

Dealing with debt collectors

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Read this to understand how debt collection agencies work and what your legal rights are when debt collectors contact you. Includes a form letter you can mail to debt collectors asking them to stop contacting you.

Form attached:

Letter to debt collectors: no-contact letter (NJP Debt 110)

Practical tips for dealing with collection agencies

- **You don't have to talk to them.** They'll try to scare you into paying them money you can't afford to pay. It's okay to screen your calls or just hang up.
- Don't use money you need for rent, food, or other essentials to pay a collection agency.
- Never give a collection agency your personal information.
- Never give a collection agency or other creditor your bank account information or authorization to withdraw money from your bank account.
- If the collection agency is contacting you more than 3 times a week, or in the middle of the night, or threatening you, it is violating the law.

What is a collection agency?

The legal definition of a collection agency is a business or an organization whose main purpose is collecting debts. A lawyer who regularly collects consumer debt is also considered a collection agency under this definition.

Any business or person whom the law considers to be a collection agency must follow certain state and federal laws that protect people the collection agency is trying to collect from.

The credit or collection office of a business whose main purpose isn't debt collection, such as the credit office of a department store, car dealership, or bank, doesn't meet the legal definition of a collection agency. The laws we discuss here don't apply to them.

What must the collection agency do?

A collection agency must contact you in writing about a debt. If the collection agency first contacts you by phone, ask them to send you verification of the debt in writing.

The first written notice from a collection agency must have all this information:

- The collection agency's name and address
- The debt amount, including the original debt and any additional costs or interest
- The name of the creditor you owe
- A statement that unless you disagree with (you dispute) the debt within **30 days** after getting the notice, the agency will assume the debt is valid
- A statement that the collector will give you the original creditor's name (if different from the collector), if you ask for it within **30 days**
- A statement that if you notify the debt collector in writing within **30 days** of getting the notice that you dispute the debt, the collection agency will mail you proof (verification) of the debt

Every communication from a collector must clearly state that they're trying to collect a debt and will use any information they get from you in their efforts.

If the debt is medical debt there are additional notice requirements.

What if I don't think I owe the debt?

Within **30 days** of getting the first written notice from the collection agency, you must tell the collection agency in writing that you disagree that you owe any debt. When the collection agency gets this from you, it must stop collection until it sends you its proof that you do owe it.

Keep copies of what you send to the collection agency. Whenever you can, use certified mail, return receipt requested.

If your income is exempt from garnishment, you should also mention this in all your written correspondence to the collection agency.

Here are some **examples** of reasons why you might dispute a debt:

- You don't believe you owe the debt, or you believe the amount the creditor claims you owe is wrong.
- You paid the debt.
- You had medical coupons. The creditor should have billed the Washington State Health Care Authority.
- You were hospitalized. You told the hospital you couldn't pay for care. The hospital should have considered payment under a charity care policy.
- You believe collection of the debt is time-barred.

What does "time-barred" mean?

A collection agency must start a legal claim against you by a certain legal deadline, called the **statute of limitations**. If it doesn't, the claim is "time-barred." The collection agency waited too long. It can't bring the claim now.

The exact deadline depends on the basis type of claim or debt. Most claims based on written contracts governed by Washington law must be started within **6 years** of the date of default on the account (usually the date of the first missed payment). Most claims based on unwritten (verbal or oral contracts) must be begun within **3 years** of default.

If you make a payment on the account within the statute of limitations period, the time period **restarts**. This means that depending on the type of contract, the creditor will get another 6 or 3 years to file a lawsuit.

For example, Shawn missed a credit card payment in July 2025. The deadline for the credit card company or a collection agency to sue Shawn over the debt is 6 years from the date of default on the account. The company's deadline to sue is September 1, 2025. If Shawn makes a payment on August 15, 2025, the credit card company has 6 years from the date of Shawn's next default to file a lawsuit.

If you make a payment **after** the statute of limitations time has ended (expired), that won't restart the deadline.

If the collection agency in the example above doesn't file a lawsuit before the September 1 deadline, and Shawn makes a payment on September 30, the creditor or collection agency may not ever file a lawsuit.

Can I make a collection agency stop contacting me?

Under the Federal Fair Debt Collection Practices Act (<https://www.consumerfinance.gov/ask-cfpb/what-laws-limit-what-debt-collectors-can-say-or-do-en-329/>), you can write the collection agency to tell them to stop communicating with you. This is true even if you do owe the debt. Then the collection agency can only contact you again to tell you

- They'll stop trying to collect from you
- They plan to take action against you, such as filing a lawsuit

This doesn't stop the collection agency from suing you. It only stops them from calling and sending you letters.

