



The Financially Responsible Steward

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Who then is that faithful and wise steward, whom his lord shall make ruler over his household? Blessed is that servant! - Luke 12:42-43

MEDITATION SCRIPTURE

Thine, O Lord, is the greatness, and the power, and the glory, and the victory, and the majesty; for all that is in the heaven and in the earth is thine; thine is the kingdom, O Lord, and thou art exalted as head above all. - 1 Chronicles 29:11

SOMETHING TO THINK ABOUT

The only place success comes before work is in the dictionary. - Vince Lombardi

KNOW YOUR RIGHTS WHEN IT COMES TO DEBT COLLECTION – (Part 1)

Congress enacted the federal Fair Debt Collection Practices Act (FDCPA) in 1977. The law prohibits third-party collection agencies from harassing, threatening and inappropriately contacting someone who owes money. The FDCPA covers personal, family and household debts including credit cards, home/auto loans, retail refinancing and medical bills. Though the law is clear, many collectors don't play by the rules and complaints against them abound.

Borrowers are obligated to pay their debts or work with a nonprofit debt counselor or debt management firm to arrive at a repayment plan. But if you are a delinquent borrower, the law entitles you to privacy and respectful treatment. Specifically, no collection calls are permitted between 9 p.m. and 8 a.m. and none can be made to your workplace if you aren't allowed to take calls. The caller can't use abusive language, threaten violence or arrest, nor can he talk about your finances with anyone not authorized to know about them. If you want to stop the phone calls altogether, you must send the collection agency a cease-and-desist letter. It is best to send the letter via certified mail with verification requested that the letter was received.

The law also extends other protections to those in the debt collectors' crosshairs:

- a) Evidence - Consumers are entitled to proof that they owe the money. Collectors must document a claim with a copy of an unpaid bill or other evidence of a payment violation.
- b) Harassment - Debt collectors may not harass, oppress or abuse the consumer by using threats of harm, using obscene or profane language, or repeatedly contacting the consumer via telephone with the intention of causing an annoyance. Collectors are not allowed to call friends, family members, neighbors, members of a debtor's church or coworkers, except to ask for help in locating you with an updated phone number or address. They are also prohibited from publishing lists of consumers who haven't paid debts.

- c) False Statements - Debt collectors are forbidden from lying to collect a debt. Some examples include falsely identifying themselves as credit reporting agency representatives, attorneys or government representatives, claiming that you have committed a crime or misrepresenting the amount you owe.
- d) Misrepresentation - Collectors can't try to pretend being someone else. Debtors have reported collectors posing as law enforcement agents, attorneys and credit reporting agency officials. Impersonating a police officer is illegal in many jurisdictions, and it's prohibited everywhere as a debt-collection ploy. Debt collectors also can't threaten you with actions they aren't legally about to take. This includes garnishing wages without a court order or seizing your property if it's not collateral for a loan. They also can't threaten to sue you if the statute of limitations (the legal deadline for filing a collection suit) has passed.
- e) Unfair Practices - Debt collectors may not engage in unfair debt collection practices by trying to collect more than the consumer owes or the state law allows. If you give a collector a post-dated check as payment, they aren't permitted to deposit the check early. Collectors aren't allowed to threaten to take your property unless they can do it legally, and they're barred from contacting you with a postcard.
- f) Misleading Threats - Debt collectors aren't allowed to threaten consumers with legal actions that aren't permitted. They also can't threaten consumers with legal actions they intend to pursue.
- g) Wage Garnishment - Debt collectors are not legally allowed to garnish wages or bank accounts without a court order. Such a judgment directs a bank or employer to turn over funds or wages in order to pay the debt. Even then, many federal benefits are exempt from garnishment, including Social Security, student assistance and military annuities.
- h) Misleading Correspondence - Debt collectors aren't allowed to give false information about you to anyone - including a credit reporting agency - and they can't send you anything that looks like a court or government document if it isn't one. Conversely, they can't lead you to think that papers they send you aren't legal forms if they are.

(TO BE CONTINUED...)

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