

FDCPA Rights Reference Card

From The Debt Code by Jacob Tress

Your Rights Under the FDCPA

Fair Debt Collection Practices Act – 15 U.S.C. § 1692

What Collectors CANNOT Do

| They cannot... | Law |
|--|---------------|
| Threaten arrest or criminal prosecution for debt | § 1692e(4) |
| Call before 8am or after 9pm | § 1692c(a)(1) |
| Contact you at work if told not to | § 1692c(a)(3) |
| Use obscene or abusive language | § 1692d(2) |
| Call repeatedly to harass | § 1692d(5) |
| Misrepresent the amount owed | § 1692e(2) |
| Claim to be attorneys (if they're not) | § 1692e(3) |
| Threaten actions they cannot or will not take | § 1692e(5) |
| Contact third parties (except to find you) | § 1692c(b) |
| Add unauthorized fees or interest | § 1692f(1) |
| Deposit post-dated checks early | § 1692f(4) |
| Communicate by postcard | § 1692f(7) |

What You CAN Do

| Your right | How to use it |
|------------------------------------|--|
| Request debt validation | Send written request within 30 days of first contact. They must stop collecting until they verify. |
| Demand they stop contacting you | Send cease-and-desist letter. They can only notify you of termination or legal action. |
| Dispute the debt | Write "I dispute this debt" – they must note it on your file and inform credit bureaus. |
| Record calls (in one-party states) | Check your state's recording laws. In one-party states, you can record without telling them. |
| Sue for violations | Each violation: up to \$1,000 statutory damages + actual damages + attorney's fees. |
| Dispute credit bureau errors | Free dispute process with Equifax, Experian, and TransUnion. |
| File complaints | CFPB (consumerfinance.gov/complaint) and your state Attorney General. |

If a Collector Violates Your Rights

1. **Document everything** – date, time, what was said, who called
2. **Save voicemails and letters** – these are evidence
3. **File a complaint** with the CFPB at consumerfinance.gov/complaint
4. **Contact your state Attorney General** – many have consumer protection divisions
5. **Consult an FDCPA attorney** – many work on contingency (no upfront cost)

Key Numbers

- **30 days** – Window to request debt validation after first contact
- **7 years** – How long most negative marks stay on credit reports
- **\$1,000** – Statutory damages per FDCPA violation
- **Statute of limitations** – Varies by state (3-10 years). After expiration, they cannot successfully sue.

Free companion resources at thedebtcode.com/resources

*This reference card is from *The Debt Code* by Jacob Tress. For informational purposes only – not legal or financial advice. Consult a qualified professional for your specific situation.*