

# Know your rights when bill collectors start calling

**We're behind on a few bills and are getting calls from bill collectors. What's the best way to handle them?**

The best thing you can do is to know your rights. Part of the collector's job is to suggest ways for you to pay the debt in full. The collector may put the pressure on high to get you to agree to a plan, but you should know that you don't have to go along with a plan that doesn't make sense for your situation.

The Federal Trade Commission enforces the Fair Debt Collection Practices Act, which prohibits debt collectors from using abusive, unfair or deceptive practices. But what might seem abusive to you might be perfectly OK in the legal sense. To find out what's permitted and what's not, go to the commission's Web site at <http://www.ftc.gov/bcp/> and search for "Debt Collection FAQs." Some of the behaviors that are unacceptable are:

- Making threats of violence, harm or arrest if you don't pay the debt.
- Using obscene or profane language.
- Making repeated calls to annoy you.
- Misrepresenting the amount you owe or who they work for.

You'll find even more information in a newly revised publication, "In Over Your Head" (Bulletin 891) from Ohio State University Extension. Besides outlining options when faced with a large amount of debt, it explains what you can expect from debt collectors and what you can do to stop harassment. The 35-page bulletin is available for free to download from OSU Extension's publications Web site, <http://ohioline.osu.edu>, or



to purchase (for \$5.25 plus tax and shipping) from Extension's online store, <http://estore.osu-extension.org>. Its suggestions include:

- Don't succumb to pressure to pay low-priority bills if it means you won't be able to pay higher priority items such as your mortgage or rent, utilities, or food.
- You may be asked to send a post-dated check to pay the debt. This isn't recommended, because you can't be certain you'll have the funds in your checking account to cover the payment. Bouncing a check will just make matters worse.
- If you feel you are being harassed, write a "cease and desist" letter requesting that the collection agency stop calling you and detailing the objectionable behavior you have encountered. "In Over Your Head" includes a sample letter you can use as a template.

It's too late in your situation, but the best route to take is to contact a creditor as soon as you know you're going to have trouble paying a bill. It's best for all parties if you work with the creditor directly instead of through a collection agency — remember, if a debt is turned over to an outside agency, the creditor has to pay a fee or a percentage of the amount recovered. It's more economical for a creditor to work with you directly on some kind of payment plan, or to be patient with you until your financial situation improves.

*Family Fundamentals* is a monthly column on family issues. It is a service of Ohio State University Extension and the Ohio Agricultural Research and Development Center. Send questions to *Family Fundamentals*, c/o Martha Filipic, 2021 Coffey Road, Columbus, OH 43210-1044, or [filipic.3@cfaes.osu.edu](mailto:filipic.3@cfaes.osu.edu).



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**For the month of  
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**Dear Subscriber:** This column was reviewed by Chris Olinsky, family and consumer sciences educator for Ohio State University Extension.

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