

Debt Collectors Face The Wrath

JUNE 05, 2009 • 10:36 AM

BY MICHAEL DIAMOND

[HTTP://BLOGS.APP.COM/INTHEMONEY/2009/06/05/DEBT-COLLECTORS-FACE-THE-WRATH/](http://blogs.app.com/inthemoney/2009/06/05/debt-collectors-face-the-wrath/)

You know the drill. Phone rings. You check caller ID. It's your lender/loan servicer/bail bondsman. They want their money. You don't have it. You don't answer. They call again. And again. And again.

A few New Jersey Assembly members feel for you. Democrats John J. Burzichelli, Matthew W. Milam, Wayne P. DeAngelo and Paul Moriarty have introduced a bill called the "New Jersey Fair Debt Collection Practices Act" to eliminate abusive efforts to collect debt. And it would give consumers a way to dispute their claim.

Among the highlights:

*A debt collector can't call you earlier than 8 a.m. or later than 9 p.m.

*A debt collector can't call you if he or she knows you are represented by an attorney with regard to the debt. I take it that means you're filing for bankruptcy.

*A debt collector can't call you at work. (Leave your cell phone in your car. Comcast keeps calling my cell phone while I'm at work. It's kind of annoying.)

*A debt collector within five days after calling you needs to send a letter containing information about the debt, the identity of the creditor and how to dispute the debt.

*Debt collectors can't engage in harassing, oppressing, intimidating or abusive conduct. They can't be deceptive. And they can't threaten legal action if they aren't going to actually file a lawsuit. They can't threaten to break your knee caps, or waterboard you. (I added those last two things.)

The Consumer Affairs Division would oversee the industry. "This bill will place reasonable boundaries on the kinds of activities that debt collectors can employ but it does not void consumers' obligations to pay their debts," Consumer Affairs Chief David Szuchman said.

A reminder: Creditors are like bees. They get really angry when you run from them. It's best to answer your phone, explain your situation and see if they will work with you.