

How to Stop Debt Collection Calls

Legal Services for Students

1. GET YOUR CURRENT CREDIT REPORT

The best way to begin addressing your debt is to access your free credit report annually by visiting www.annualcreditreport.com. This allows you to identify your outstanding debts and learn which collection agency has been assigned to collect your debt(s). In addition, you can determine whether your report contains any errors. If you believe there is an error on your report, look up [Credit Reporting Agencies \(CRA\)](#) in the Yellow Pages and contact the CRA to request an investigation. You can also request that the CRA confirm a debt with the creditor. Collection agencies are required to inform you of your right to dispute the debt when you are first contacted. If you dispute the debt shortly after learning of it, the collection agency must cease its collection efforts for 30 days to investigate.

It's important to know that debts can only remain on your report for 7 years from the date of last activity. This means that a bad debt you stopped paying on in Jan. 2010 will be removed from your report in Jan. 2017. Making a payment towards that debt restarts the 7-year clock.

2. SEND A "CEASE LETTER" TO A CREDITOR OR COLLECTION AGENCY

The letter should express your desire that the company no longer contact you regarding debt collection, cite the relevant consumer protection law, and describe the unwanted contact you have received from the company. To view a sample letter, visit <http://bit.ly/1vOVdTw>. Once your letter is received, collection agencies are required to stop their collection efforts. Therefore, it is extremely important that you send the letter via certified mail with a return receipt requested and keep a copy for your records.

3. KNOW YOUR RIGHTS

The [Federal Fair Debt Collection Practices Act](#) and the [Texas Debt Collection Act](#) are laws that protect consumers from bill collectors. Under those laws, for example, a debt collector cannot harass you by contacting you at inconvenient hours outside the normal workday or lie to you about the consequences of failing to pay the debt on their terms. If the collector uses these illegal collection methods or continues to contact you after receiving a cease letter, you can sue for monetary damages. You should also send a letter of complaint to a government agency by submitting it on-line at www.ftc.gov.

4. HAVE A LAWYER SEND A "CEASE LETTER" ON YOUR BEHALF

If a collection agency continues to contact you after it received your letter requesting that it stop collection efforts, the agency may be more likely to stop contacting you if it receives the same letter written by a lawyer. If you are a student, you may schedule an appointment with [LSS \(512-471-7796\)](#) in order to have one of our attorneys write a cease letter if the one you sent did not help the problem. For non-students, consult your local legal services office by visiting www.lsc.gov.

5. NEGOTIATE WITH THE CREDITOR OR COLLECTOR.

You may be able to contact the creditor you owe to work out a plan that allows you to make smaller payments and avoid having your debt sent to a collection agency. If a collection agency is already involved, there is still an opportunity to negotiate a payment plan to address your debt. If you are able to negotiate a plan with the collection agency, the phone calls will likely stop if you stick to plan. Be careful not to agree to payments that are beyond your means or would result in you getting behind on other payments, such as a mortgage. You may also be able to settle the entire debt for a lesser amount.



THE UNIVERSITY OF TEXAS AT AUSTIN

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Office of the Dean of Students