

# 5 Steps to Handle Debt Collectors' Harassing Calls

Being harassed by debt collectors calling you?

Then, you will know this scenario:

**Your phone rings...**

It's a number you have seen before.

You start to feel a knot in your stomach....

**It's that debt collector** that keeps calling you.

What do you do?

You could ignore the call. But, they will just call back. They always do.

Or...

**You can take a stand and make it stop.**



HERE'S HOW DO GET DEBT COLLECTORS TO STOP CALLING YOU.

[Click here to download the Infographic](#)

There are five quick steps to fight back when being harassed by persistent debt collectors

## STEP 1. KEEP CALM AND BE CAREFUL WHAT YOU SAY.

Debt collectors know how to push people's buttons in situations which are already emotional and stressful experiences by nature.

It's easy to get caught up in the moment...

If you do feel yourself losing your cool, **here's what you can do:**

Calmly tell the debt collector that you have something you need to take care of (a bathroom break is a good excuse) and ask them to call back.

When you hang up, **take a long deep breath...**

It is natural for our body to enter a state of "fight or flight" readiness in stressful situations.

A quick [breathing exercise helps reduce stress](#) and balance your mind. Take a few deep breaths. Try breathing out for twice as many counts as in.

For example:

Breathe in for 4 seconds, out for 8.

(Even if you do not hang up, this breathing technique can help you calm down. Do it while talking to them.)

When you do talk with them, be careful what information you share...

## A FEW DO'S AND DON'TS TO FOLLOW WHEN TALKING TO DEBT COLLECTORS ON THE PHONE.

### **Do tell them:**

- Your name.
- If you think you do not owe the debt.
- If you cannot afford to pay the debt.
- Your current address (if asked)

### **Do not give them:**

- Social security information
- Bank account details
- Credit card details
- Passport or ID number
- Mother's maiden name (used to reset passwords)
- Online passwords
- PIN codes
- Date of birth
- A "Good Faith" Payment
- Any validation that the debt is valid
- Promises of future payment (unless you plan to)

## STEP 2. RECORD EVERYTHING

*You can be sure:*

When talking with a debt collector, they are taking notes.

**You should, too.**

The more information you collect from your interactions with an abusive or harassing debt collector, the better your chances are of winning a legal dispute if you are to pursue it.

It is best to have an audio recording of each call, if possible.

You can do this with various [apps](#).

Or, by simply...

Placing your phone on speaker while recording the interaction with another device.

But, keep in mind:

If you do record the call in any way, let the debt collector know.

[It is illegal in many States to record a conversation](#) without both parties' knowledge.

If for any reason, you can not record the call:

Take written notes and keep track of everything.

**Include:**

- Date and time they called
- Their name and the company's name
- The telephone number they called you from
- What phone number they rang (your number)
- Whether they used a robo-caller (did you hear an automated message?)
- If they left a voicemail.
- A summary of the conversation

We offer our clients a useful template to keep track of their conversations with debt collectors. [Here's a free copy for you to use.](#)

## STEP 3. CHECK IF THEY ARE VIOLATING TCPA STATE LAW

**Never heard of the Telephone Consumer Protection Act (TCPA)?**

Here's a brief video to explain what it is:



<https://youtu.be/odiojq9w0jk>

## 6 QUICK SIGNS THAT A DEBT COLLECTOR IS IN VIOLATION OF THE TCPA

### 1. CONTACTING YOUR WORK, FRIENDS OR FAMILY

According to TCPA law:

Debt collectors must not disclose any details or even the existence of your debt to parties other than yourself, or appointed representatives.

If a debt collector calls your boss, colleagues, friends, family or anyone else other than yourself in pursuit of the debt....

They are violating TCPA law.

They may only contact those other parties to obtain your contact information to get in touch with you.

## 2. MAKING FALSE CLAIMS (LYING)

It is strictly forbidden for debt collectors to make false statements or provide misleading information.

