

# Fair Debt Collection Practices Act

## Consumer Protection for Borrowing Money

### Overview

The Fair Debt Collection Practices Act, or FDCPA, protects consumers from abusive third-party collection agencies by limiting how debt collectors can contact consumers. Your state attorney general's office can also provide information on protections available to consumers. Borrowers may sue a third-party debt collector in state or federal court for violations under FDCPA.

### What Does the FDCPA Do?

- Restricts debt collectors to contacting you from only 8 a.m. to 9 p.m.
- Prohibits debt collectors from calling you at work
- Requires debt collectors to provide a validation notice within five days of initial contact
  - Notices should include the amount owed, the name of the creditor and what to do if you do not believe this is your debt

### What Does the FDCPA Prevent Debt Collectors From Doing?

- Prohibits obscene or profane language and the use of all threats of violence and harm via all methods of communication (telephone, mail, etc.)
- Bans repetitive calling to annoy consumers
- Prohibits falsely claiming legal action, misrepresenting the debt you owe, or trying to collect interest or fees over what you owe unless allowed by original contract

### What are Third-Party Debt Collectors Allowed To Do Under the FDCPA?

- Contact you and your spouse during set times of day
- Call, email, text and send letters
- Legally seize property and inform you of the intent to do so
- Contact other people once to request your address, home phone and employer's name

### What Is Covered Under the FDCPA?

- Credit cards
- Mortgages
- Medical debts
- Auto loans
- Student loans

### What Is Not Covered Under the FDCPA?

- In-house debt collection where debt originated
- Business debts
- Agricultural debts

### Where Do You Report Debt Collector Violations Under the FDCPA?

- State attorney general's office: <https://www.usa.gov/state-attorney-general>
- Consumer Financial Protection Bureau: <https://www.consumerfinance.gov>
- Federal Trade Commission: <https://www.consumer.ftc.gov>

The Office of Financial Readiness is a trusted source of resources you can use to help you achieve a financially secure future.

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