

# Debt Collection Attorney New York

Update: February 02, 2022

Please check the box below to proceed.

I'm not a robot

  
reCAPTCHA  
[Privacy](#) - [Terms](#)

There is quite a rise in the financial scams during the recent years. The foreclosure frenzy, despite the recent moratorium, is predicted to continue to reach new record-breaking heights during and throughout 2011-2013. In light of the well-documented and over-reported failure of the Home Affordable Modification Program to result in sustainable loan modifications, it is reasonably foreseeable that fewer loan modifications will be made and entered into in the coming years for underwater loans, unless lenders agree to start writing down the outstanding principal balance of loans. Can I refinance my home after discharge? This tactic can work great if a debt collector is pursuing you for an old debt you might owe but the paperwork perhaps got lost in the shuffle after the debt changed hands multiple times. This includes certain exceptions such as advising collection efforts are being terminated or that the collector intends to file a lawsuit or pursue other remedies where permitted. But, before you proceed to file any of such cases it is important for you to verify the legality of the attorney. Generally, these cases involve situations where a person that does not owe a debt tells a collector to stop calling them, but the calls persist.

Your cell phone is a means to contact you - and they can use that means to try to collect a debt. If you can afford a cell phone there is at least \$25 a month that could be used to pay off your obligations. As for credit card, please charge only what you know you would be able to pay off when the bills arrive each month. This is because paying off a collection does not immediately erase it from your credit report. The second part of my answer to your question is that you've to stop avoiding the collection agency. So, before we go any further, what exactly is a debt collection agency? So, just pay it , and get it over with. So, what would the message be that you would leave? First and foremost, you must stop your collection efforts and comply with the bankruptcy order. According to an article in The Morning Call , the Consumer Financial Protection Bureau (CFPB) plans to consider new rules aimed at "protecting consumers from unfair and harassing debt collectors." In fact, the CFPB has asked consumers to provide it with information about their debt collection experiences, which it will use to "determine what rules would be appropriate to protect consumers who are subject to debt collection," according to a news release from the CFPB.

How you can (Do) What Is Considered Harassment By Debt Collectors In 24 Hours Or Much less For free

Ringstaff said she had endured months of humiliation at the hands of debt collectors who made calls and disclosed her debt to relatives and employer. A debt collector may not contact you at work if the collector knows your employer does not approve, nor may a debt collector contact you at unreasonable times, such as before 8 a.m. A debt collector may contact you in person or by mail, email, telephone, telegram or fax. In addition, debt collectors are required to accurately disclose their identities to the person at the called number. Consumers receive a phone call from a person trying to collect on a debt that the consumer never incurred or a debt that had been previously paid off. Imposter scams are on the rise, and an imposter scam affecting consumers nationwide is imposter debt collection. The FDCPA prohibits various types of behavior and debt collection strategies by creditors and debt collection companies, including lying to consumers about debts they owe, making certain kinds of threats when contacting debtors, and even contacting debtors at odd hours of the day.

They threaten people with actions they cannot take because they know they cannot be sued in the United States. What do I do when I'm sued by a debt collector's lawyer? 6. Rejoice! You just successfully answered a debt collector's law suit and prevented them from getting a default judgment against you. Whoever she works for, you need to know the law that pertains to these third party collection agencies. Making a collection call to a cell phone belonging to the debtor or any third party. Places. Collectors may call you at your home as well as on your cell phone. If a debt collector violates the FDCPA, you may sue that collector in state or federal court. If a creditor has used any of these tactics, you may have a case. One creditor I am paying monthly, but this one? You aren't alone. One in seven Americans are pursued by a debt collector, according to a recent report from the nonprofit Center for Responsible Lending. Becky House, education and communication director for American Financial Solutions, a nonprofit credit counseling and debt consolidation agency in Seattle, says she has heard many horror stories - and she's even listened in on some calls.

