

The Initial Dispute Letter

Under the Fair Debt Collection Practices Act, the initial written communication from a debt collector (collection agencies and collection lawyers) must notify the consumer of certain rights which can be exercised within 30 days after receipt. A consumer has the right to dispute the debt, to request verification of the debt, and to request the name and address of the original creditor.¹

The verification requirement is rather low and a letter requesting more detailed information cannot impose a greater obligation under the FDCPA. If an account has been sold, however, the Uniform Commercial Code allows the account debtor to request proof of any assignment.²

Therefore, we generally recommend a simple letter which states:

I am in receipt of your letter addressed to me dated [INSERT DATE]. I dispute the debt. I request verification as well as the name and address of the original creditor.

In addition, please provide me proof of each assignment of the account.

If there are particular times of the day when it is inconvenient to receive telephone calls, you can add:

It is inconvenient for me to receive telephone calls [STATE THE TIMES].

You should also let the debt collector know if your employer does not allow you to receive collection calls at work. So, you can also add:

You should never call me at work because my employer prohibits such calls.

¹ 15 U.S.C. § 1692g(a).

² U.C.C. § 9-406(c) – check your State’s adoption of the UCC.