

can i be sued by credit card after the sol if they sold it to debt collector

Once Assigned To
A Debt Collector,
Can The Original
Creditor Still Sue

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Top 8 Lessons About Fair Debt Collection Practices Act
To Learn Before You Hit 30

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Any family member who has questions about whether they are legally obligated to pay the debts of a deceased person from their own assets should talk to an attorney. If debt collectors contact a third party, not authorized to pay the decedent's debts, under the FDCPA the debt collector can only do so to obtain the name, address, and telephone number of the decedent's spouse, executor, administrator, or any other person who is authorized to pay the decedent's debts. They can usually only contact a third party once

to obtain the information. During contact however, the debt collector cannot discuss the debt with the third party. The Cease and Desist letter is merely a written demand that a collection agency immediately halt all contact with you. Thereafter, the agency must contact you through your fair debt collection attorney.

According to the FDCPA, debt collectors can contact and discuss the debts of a deceased person with the person's spouse, parent(s) (if a minor child is the deceased), guardian, executor, or administrator.

Who can debt collector's contact regarding the debts of a deceased person? Once the collector has received the letter, he cannot contact you again unless it is to confirm that there will not be any further contact or that he or the creditor intends on taking action such as filing a lawsuit. All of these violate the Federal Debt Collection Practices Act, and consumers are entitled to \$1000 if a debt collector violates it. Report any abuse to the Federal Trade Commission. You also want to file your complaint with Federal Trade Commission. While the Federal Trade Commission does not file suit on behalf of most complaining consumers, it does keep track of this type of collection abuse, it may pursue cases against the worst violators of consumer rights.

Co-signed the obligation; Lives in a community property state; Was legally responsible for the resolution of the estate and did not comply with a state's probate laws; or Is the decedent's spouse and is required by state law to pay a particular type of debt. The agreement shall specify the charge or fee for collecting the child support and state, in bold type, that child support collection services are offered by the state of Connecticut or any other state for a nominal fee.

But, if you're aware of your rights, you know that the Fair Debt Collection Practices Act says that debt collectors who break the law must pay you up to \$1,000, along with actual damages and your attorney fees. Our experienced attorneys here at Krohn and Moss Consumer Law Center have also provided many helpful resources regarding the TCPA and the FDCPA and how telephone debt collectors should act. For instance, it is mandatory to know how the consumer law attorneys go about their work. The law gave the

agency expanded oversight and enforcement authority over previously unregulated industries including debt collectors, fintech firms and credit reporting agencies. However, no matter what your stand is with the debt collection agency, it is important for you to find experienced consumer law attorneys. Collectors may be collection agencies, attorneys and companies that buy delinquent debt from creditors to collect. The FDCPA mostly prohibits third party collection agencies from harassing consumers, including hired these collectors and buyers, but excluding original creditors. Therefore, it makes all effort to give the consumers an equal footing with the agencies appointed for collecting debt. It is important to know that Congress enacted the Fair Debt Collection Practices Act, better known as the FDCPA, with the objective of protecting consumers from harassment of these collectors.

Harassment of the debtor by the collector - More than 40 percent of all reported FDCPA violations involved incessant phone calls in an attempt to harass the debtor. If they do participate, homeowners will be forced to pay 50-200 percent more for their home than it is worth. Naturally, the letters and repeated reminder calls will stop from there on. Always keep a paper trail and a log of any collection phone calls you may have received as well. If you have an old credit card debt that you haven't paid off - or if you're currently getting calls from a debt collector - here's what you need to know. If an authorized person wishes for a debt collector to stop contacting them they must send a letter to the debt collector stating that they do not want the collector to contact them again. If a collection agency continues to call you for its collection after you have requested, in writing, that they stop contacting you, then your rights are further violated. Can person's authorized to pay the debt of a deceased person stop a debt collector from contacting them? Moreover, if this type of collector pulls out all of the stops, survivors sometimes feel ashamed or embarrassed to think that their parent or spouse would leave this world with a poor reputation.

