

(To stop contacts)

Sample Letter

2713 Fairlane Drive
Cleveland, OH 44113 *(Your address)*
January 12, 2010 *(the date you write the letter)*

XYZ Company
3834 W. Smith Street, Suite 200
Cleveland, OH 44113 *(name and address of the debt collector)*

RE: Provider National Bank *(name of creditor)*
2317820473 *(account number)*
BK84 *(file number)*

Dear XYZ Company: *(name of debt collector)*

I am unable to continue to make payments on this account. My income is from Social Security.
(source of income: for example Social Security)

I have no money in the bank from any other source. I do not own any real estate or anything else of value. Since I am advising you that I cannot pay this debt, I ask that you do not contact me. Your contacts will only harass me and will not result in any payments being made.

I request that you stop communications to me about my account number 2317820473 *(account number)* with Provider National Bank *(creditor)* as required by the Fair Debt Collection Practices Act.

I will take care of this matter when I can. Your cooperation will be appreciated.

Sincerely,

(signature)

(printed name)

(To ask for verification of debt)

Sample Letter

(Must be mailed within 30 days of date you got letter from debt collector)

2713 Fairlane Drive
Cleveland, OH 44113 *(Your address)*
January 12, 2010 *(the date you write the letter)*

XYZ Company
3834 W. Smith Street, Suite 200
Cleveland, OH 44113 *(name and address of the debt collector)*

RE: Provider National Bank *(name of creditor)*
2317820473 *(account number)*
BK84 *(file number)*

Dear XYZ Company: *(name of debt collector)*

I am writing to you about the letter that you sent me on *(insert date that is on the letter you got)* that I received on *(insert date when you received letter)*.

I dispute the debt. Please send me all of the information that would verify the debt you are trying to collect from me with regard to the money you claim that I owe.

Thank you for your cooperation.

Sincerely,

(signature)

(printed name)



The
Legal Aid Society
of Cleveland
Since 1905

This brochure was prepared by Legal Aid, which serves low-income residents of Ashtabula, Cuyahoga, Geauga, Lake and Lorain counties in Northeast Ohio.

Intake Line for New Legal Cases

Toll Free: 888.817.3777

Tenant Information Line

Call for info related to tenants' rights and rental housing.
(This line does not provide legal advice.)
216.861.5955

Learn more about Legal Aid and upcoming brief advice clinics:

www.lasclev.org

Legal Aid Offices:

Cleveland & Administrative Offices

1223 West Sixth Street, Cleveland, OH 44113

Elyria Office

1530 West River Road, Suite 301, Elyria, Ohio 44035

Jefferson Office

121 East Walnut Street, Jefferson, OH 44047

Painesville Office

8 North State Street, Suite 300, Painesville, OH 44077

If you have a communications limitation, contact Legal Aid through the Ohio Relay Service at 800.750.0750. 

Legal Aid offers interpretation and translation services so those with limited English proficiency can communicate with Legal Aid staff in their dominant and/or preferred language.

The information in this brochure cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice. You should contact a lawyer if you need representation or if you have questions.



LA0021 6/18

How to Deal with Debt Collectors



The
Legal Aid Society
of Cleveland
Since 1905

www.lasclev.org

Owe Money?

If you owe money, you have a right not to be hounded by debt collectors. Those are people hired by your creditors to collect money you may owe.

The Federal Fair Debt Collection Practices Act gives you certain rights. Those rights don't make your debt go away. But the Act requires that debt collectors treat you fairly. The Act generally applies to companies or people, including lawyers, who are collecting a debt for a creditor.

You Can Stop Calls

Collectors may contact you in person, by mail or telephone. They may not contact you at inconvenient times or places. For instance, **collectors usually can not contact you before 8 in the morning or after 9 at night.** They may not contact you at work if they know your employer doesn't allow such contacts. You can tell this to collectors.

You can stop collectors from contacting you by writing a letter (preferably sent by certified mail return receipt) and telling them to stop. It is a violation of the Act if collectors do not stop contacts after getting a letter.

Keep a copy of the letter and the certified mail return card. But writing the letter will not keep collectors from suing you.

They Can't Tell Others About Your Debt

Debt collectors are allowed to contact other people but only to find out where you live, what your phone number is and where you work. Generally they are not allowed to tell anyone but you or your attorney about your debt. They are not allowed to contact people more than once, except upon the request of the person contacted.

Write A Letter To Get The Claimed Debt Verified

Within five days after debt collectors first contact you, they must send you a written notice telling you how much you owe, to whom you owe it and what you should do if you dispute the debt.

If you dispute the debt or any portion of it, you have 30 days after you get the first written notice to send debt collectors a letter (preferably sent by certified mail return receipt) asking for verification of the debt. It is always a good idea to do this because the debt may not exist. Keep a copy of your letter and the certified mail return card.

Do not assume because the notice you got came from a lawyer that the notice is correct.

After you send your letter, debt collectors may not contact you until after they give you proof that you do owe the money. That proof could be something such as a copy of the original bill.

Keep a written record of the collector's contacts with you and of your responses.

What Debt Collectors Can't Do

Debt collectors are not allowed to do certain things.

Harassment. Debt collectors may not harass, oppress or abuse you or any other party they contact. For example, they may not:

- threaten violence or harm;
- use obscene or profane language; or
- repeatedly use the phone to annoy anyone.

False Statements. Debt collectors may not use any false or misleading statements when they are attempting to collect a debt. For example, they may not:

- falsely suggest that they are attorneys or government representatives;
- falsely suggest that you have committed a crime;
- misrepresent the amount of money you owe; or
- indicate that papers being sent to you are legal forms when they are not.

Debt collectors may not say:

- you will be arrested if you don't pay your debt;
- they will seize, attach or sell your property or garnish your wages unless they can legally do that and intend to do so; or
- they intend to sue you when they cannot legally sue or don't plan to sue.

Debt collectors may not:

- give false credit information about you to anyone;
- send you anything that looks like an official document from a court or government agency when it is not; or
- use a false name.

Debt collectors may not engage in unfair practices when they try to collect a debt. For example, collectors may not:

- collect any amount greater than your debt;
- deposit a post-dated check early (Writing such checks is a bad idea anyway.);
- trick you into accepting their collect calls; or
- take or threaten to take your property unless they legally can.

What You Can Do

If possible, screen your calls. If a bill collector is calling, you don't have to answer. You also can tell the collector to stop calling you.

For help in managing your debts, phone the non-profit Consumer Credit Counseling Service toll free at 800.355.2227. **Stay away from companies that promise to fix your credit if you pay them money up front or that require you to pay a monthly fee.**

If you are sued on a debt, contact a lawyer immediately even if you get the written notice about the debt at the same time you get notice of the lawsuit.

If you think a debt collector has violated the law, consult an attorney. You have the right to sue a collector within one year of a violation of the law. If you win, you may get money for any actual damages you suffered and up to \$1000 in damages set by the Act, plus court costs and attorney fees. You can get a referral to a lawyer by calling one of the local bar associations.

You should report problems with debt collectors to the Federal Trade Commission toll-free at 877.382.4357; TTY at 866.653.4261.