Here are the top 10 lies unethical debt collectors have been known to say: *(These statements are false)*

1. "Claiming bankruptcy will not discharge your debt."
2. "We will flag your social security number."
3. "We can not tell you where the debt came from."
4. "Just make a small payment today, and we will stop contacting you."
5. "I am calling on behalf of the police department/government."
6. "I do not have to prove the debt to you. You have an outstanding debt, and you know it"
7. "I will take your assets, even if you file for bankruptcy."
8. "If you pay off your debt today, your credit rating will improve immediately."
9. "I will have you arrested if you don't pay."
10. "We will garnish your income if you don't agree to pay your debt."

***If a debt collector ever says any of these things to you (or similar),  
contact your lawyer immediately.***

## 3. DEBT COLLECTORS USING PROFANITY

All debt collectors are trained to speak confidently and with authority.

However, some step over the line.

Certain debt collectors will try using **abusive, psychological and emotional tactics...**

...and **say anything** to get your money.

You **never have to tolerate that kind of language** from a debt collector.

Whether it is the use of curse words, racial or prejudiced statements, or even crude reference to bodily organs...

Abusive and obscene language is a serious form of harassment and **punishable by law.**

*(No matter whether you owe a debt or not)*

## 4. USING AN AUTO OR ROBO-DIALER

The use of auto-dialers or predictive dialers to call cell phones is [in violation of the TCPA.](#)

Here are signs that a debt collector is using illegal automated dialing equipment:

- **There is a silence at the beginning of the call.** This when the computer registers that you have picked up and patches through the debt collector.
- **You hear an automated message** when answering the call.
- **The debt collector seems to call** at highly predictable times, every time. Indicating the call is autodialed.
- **You have many missed calls** from the same number in one day.

## 5. CALLING YOU AT ODD TIMES, OR AT WORK

Debt collectors are prohibited from calling you before 8 am or after 9 pm.

If a debt collector calls you outside these hours...

[You could be entitled to up to \\$1,000 in damages per call.](#)

It is also considered harassment if a debt collector calls you at a place that is of inconvenience to you.

For example:

At your place of work, or a friend or family member's residence.

## 6. CONTACTING YOU WITHOUT YOUR EXPRESS CONSENT

Express consent is exactly what it sounds like...

Debt collectors are not able to contact you unless they have your approval.

Here's a quick 2-minute video explaining express consent in detail:



<https://youtu.be/aXTvoDwgotY>

If a debt collector doesn't have your specific consent...

They are in direct violation of TCPA law.

### Quick Note:

Express consent can be provided online. *For example, by ticking a box.*

## STEP 4. TELL THE DEBT COLLECTOR TO STOP CONTACTING YOU

If a debt collector is harassing you, you have the legal right to demand that they stop.

You can do this simply by telling them something along the lines of:

*"I do not give you permission to contact me. Do not call me again".*

But...

It is better to do it in writing.

Ask for the debt collector's postal address to which you should send a cease and desist letter. This is a written statement outlining that you would not like to be contacted by them or their company.

[Here is a sample \(download\) of a cease and desist letter.](#)

*(Btw, use registered mail for proof that they received it.)*

If they continue to call you after receiving your cease and desist: **it's harassment.**

According to TCPA legislation, if a debt collector contacts you in pursuit of debt *after* you have made it undeniably clear that you do not wish to be contacted:

**You are entitled to up to \$1,000 in legal damages for every time they contact you** after receiving notification that you do not wish to be contacted.

## Step 5. Talk to a Lawyer

**You never have to tolerate harassment** from debt collectors.

You have the right to defend yourself and your reputation.

The TCPA law is there for your protection.

If you feel harassed by debt collection agencies or telemarketers, contact your lawyer.

You may be **entitled to sizable damages of up to \$1,000 per call made to you.**

**And...**

ZPLL has a team of nationwide consumer law experts who are here to help you.

Give us a call to discuss your situation: 1-800-634-1808 or send us an email at [info@zpllp.com](mailto:info@zpllp.com)

## Conclusion

Harassment or abuse over the phone is never pleasant. The good news is that you can do something about it.

I hope you have gained some valuable insights from this article and infographic to protect you in the future.

Do you have a story to tell about an abusive debt collector or telemarketer?