To Click Or To not Click on: Fair Debt Collection Practices Act And Blogging

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If you have to dispute part of it or its entire amount, it is advisable that you should write letter to agency within a span of thirty immediately after getting this kind of letter. Since the agency always strives to collect more funds than what is paid to the company, it uses all kind of tactics, strategy and often indulges in unwarranted practices. Banks and other first parties have more wiggle room because they do not have to follow the FDCPA. Having to repeatedly tell debt collectors you are not "Zeke Zekeson" and you have never been hospitalized in Tucson is an annoyance. ACA International is clear with its guidance on sites like Facebook and Twitter: collectors are not to communicate through social media channels. Ron Brown, chief executive of CSI Group, an asset investigation and recovery firm based in Oklahoma City, and an ACA International instructor, says social media is a great tool. Mark Schiffman, a spokesman for ACA International, a trade association for third-party debt collection businesses. Taxpayers with overdue tax bills will always receive several collection notices from the IRS through the mail before their accounts are turned over to the private collectors. As a result, honest collection agents never add fees to their collection accounts -- they want to stay on the right side of the law.

Credit counseling agencies often charge fees for these services and there may be initial impacts to your credit worthiness due to closing accounts, so make sure you understand how the program works before you sign up. If a consumer wins a lawsuit against a collector, they may receive damages up to \$1,000 plus attorney fees. At that time, the Colorado attorney general's office accused Scata and his firm of misleading and deceiving consumers nationwide. Christopher Koegel, staff attorney at the commission. The Federal Trade Commission has a full list of what debt collectors can and can't do when it comes to collections. The Federal Trade Commission does keep track of consumer

complaints with regards to debt collection and receives more every year. With consumer credit card debt reaching unsustainable levels, many in the industry expect to see more disagreement and litigation with regards to the FDCPA. These types of debts include unpaid loans, credit card balances, student loans, and overdue medical bills. The clearest indicator that the caller is doing a scam is when you sense that the manner of asking you questions related to your credit card is very aggressive. They may be able to work with you and provide an alternate payment plan to avoid late fees, interest rate hikes, or hits to your credit report - sparing you from the long and arduous debt collection process outlined above.

While it remains on your credit report your credit score will suffer. The Denver Post report suggests that some consumers paid simply to stop the debt collector harassment. "(b) Required notice.- "(1) IN GENERAL.- Before transferring or selling a debt described in section 803(5)(B) to a debt collector or contracting with a debt collector to collect such a debt, a Federal agency shall notify the consumer not fewer than 3 times that the Federal agency will take such action. It is usually a bad idea to try to borrow more money to get out of debt, especially if you have to put up collateral such as your car or home. The FTC stressed that collectors must make disclosures when they're collecting on a debt, for example. However, Koegel says the FTC meets regularly with the CFPB, which is responsible for creating rules, to discuss issues with debt collection. Though some of the laws are older, the FTC says the rules are written in such a way as to govern debt practices regardless of the medium. Those efforts are much broader than just debt collection technologies, he says. The Fair Debt Collection Practices Act states that every consumer who requests one is entitled to a debt validation and that collection activity cannot resume until a validation is provided.

Amendments are proposed regularly and many states have passed their own fair debt collection practices regulations. We call these 'third party disclosures', a violation of Section 1692c(b) of the Fair Debt Collection Practices Act, and they are exceptionally common,

particularly when the debt collector leaves a message on a public answering machine. Recent press attention to a case in which a debt collector sent a debtor a message through Facebook raises a question: how can debt collectors use social media? Take Facebook. If an agent maintains debt collector profile and only adds debtors as his friends, his friends' list could serve as a modern day blacklist, he points out. He points to a case in Florida two years ago in which a debt collection agency contacted a debtor via Facebook. And first parties can be tainted by the poor practices of their outsourced collection agencies. Regardless, deploying deceptive practices to collect debt seems like a big no-no. Under the FDCPA debt collectors must inform you that you can dispute the debt.

How Long Does A Debt Collector Have To Sue You After They Purchase Your Debt Suing Zombie Debt Collectors Can Third Party Debt Collectors Sue