However, that debt collector can send you a private message through Facebook asking you to pay up. Not contacting you at inconvenient times, such as before 8a.m. or after 9p.m. However, if you work at night and sleep through the day, the acceptable hours of contact would probably be different. Can a debt collector keep contacting me if I don't think I owe any money? To learn more about your rights during debt collection, or if you think a debt collector is using illegal practices to force you to pay a debt, you

should seek legal counsel. The Fair Trade Commission (FTC) receives thousands of complaints each year from consumers about debt collectors that cross the line using the above illegal tactics. Many complaints were specifically about repeated attempts to collect debt the consumer did not owe. Without a timely response, the debt collector can easily win and that will be the beginning of a new set of nightmares for the consumer. Once you tell them to stop calling, they either abide and stop calling, or they may be in violation of the Telephone Consumer Protection Act ("TCPA"). Tell the debt collector to stop calling. Are debt collector calls causing you to lose sleep?

Each state has its own statute of limitations that determines how much time a debt collection agency has to take legal action, but for many states it ranges from three to six years. Some debt collectors even swooped in and grabbed stimulus checks before the recipients had a chance to see a penny, prompting some states to enforce restrictions on what actions debt collectors can take with regards to federal stimulus payments. This is accomplished using a "process server", who can be Sheriff or a private process server. In some counties, Magistrate court cases are "served" in the mail without using a process server. Using a post office box as your mailing address doesn't deter a collection agency. Question: Can a creditor initiate a new collection lawsuit? A collector who has your bank account and social security numbers can probably easily find out the balance of the account. Most consumers' addresses (and sometimes, phone numbers) have been sold to companies that collect mailing lists and sell them to collection agencies.

Before getting into a negotiation, the CFPB recommends thinking through the logistics of repaying the debt. If you believe a debt collector has violated any of these rules, you can submit a complaint to the CFPB. When negotiating with the debt collection agency, ask them to put it in writing that the debt will be reported as "paid in full" or "paid as agreed upon" after you've paid the negotiated amount. You might also consider creating a budget that includes the amount you want to pay each month. The lady I spoke to called me names, called me a liar and said I was refusing to pay my debt. Many people are under the assumption that hiring a fair debt attorney will cost them an arm and a leg. Also, keep in mind that you are always better protected when you are represented by a skilled and experienced attorney. It is also important to keep a record of the calls you receive. If this doesn't happen, file a dispute with each of the three credit bureaus to have your record corrected. In the Northern Territory, the time period is three years.

Media, Pennsylvania, April 29, 2010 - A Harrisburg-area woman accused the debt collection law firm, Patenaude & Felix, A.P.C. While knowing creditor rights is important, not all creditors abuse the law or use inappropriate debt collection practices. Disreputable creditors also may try several collection tactics, such as calling at odd hours, talking to others about your debt, threatening you with arrest or misrepresenting the amount owed, all of which violate federal law. The amount of your payment does not have to be the full amount. Going to court is an expensive proposition for the debt collection agency and depending on the amount owed it may be a waste of time and money for that course of action. Knowing what a debt collection agency is, is the first step. Carnegie, PA and San Diego, CA, of unfair debt collection tactics when it attempted to collect an alleged Target National Bank consumer credit card account. Creditors have the right to sue debtors to collect payment.

Finally (there are other effects but for the purposes of this blog we will limit my list): The creditor may place the account in a holding queue for future sale. Lawyers, accountants, or a trust company are all possible choices. Being one of these sufferers, mind well that rebuilding credit is an extremely tricky job; however, with experts help you can make it possible through the elimination of errors from your credit report and can be benefited extensively in everyday life. We believe it is possible to satisfy our clients while also supporting consumers in reducing their debt. All debt collectors, including Eastpoint Recovery Group, must abide by the Fair Debt Collection Practices Act, or FDCPA, which is a federal statute and there might be additional regulations on state level. I don't owe anything to Rent-A-Center, and last I checked the Fair Debt Collection Practices Act allows for one call to rectify or confirm information deemed inaccurate, and forbids harassment.

