



HELPFUL TIPS FOR DEALING WITH COLLECTORS

WHAT'S THE FDCPA ALL ABOUT?

In 1977, Congress enacted the Fair Debt Collection Practices Act (FDCPA), which sets guidelines for all debt collectors and how they conduct their business. The main objective of the FDCPA is to end manipulation and other emotional attacks. The individuals who seek your help may not be familiar with these guidelines or their rights under this law. As a result, they fall victim to illegal collecting practices.

TAKING GOOD NOTES MATTERS

Encourage those you're coaching to keep good records on every collection contact. In addition to sending correspondence through certified mail with a return receipt, they should also take notes on phone conversations. These notes should include the name of the collector, the date and time of the call, points covered during the discussion, and the agreed-upon plan of action. Always try to talk to the same person to avoid the risk of having to start from the beginning with each call.

TIPS FOR COMMUNICATING WELL

Communicating clearly with collectors is very important. Financial expert (and former collector) Chris Hogan stresses the role of communication in the process and offers these three tips:

- Don't avoid collectors!
- Speak facts when dealing with collectors.
- Script out some notes ahead of time so you feel more prepared.

HOW A CONSUMER SHOULD ASSERT THEIR RIGHTS

If collectors are violating the FDCPA and harassing the individuals you are helping, the consumers must assert their legal rights. They should notify the Federal Trade Commission and their state's attorney general or Department of Consumer Affairs in writing, including the recorded information about the harassing phone calls if possible. As with all correspondence, these letters should be sent by certified mail with a return receipt request. This provides proof that the notification was delivered and received. Using certified mail with a return receipt is a good practice for all communication between the consumer and the creditor. To report unfair collecting practices, visit <https://www.daveramsey.com/recommends/fair-debt/>.