Your letter to the collection agency must include this information:

- Your name and address
- The date
- If available, the account number on the collection agency's statement
- A statement that you're exercising your rights under the FDCPA
- A statement that you want the collection agency to stop calling or writing, or both

If your income is exempt from garnishment, you should also mention this in all your written correspondence to the collection agency.

Keep a copy of this letter. Mail the collection agency the original, and mail the original creditor a copy. **You must send the collection agency the letter** by U.S. mail. Get proof of delivery from the post office by online tracking or certified mail. Keep a copy of your letter and proof of delivery.

If, after sending this letter, the collection agency contacts you again, they have violated the law (<http://www.law.cornell.edu/uscode/15/1692.shtml>). You can sue the collection agency for money damages and lawyer fees.

What are unlawful practices?

Starting July 27, 2025, it's against state law (<https://app.leg.wa.gov/RCW/default.aspx?cite=19.86>) for a creditor, including a medical provider or collection agency, to report your unpaid medical bill to a credit reporting agency. If this happens to you, you could sue the creditor for damages.

Both Washington State's Collection Agencies Act (<https://app.leg.wa.gov/RCW/default.aspx?cite=19.16.250>) and the federal Fair Debt Collection Practices Act (<https://www.consumerfinance.gov/ask-cfpb/what-laws-limit-what-debt-collectors-can-say-or-do-en-329/>) prohibit harassment, false or misleading statements and unfair practices by collection agencies.

If you believe a collection agency has unreasonably harassed or misled you, you can sue them. You could win damages and lawyer fees.

Here are some **examples** of violations:

- The collection agency tells or threatens to tell your employer or neighbors about the debt.
- The collection agency calls at hours defined by law as "unreasonable:" 9:00 p.m. - 8:00 a.m. under federal law, 9:00 p.m. –7:30 a.m. under state law.
- The collection agency threatens you with illegal action, such as threatening to take money out of your Social Security check or take other exempt property, or threatening arrest or jail.
- The debt collector communicates with you or anyone in your household in a harassing, intimidating, threatening, or embarrassing way.
- The debt collector communicates with you or your spouse more than 3 times in one week.
- The debt collector sends you notices that deliberately look like government documents or an emergency message.
- The debt collector asks for a postdated check or threatens you with criminal prosecution.
- The debt collector deposits a postdated check before the date on the check. A collector's acceptance of your postdated check violates the law, unless you had 3 to 10 business days' notice before the collector deposited the

check.

What can I do if I believe a collection agency has violated my legal rights?

You should try to talk to a lawyer. You can also file a complaint. Agencies taking complaints about these types of violations are:

Department of Licensing

Collection Agency Board

PO Box 9034

Olympia, WA 98507-9034

Phone: 800-451-7985

FAX: 360-750-6699

Email: BLS@dol.wa.gov (<mailto:BLS@dol.wa.gov>)

Washington State Attorney General

Consumer Protection Division

800 5th Ave., Suite 2000

Seattle, WA 98104-3188

Phone: 1-800-551-4636

Online Complaint Form (<https://www.atg.wa.gov/file-complaint>)

Make sure you have strong proof that the collection agency violated the law. You should:

- Set up a place to keep everything you get from the collection agency, including envelopes.
- Make notes of every phone call from the collection agency, including date, time, content, and names of people involved in the conversations.
- If you learn the collection agency has contacted anyone besides you, make notes of the same information.
- If the stress of dealing with a collection agency causes physical, mental or emotional problems for you, see a counselor or doctor of your choice. Discuss the situation thoroughly with them.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our [Get legal help](#) page.

Date: _____

To:

Collection agency name

Street address

City, state and zip

Re: Account No. _____

I'm exercising my rights under the Fair Debt Collection Practices Act, 15 U.S.C §1692, and demand that you cease all communication with me, my family members, and all other third persons.

[] (*Check this box only it applies*) My income is exempt from garnishment pursuant to 42 U.S.C. §1383(d) and §407.

I dispute the validity of the debt in the above-reference account, and request that you send verification of the debt and the amount owed, and proof of a valid assignment of the debt from the original creditor to you. Please send me copies of all documents related to this debt including, but not limited to, court judgments or other orders, contracts, billing statements, account records, invoices, receipts, cancelled checks and correspondence. Please detail all costs and interest charges owed, dates incurred, and all amounts paid on the account. Please send everything to me at the address listed below.

Sincerely,



Sign here

Print name

Street address

City, state and zip

*Send by certified mail/return receipt requested or ask the post office for tracking/delivery confirmation.
Keep a copy of your letter and proof of delivery.*