

The Fair Debt Collection Practices Act



Collection agencies can be intimidating and tenacious. The goal of any collection agency is to recoup an unpaid debt, and sometimes the tactics used to collect that debt seem aggressive or even unnecessary. However, not all tactics employed are legal.

The Fair Debt Collection Practices Act (FDCPA) is a federal law, passed in 1977, that places limits on the actions of debt collectors. Under this legislation, collection agencies cannot employ abusive, unethical, or misleading practices to collect a debt. It is important to note that not all types of debt collection are covered by the FDCPA.

Does cover:	Does not cover:
<ul style="list-style-type: none">● Mortgages● Credit cards● Medical bills	<ul style="list-style-type: none">● Business debt● Original creditor

It's important to know these distinctions and which type of debt is being collected. Luckily, the FDCPA requires certain pieces of information to be stated in any collection conversation. Make sure that any person identifying themselves as a collection agent outlines the following:

- Name of creditor
- Amount of debt
- Your ability to dispute the debt

You can request the name and address of the original creditor if necessary.

Unless told in writing, a collection agency will continue to contact an individual in an attempt to collect a debt. These conversations also fall under the FDCPA legislation. The following communication restrictions apply:

- *When and Where*
Collection agencies cannot contact an individual at an inconvenient time or unusual place. Calling “business hours” are usually between 8 a.m. and 9 p.m. Calls outside of those times can be considered abusive or unethical.
- *Harassment*
Any contact between a collection agency and an individual must be done so respectfully. At no time can harassment over the phone, or in any other form, take place.
- *Legal Representation*
If an individual has an attorney, that attorney must be contacted rather than the individual. In some cases, the collection agency can easily obtain that information. If not, provide the name and contact information for your attorney when contacted by an agency.

Keep these restrictions in mind if you find yourself in a collection situation. Keep all communications respectful and seek legal representation if necessary.

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Meta Description: A blog outlining The Fair Debt Collection Practices Act and its importance to consumers.

Target Keyword: collection

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