consult an attorney or the applicable law in your state.

### If you're not sure the debt is yours

Write and ask for formal written verification of the debt, 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.

## 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 are available at [www.consumerfinance.gov/askcfpb](http://www.consumerfinance.gov/askcfpb). You can also access sample letters at [www.consumerfinance.gov/blog/debtcollection](http://www.consumerfinance.gov/blog/debtcollection).

### Submit a complaint

If you have a credit reporting problem, you can submit a complaint:



Online

[consumerfinance.gov/complaint](http://consumerfinance.gov/complaint)



By phone

Toll free: (855) 411-CFPB (2372)

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



By mail

Consumer Financial Protection Bureau

P.O. Box 4503

Iowa City, Iowa 52244

We'll forward your complaint to the company and work to get a response from them. You will receive email updates along the way and can track the status of your complaint online.