

Looking Forward

When a collection agency calls, by Mark James Miller



.com

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An angry voice demanded, “Is this the correct number for Mark Miller?”

“Who is this?”

“Is this the correct number for Mark Miller?” Louder and angrier this time.

I repeated my request to know who was calling, but to no avail. And this was only the beginning. Soon I was getting six calls a day, each time demanding to know if this was my phone number.

A quick search on Google confirmed what I suspected — the company is a collection agency with a bad reputation. It is one of the largest of its kind in the nation, and purchases debts from banks for pennies on the dollar, then sets out to collect them by fair means or foul. The company’s take-no-prisoners approach has resulted in the company being ordered to pay \$19 million in refunds to consumers, as well as another \$8 million in fines, and has been ordered to cease collection on an additional \$3 million in debts. A paragon of business ethics it is not.

Just to be sure, I ordered my credit reports from www.freecreditreport.com and found I had excellent credit with nothing in collection. Obviously a mistake had been made and I was being targeted for someone else’s debt. But that company wouldn’t listen when I attempted to make that known to them, so something else had to be done.

At the California Attorney General’s website I found a section titled “Public Inquiry Unit,” where a consumer can file a complaint against a business. I filed a complaint against the company.

Within days I received a letter from the Attorney General’s office, informing me they had received my complaint and were forwarding it to the offending company. The phone calls stopped. A day later I received another letter from the Attorney General,

stating that the company had responded to their inquiry and a copy of their response was attached.

“The consumer is not the person we were seeking to contact,” the letter read, “and we sincerely regret the consumer’s every inconvenience ... we removed the capability of calling the consumer’s telephone number from our calling system ... (the company) will not again call the consumer’s telephone number.”

What is the best course of action if you find yourself in this unpleasant situation?

Be sure the debt is yours and that it is legitimate. The information collection agencies receive is often inaccurate and they end up going after the wrong person, as in my case. Make them prove you owe this debt.

Know your rights and insist they be respected. Under the Fair Credit Reporting Act of 1977 consumers have numerous rights that limit what a collection agency can do. It must, for example, identify itself as such when it contacts you. See www.lawhelpca.org.

Get your credit reports. Go to www.freecreditreport.com and request your credit reports from all three major agencies — Experian, Transunion and Equifax — and check them for accuracy. You have the right to challenge any incorrect information. File a complaint with the Attorney General. This is a surprisingly easy process and I was delighted at how quickly they made the collection agency back off. Go to: <https://oag.ca.gov/>.

Good credit is a must in today’s world. Review your credit reports once a year, challenge any negative material contained in them. Assert your rights if an agency comes after you. Make sure the debt is legitimate. The collection agency is only concerned with getting the money it’s after, not whether it is actually you who owes the debt. It’s your money and your good name that are at stake.

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