

Stop Harassing Collection Calls

Consider taking the following steps to limit collection calls:

- Send a letter to the collector by mail asking for contact to stop. Consider sending it via certified mail with a return receipt and retain a copy. Once the letter has been received, a collector may not make contact again except to send confirmation of receipt or notice of legal action;
- Report the collector if they do not cease contact or engage in any of the prohibited behaviors listed in this brochure; and
- Know that stopping the calls does not negate any debt that may be owed.

Report Abusive Debt Collectors

Consumers experiencing harassment from a debt collector should file a complaint with the Federal Trade Commission at [ReportFraud.FTC.gov](https://www.ftc.gov/report-fraud) and with the Florida Office of Financial Regulation at [FLOFR.com](https://www.flofr.com). Additionally, anyone who encounters an abusive collector should file a complaint with the Attorney General's Office at [MyFloridaLegal.com](https://www.MyFloridaLegal.com) or at 1-866-9-NO-SCAM (1-866-966-7226).

FEDERAL TRADE
COMMISSION

Florida Attorney General's Office Scams at a Glance: Abusive Debt Collectors

Visit [MyFloridaLegal.com](https://www.MyFloridaLegal.com) to find consumer tips or to file a complaint.

Report fraud by calling
1-866-9-NO-SCAM
(1-866-966-7226)

View other Scams at a Glance
resources at:
[MyFloridaLegal.com/ScamsAtAGlance](https://www.MyFloridaLegal.com/ScamsAtAGlance)

Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050
[MyFloridaLegal.com](https://www.MyFloridaLegal.com)

Scams at a Glance:

Abusive Debt Collectors



OFFICE OF ATTORNEY GENERAL

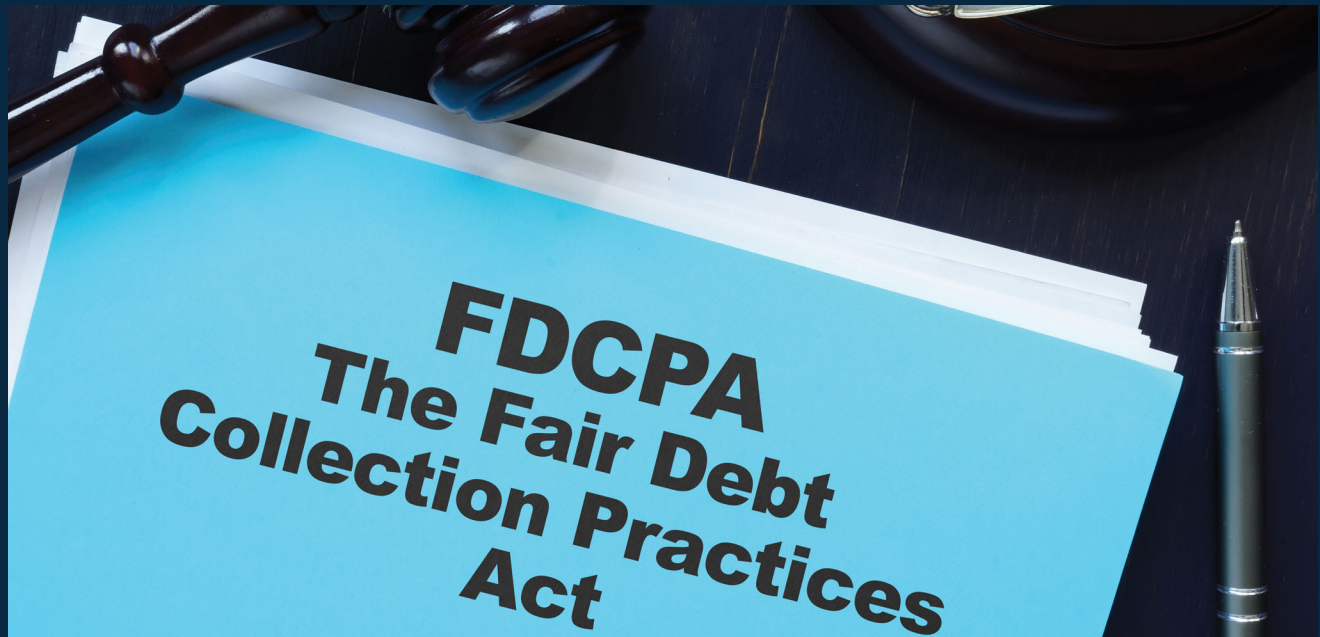
JAMES UTHMEIER

SAFE ★ STRONG ★ FREE

Stop Phantom Debt Collectors in Their Tracks

The term “phantom debt” is used to describe any debt that does not exist, has already been paid, or has previously been discharged. It can also include fraudsters attempting to collect upon a valid debt without the knowledge or authorization of the true creditor or company to whom the debt is owed. Consumers who suspect they may be dealing with a phantom debt collector should take the following steps:

- Avoid providing financial or private information to an unknown caller;
- Ask that the debt collector send a validation letter detailing the collection agency’s name, mailing address, current creditor and the amount of the debt;
- Send a written request for the original creditor’s information and proof the debt is owed to confirm its validity; and
- Know that debt collectors are required by law to send a written validation notice within five days of making contact. This notice must detail how much is owed, the name of the creditor to whom the debt is owed, and steps to take if the notice has an error or the debt is not owed.



Legal Protections

The Fair Debt Collection Practices Act is a federal law that prohibits harassment by third-party collection agencies and collection attorneys and is enforced primarily by the Federal Trade Commission. The Florida Consumer Collection Practices Act prohibits harassment by third-party collectors as well as creditors collecting their own debts. The FCCPA is regulated by the Florida Office of Financial Regulation and is enforced by OFR and the Florida Office of Attorney General.

Under these laws, debt collectors cannot:

- Use abusive, profane, violent, threatening or obscene language;
- Call before 8 a.m. or after 9 p.m. unless given permission from the debtor;
- Falsely imply that they are attorneys;

- Contact debtors at their place of employment if the collector knows that the employer does not allow personal calls;
- Lie or misrepresent any details regarding the debt;
- Pretend or lead the debtors to believe they have committed a crime by not paying the debt; or
- Place debtors in jail for non-payment of consumer debt. However, failure to pay child support or court-ordered restitution in a criminal matter could result in jail time.

A debt collector engaging in any of these behaviors is either a scammer attempting to steal funds or a debt collector behaving illegally.

