



Debt Collection: Know Your Rights

Although dealing with a debt collector is rarely a pleasant experience, there are laws in place to ensure that debt collectors treat you fairly. Three laws in particular—the Federal Fair Debt Collection Practices Act, the Illinois Collection Agency Act, and the Illinois Consumer Fraud and Deceptive Practices Act—establish a code of conduct that debt collectors must follow when doing their jobs. These laws will not permit you to avoid a debt you legitimately owe, but they do set important limits on how far collection agencies can go in their collection efforts.

What Debt Collectors Can and Cannot Do

A debt collector can contact you in person, by mail, telephone, telegram, or e-mail. However, a collector may not contact you at unreasonable times, such as before 8 a.m. or after 9 p.m., or contact you at work if the collector knows that your employer disapproves. If you are getting calls at work, you should inform the debt collector that by continuing to call he or she is putting you at risk of losing your job. A debt collector may contact people other than you or your attorney to find out where you live or work, but may not tell anyone other than you or your attorney that you owe money.

Once a debt collector has notified you by phone, he or she must, within five days, send you a written notice telling you the amount you owe, the name of the creditor to whom you owe money, and what to do if you dispute the debt. A debt collector may **NOT**:

- Harass, oppress or abuse anyone (i.e., use threats, obscene or profane language, etc.);
- Make false statements when collecting a debt (this includes implying that you have committed a crime or saying you will be arrested or criminally prosecuted if the debt isn't paid); or
- Engage in unfair practices such as forcing you to accept collect calls or pay for telegrams or collect interest or fees in excess of the debt, unless authorized by the agreement creating the debt.

You can stop a debt collector from contacting you by writing a letter to the collection agency telling them to stop. Once the agency receives your letter, it may not contact you again except to notify you that some specific action will be taken—such as the filing of a lawsuit against you.

Disputing a Debt

A debt collector may not contact you if, within 30 days after the collector's first contact, you send the collector a letter stating that you do not owe the money. If, however, the collector sends you proof of the debt, such as a copy of the bill, the collector can resume collection activities.

Added Protections for Victims of Identity Theft

Under a recent amendment to the Illinois Collection Agency Act, debt collectors are required to suspend collection activities and investigate when a consumer notifies them that a debt is the result of identity theft. If the investigation confirms that the consumer does not owe the debt, the collector must permanently stop collection activities and notify the credit bureaus to remove from the consumer's credit report any adverse information relating to the debt.

If you feel that a debt collector has treated you unfairly, contact the **Illinois Attorney General's Consumer Fraud Bureau at 1-800-243-0618 (TTY: 1-877-844-5461)**.



Illinois Attorney General Consumer Fraud Hotlines

Chicago

1-800-386-5438

TTY: 1-800-964-3013

Springfield

1-800-243-0618

TTY: 1-877-844-5461

Carbondale

1-800-243-0607

TTY: 1-877-675-9339

Homeowner Helpline

1-866-544-7151 (Voice/TTY)

ID Theft Hotline

1-866-999-5630

TTY: 1-877-844-5461

Español: 1-866-310-8398

www.IllinoisAttorneyGeneral.gov