

Plaintiff: _____

Defendant(s): _____

SOL: _____

	a – FDCPA Basic Definitions
§ 1692 a[3]	Definition of a Consumer as any natural person obligated on or allegedly obligated on a debt
§ 1692 a[5]	Definition of a Debt as an obligation for money, goods, insurance or services for primarily personal, family or household purposes
§ 1692 a[6]	Definition of a Debt Collector as collectors, collection agencies, lawyers, forms writers
	b – Contacting Third Parties
§ 1692 b[1]	Contact of Third Party: Failed to identify themselves or failed to state that the collector is confirming or correcting location info
§ 1692 b[2]	Contact of Third Party: Stated that the consumer owes any debt
§ 1692 b[3]	Contact of Third Party: Contacted a person more than once, unless requested to do so
§ 1692 b[4]	Contact of Third Party: Utilized postcards
§ 1692 b[5]	Contact of Third Party: Any language or symbol on any envelope or communication indicating debt collection business
§ 1692 b[6]	Contact of Third Party: After knowing the consumer is represented by an attorney
	c – Prohibited Communications Practices
§ 1692 c[a][1]	At any unusual time, unusual place or unusual time or place known to be inconvenient to the consumer, before 8am or after 9 pm
§ 1692 c[a][2]	After it knows the consumer to be represented by an attorney unless attorney consents or is unresponsive
§ 1692 c[a][3]	At place of employment when knows that the employer prohibits such communications
§ 1692 c[b]	With anyone except consumer, consumer's attorney or credit bureau concerning the debt
§ 1692 c[c]	After written notification that consumer refuses to pay debt, or that consumer wants collector to cease communications
	d – Harassment or Abuse
§ 1692 d	Any conduct the natural consequence of which is to harass, oppress or abuse any person
§ 1692 d[1]	Used or threatened the use of violence or other criminal means to harm the consumer or his/her property
§ 1692 d[2]	Used profane language or other abusive language
§ 1692 d[3]	Published a list of consumers who allegedly refuse to pay debts
§ 1692 d[4]	Advertised for sale any debts
§ 1692 d[5]	Caused the phone to ring or engaged any person in telephone conversations repeatedly
§ 1692 d[6]	Placed telephone calls without disclosing his/her identity (does not have to identify employer, unless expressly asked)
	e – False or Misleading Representations in Communications
§ 1692 e	Any false, deceptive or misleading representation or means in connection with the debt collection
§ 1692 e[1]	Affiliated with the United States or any state, including the use of any badge, uniform or facsimile
§ 1692 e[2]	Character, amount or legal status of the alleged debt
§ 1692 e[3]	Any individual is an attorney or that any communication is from an attorney
§ 1692 e[4]	Nonpayment of any debt will result in the arrest or imprisonment of any person or the seizure, garnishment, attachment
§ 1692 e[5]	Threaten to take an action that cannot legally be taken or that is not intended to be taken
§ 1692 e[6]	Sale or transfer of any interest in the debt will cause the consumer to lose any claim or defense to payment of the debt
§ 1692 e[7]	Consumer committed any crime or other conduct in order to disgrace the consumer
§ 1692 e[8]	Threatens or communicated false credit information including the failure that the debt is disputed
§ 1692 e[9]	Represents documents as authorized, issued or approved by any court, official or agency of the United States or state
§ 1692 e[10]	Any false representation or deceptive means to collect a debt or obtain information about a consumer
§ 1692 e[11]	Communication fails to contain the mini-Miranda warning: "This is an attempt to collect a debt ... communication is from a debt collector"
§ 1692 e[12]	Debt has been turned over to innocent purchasers for value
§ 1692 e[13]	Documents are legal process when they are not
§ 1692 e[14]	Any name other than the true name of the debt collector's business
§ 1692 e[15]	Documents are not legal process forms or do not require action by the consumer
§ 1692 e[16]	Debt collector operates or is employed by a consumer reporting agency
	f – Unfair Practices
§ 1692 f	Any unfair or unconscionable means to collect or attempt to collect the alleged debt
§ 1692 f[1]	Attempt to collect any amount not authorized by the agreement creating the debt or permitted by law
§ 1692 f[2]	Accepted or solicited post-dated checks by more than 5 days without 3 business days written notice of intent to deposit
§ 1692 f[3]	Accepted or solicited post-dated checks for purposes of threatening criminal prosecution
§ 1692 f[4]	Depositing or threatening to deposit a post-dated check prior to actual date on the check
§ 1692 f[5]	Caused any charges to be made to the consumer e.g. collect phone calls
§ 1692 f[6]	Taken or threatened to unlawfully repossess or disable the consumer's property
§ 1692 f[7]	Communicated with the consumer by postcard
§ 1692 f[8]	Any language or symbol on the envelope that indicates the communication concerns debt collection
	g – 30 Day Validation Notice
§ 1692 g	Failure to send the consumer a 30 day validation notice within five days of the initial communication
§ 1692 g[a][1]	Must state amount of debt
§ 1692 g[a][2]	Must state name of creditor to whom debt is owed
§ 1692 g[a][3]	Must state consumer has right to dispute within 30 days of receipt of the letter
§ 1692 g[a][4]	Must state consumer has the right to have the verification/judgment mailed to the consumer
§ 1692 g[a][5]	Must state will provide name and address of original creditor if different from current creditor
§ 1692 g[b]	Collector must cease collection efforts until debt is validated
	h – Multiple Debts
§ 1692 h	Collector must apply payments on multiple debts in order specified by consumer and cannot apply payments to disputed debts
	i – Legal Actions
§ 1692 i[a][2]	Brought any legal action in a location other than where the contract was signed or where the consumer resides
	j – Deceptive Forms by Creditor
§ 1692 j	Forms have been designed, compiled and/or furnished to create the false belief that the person other than the creditor is collecting