

can a debt collector legally sue me

If A Debt Collector
Sue Me Should
They Keep Calling
Me

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Incoming Call



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Using 6 What Debt Collectors Can And Can't Do
Strategies Like The Pros

SRC:MixSentence,

IDs:44E9BDCC;2C8AA994;E8477A4A;5F5C7367;B5204A3C;D46

1. IRS Scam Calls Are Abundant - Scams Have Cost Americans Over \$26,500,000. If you haven't been personally targeted by one, then you may even be in the minority of people, as millions of fake IRS phone calls are placed each year in an attempt to collect money from unsuspecting Americans who don't actually owe anything. If you ask me, this year is likely to see even further growth in the scam, especially since more and more people seem to be getting desperate in their attempts to collect money, but also because the IRS actually has outsourced a few of their collection

activities to private lenders... I'll go through how to detect a legitimate debt collection call from one of these private lenders at the bottom of this post, but for now, you should think of most IRS scam calls like the new version of the old Nigerian Prince email scams that have been going around for years. This is the first question you should ask yourself when someone calls and claims to be from the IRS, or working with the IRS to collect back tax debt, and it's the fastest way to identify that you've been targeted by an IRS phone scam artist.

If you receive a call and you're not sure whether or not the person on the other end of the line actually works for the IRS, then the best thing you can do is request that they send you official written notification and documentation of the money you owe, telling them that you'll need this as proof before you're willing to pay up. No matter what they say, your best option is to simply hang up the phone, then write down the number you received the call from, and report it via the IRS scam reporting website. Typically, the debt collection company's name and address will appear on your credit report in the inquiries section. Document the name of the bailiffs, the name of the collection agencies, address, telephone number, date and time of all communication. Scammers May Seem Legitimate - The person who calls you may claim to have an IRS badge ID number, an official IRS email, or some other seemingly legitimate connection to the Internal Revenue Service (like official looking letterhead on emailed documents), but you'll need to see through their ruse, and identify that you're not dealing with the actual IRS. If you get a phone call out of the blue from someone claiming to be with the IRS, you can rest assured that you're dealing with a scammer.

If you've never received a letter from the IRS, but you get a phone call from someone claiming to work for them, you'll know for certain that you're dealing with a scammer. If you're not sure that you owe the IRS back taxes, but you've been contacted by someone claiming to be from the IRS, or working on their behalf and demanding that you pay, then this post is for you. Just because you receive phone call from a number that

Google says is the IRS, doesn't mean it's the actual IRS calling! IRS, and who says that you owe money on IRS back taxes that haven't been paid. The first time they communicate with you about anything, whether that's to get additional information for a tax return, attempt to notify you that you owe back taxes, or anything else, will be via snail mail. If you're sure you do have IRS tax problems, and are looking for help with filling and paying IRS back taxes, finding a resolution for your Federal tax debt, applying for IRS tax debt forgiveness, or using the IRS Fresh Start Program, then check out the other pages of my site. One thing that people definitely seem interested in is finding a list of all the known IRS scam phone numbers, but unfortunately, there is no such list.

In addition to actively pursuing and prosecuting these scam artists, the IRS has also created a list of things to watch out for when attempting to determine whether you're being contacted by an actual member of the Internal Revenue Service, or another scammer attempting to impersonate them. And that's sometimes why people get a call out of the blue because an agency has - now typically the reason they get calls, how did the agency find me? Scammers May Offer "Settlement" Options - Some scammers have gotten smarter, realizing that more flies are caught with honey than vinegar, and are now attempting to play the "nice guy" route, offering to settle your IRS tax debt for less than the amount they claim you owe, as long as you're willing to pay right now. Answer: No. If a creditor or a debt collector reduces the amount of wages or earnings being attached for a debt, whether in response to a debtor's request or otherwise, such conduct does not violate D.C. If a debt collector threatens to expose you for being delinquent on a payment, he or she is bluffing.