Not only help you eliminate collection accounts that don't belong to you but it can also help you get rid of some debts that do belong to you too. It is not imputed into PayPal's system so that when you can next, there will be a notation about what the call was about and what is supposed to be done about it. This is why so many persons criticize PayPal's supposed buyer and seller protection! A debt buyer is a company, sometimes a collection agency or a private debt collection law firm, that purchases delinquent or charged-off debts from a creditor for a fraction of the face value of the debt. Call you to ask you to pay your debts. When your phone starts ringing off the hook with calls from collectors wanting you to pay off the deceased's accounts, your first course of action should be to inform the collector that the individual has passed away and ask for an address to send the death certificate to. Hindi naman puede na sunod-sunod na text or calls ang matatanggap mo. It is not uncommon for a consumer to receive a "dunning" letter, or numerous phone calls from a debt collector that they have never heard of, asking for amounts that are wrong, amounts that are no longer collectible due to the statute of limitations, or obligations that were previously paid or that were discharged in a bankruptcy.

However, it is only the very rare case when PayPal will admit making a mistake and reverse a decision they have made (admitting to a mistake opens PayPal up to litigation in court for damages and penalties). That is a clear case of deceit, though they are likely to claim that this information appears in the small print. Then you must contact a manager at PayPal and plead your case. If they cannot, and the amount you owe is large enough, PayPal will offer the debt to one of these very crooked companies who

will then in turn harass you to the ends of the Earth to scare you into paying them money. All you need to do then is to find the summons expiration date and docket number since that is typically where the clerk's signature is located as well. There are lots of free template letters available to download that ask collectors to prove ownership of debt, accept a settlement offer or freeze interest, and some can help if you need to file a complaint. You are not protected -- as a result you may have lost your money and the item that you sold!

If you do defend yourself, you will often find that the debt collectors do not have actual evidence they would need to prove you owe the debt at all and will have to drop the case against you. You do not need to live in fear and stress. You may then print the letter and send it to the debt collector who has been contacting you. Why? Lawmakers who drafted the federal law felt credit card issuers had a vested interest in retaining good customer relations and were less likely to engage in harassing, threatening behavior. Many want to immediately pick up the phone and call the creditor to explain the debt, but she says this isn't in their best interest. If any of the above abuses have happened to you, then it's in your best interest to speak to a lawyer. Since this can be difficult to prove, as it hinges on intent, it is best to get legal assistance from a skilled lawyer when making a case against debt collectors for this violation. Prove a violation of the FDCPA and the court can award you financial compensation for your actual damages, including lost wages, medical expenses and psychological trauma.

They are allowed to call you up to 10 times per month, as late as 9pm at night. They should stop calling at your office if you're not allowed to entertain collection calls there. There are other ways to "toll" (like hitting pause on a video) the statute of limitations, but that is a subject for another day. Fight Back, at its best, reads like a Grisham novel--except that the bad guys are managers in a debt-collection agency, not partners in a law firm. We even have tape-recorded evidence of collectors from the Birmingham firm Ingram & Associates repeatedly violating the FDCPA while trying to collect a debt I allegedly owed to American Express. If your debt collector is harassing you or repeatedly violating FDCPA rules, you can go to a state court or federal court to file a complaint. Debt collectors caused more than 300,000 complaints to the Federal Trade Commission in the past five years, more than any other industry that the agency regulates.

Thus, if your wife racks up a \$5000 credit card debt and you live in a community property state, you're just as responsible for paying off the debt as she is. But - and this is a big "but" - community property law does not apply to debts your husband or wife owed before you got married. I'm going to try to plow through the complexity of marital debt here and break it down for you once and for all which portion of your husband or wife's debts you do or do not owe. 're here to help. Period. So the good news here is that living in a community property state does not mean that you have to assume liability for your fiance's past financial mistakes. In general (the exact laws governing community property vary for each community property state), any debts or assets that a couple incurs during the course of a marriage are the property or responsibility of both parties. Before we go any further, I want to address community property law. You can just write the collector a letter, and tell him that you either refuse to pay the debt, or that you just don't want to hear from him again, and the collector will pretty much have to stop communicating with you completely.