The Meaning Of Debt Collector Harassment

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Eventually, if you don't make a payment on a debt, it

becomes time-barred, which means it's past the point where a debt collector can legally sue you over your debt. 14. Continue to contact you after they have been informed you are represented by an attorney - A collector who knows you are represented by an attorney on the debt, they ABSOLUTELY cannot contact you at all and can only communicate with you through your attorney. It is clear that there are other people who receive messages on the same machine and debt collectors should not be leaving messages and may be liable to you for damages under the FDCPA. However, there are some exceptions. 3. There are certain limited exceptions to the prohibition on third party disclosure, which are not relevant here. Many business owners are strapped for time. 6. The existence of this business relationship with the debtor is also a significant factor in distinguishing Foti from the facts presented by *Mainstream Marketing Services, Inc. v. FTC*, 358 F. 3d 1228 (10th Cir. " Id. at 1237-38, 1246. But the restrictions on "unsolicited calls from commercial telemarketers" at issue in *Mainstream Marketing* did not apply to companies with an "established business relationship" with the consumer.

So what should do or not do when such calls arise? Frequent hounding calls from debt collectors can be intimidating. Debt management is among the quickest, most efficient, and least complicated ways to get collectors to stop calling. In the past, sometimes debt collectors would call alleged debtors and pretend to be taking a survey, in order to get more information to use against them. A creditor, debt collector or debt buyer can do little more than demand payment. Haggling with a debt collector about whether they owe a few hundred dollars for a three-year-old X-ray isn't high on the priority list. Most debt collection agencies will offer you a few different payment options. Great demand letters will incorporate components of your state's prompt payment laws. You should know that a charge off event is going to be reported to the credit reporting agencies and will appear on your credit report for about 7.5 years from when you missed your first monthly credit card payment . Credit Card Act - Fair Debt Collection Practices Act - Fair Credit Reporting Act - Truth in

Lending Act and other laws. This makes junk debt buying a multi-billion dollar industry responsible for a large number of debt collection and credit reporting violations.

The Fair Debt Collection Practices Act, a federal law, allows debtors to dispute debts after placement of a debt with a debt collector. This provision is available to you under federal law. Does the law need to be modernized to deal with this? At the Law Offices of Gary D. Nitzkin in Ohio, we've been ending debt collector harassment and cleaning up credit reports for consumers since 2008 for free. 5. Although the voicemail message left by the collector in Foti was a form of expression that related to the economic interest of the parties and was therefore entitled to First Amendment protection, as discussed herein, that message did not communicate any information directly or indirectly "regarding a debt" to anyone, and the Foti court therefore erred when it held the message was a "communication" within the meaning of section 1692a(2) of the Act. Such messages do not constitute "communications" under the FDCPA because they do not convey information "regarding a debt" to anyone. The purpose of the FDCPA is to protect vulnerable and unsophisticated debtors from abuse, harassment and deceptive collection practices. Many creditors' first attempts at debt collection do not involve the courts. Creditors who are collecting their own debts still cannot harass you, but the restrictions on their actions are governed by state law, not federal.

By ruling that such messages constitute "communications" and therefore must recite that they are from "debt collectors," the Foti court put all collectors who leave messages at risk of violating the Act's third party disclosure requirements, thereby placing an unreasonable restriction on valid commercial speech. Try to keep note of everything that is said or agreed in all correspondences and who says it. It is smart to keep records of what was said and if you believe something may be illegal, contact a lawyer. Your lawyer can help you determine whether or not the debt is still valid based on its statute of limitations, and they can negotiate a smaller payment for you. If you

need formal debt relief, you should pursue it. Debt collectors engage in protected commercial speech when they leave truthful, non-threatening voicemail messages that simply invite a return phone call from the debtor. The reaction is quite simple: when you send a cease and desist letter to a collection agency, collection attorney, or to your original creditor, you leave them only one way to effectively collect from you: filing a lawsuit. See 15 U.S.C. § 1692(a) ("Abusive debt collection practices contribute to .

What Are The Chances Of Being Sued By Debt Collector
Can I Sue A Debt Collector For Threatening To Sue
Over Time-Barred Debt? Can A Debt Collector Sue After
I Have Consolidate My Bills