



Watching your debt grow? Find out how to...



Take Control of Your Debt

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4 Ways to Fight Debt and Avoid Scams

- 1. Get fast help from an accredited counselor.** The U.S. Department of Justice has accredited some nonprofit debt counselors to do counseling for people seeking debt relief, including bankruptcy, and several associations also can help you locate qualified debt counselors. Even if you do not intend to file for bankruptcy, an accredited counselor can also help you review your finances and make a debt plan, in person or by phone.
 - The counselor must discuss any fees with you before help is given.
 - If you can't afford to pay a small fee (as little as \$50), the accredited counselor may be able to provide help at no cost – ask about this.
 - If you are facing possible foreclosure on your home, or considering a mortgage loan modification, check first with an accredited counselor to find out what steps might be best to take. To get free help, call **888-995-4673**.
 - New York City provides free financial counseling to residents in Spanish, English, and Chinese. Call 3-1-1 to find the Financial Empowerment Center near you and learn about other resources.
- 2. Don't pay big advance fees to debt relief companies.** Be wary if any business promises to solve your debt problems quickly. The company may want you to pay it a lot of money in advance.
 - As of October 27, 2010: government rules say that for-profit companies that offer debt help over the phone and advertise in more than one state are *not allowed* to charge you advance fees for debt relief services before you get any results.
 - You can often negotiate with creditors yourself - at no cost.
- 3. Find out about your debt rights.** Government laws and regulations can help you. Accredited counselors, some nonprofits, and lawyers can provide you with this information.
 - **Debt collectors are *forbidden* to call you at prohibited times or places**, harass you, use unfair practices, or make misrepresentations.
 - **If you are sued about a debt, you have a right to challenge the claim in court and it is important to answer right away.** Some people do not owe the debt

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claimed in a lawsuit, or the legal paperwork might be incomplete or incorrect. Even if you do owe the debt, you are entitled to get help. Seek professional advice from a genuine lawyer. There are *free sources of legal advice* in some courts, and some nonprofit organizations offer no-cost legal help. You can also choose to represent yourself and tell your side of story to the court.

4. Protect yourself against unethical or fake debt collectors. Many debt collectors operate within the law, but some do not. If someone calls, be wary:

- **Never confirm financial identity details to strangers who call about debt.** Crooks and identity thieves sometimes pretend to be debt collectors to get money or identity information so they can steal from you or misuse your identity.
- **Demand proof that a debt is owed in writing.** Ask for written proof that the debt collector represents someone who owns a real debt that you actually owe.
- **Don't believe people who threaten to damage your credit or have you arrested over a debt.** Fake or unethical debt collectors may try to scare you into paying money. Threats are a clear sign that something is wrong. Debt collectors are not allowed to threaten you or use abusive language when they call.

Pay Down Debts Completely

If you do owe money, it is always best if you can agree upon a plan to pay off your debts completely. Try to talk directly to supervisors at credit card companies, utilities, phone companies, your mortgage company, or other creditors about making a deferred payment or "pay-down" plan which will completely pay off your debt.

In some cases, the company might be willing to accept less money than you owe, or at least remove some interest charges. Be aware that paying less than you owe could hurt your credit rating. If the amount of money "forgiven" by the creditor is large – such as a part of a mortgage debt - you might owe income tax on the amount "forgiven." If you have questions about when you could owe tax on a "forgiven" debt, check with the Internal Revenue Service (IRS) at www.irs.gov.

If you do negotiate your own debt pay-down plan with a creditor, be sure that it is in writing, and that you stick to that plan. This will help to protect your personal credit record. Remember, you need to keep your credit record good for the future. A bad credit record can make it hard for you to get a job, rent an apartment, buy a car or a home, or get credit from local stores when you need it.

Know Your Rights

Truth-in-Lending Act

Credit sellers and lenders are required to disclose accurately the interest (often called the "annual percentage rate" or "APR") you will be charged on your purchases or borrowings. If their disclosure statement is incomplete or inaccurate, they may not be able to enforce their debt claim against you.

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Fair Debt Collection Practices Act

You have rights under the nation's Fair Debt Collection Practices Act. This federal law covers consumer debts, but not business debts. It says that debt collectors *cannot use* unfair practices with consumers. For example, according to the Federal Trade Commission (FTC), debt collectors *may not*:

- Call before 8:00 AM in the morning or after 9:00 PM at night
- Threaten you or your family with violence
- Claim that you will be arrested if you don't pay
- Use obscene or profane language
- Call repeatedly, to pressure you into paying money
- Call your workplace if told that you are not allowed to get calls at your job
- Contact anyone besides you, your spouse, your attorney, a consumer reporting agency or the creditor about the debt - except to get your contact information, in most cases
- Contact you directly if the collector knows you are represented by a lawyer
- Seize your property, bank account, or wages, unless authorized through proper legal proceedings
- Pretend to be a government official, lawyer, or credit agency official
- Misrepresent facts about whether you owe a debt
- Collect interest or fees on top of a debt unless permitted through a valid prior contract or under the laws of your state

New York, New Jersey and Connecticut laws may offer additional protections. Check with an accredited debt counselor, bar association, or government agency in your state for more information about this.

Fair Credit Reporting Act and Equal Credit Opportunity Act

Consumers also have important rights under the [Fair Credit Reporting Act](#). According to the Federal Trade Commission (FTC), these include:

- The right to see all information about you in the files of a consumer reporting agency;
- The right to dispute incomplete or inaccurate information;
- Consumer reporting agencies are required to delete or correct inaccurate, incomplete or unverifiable information.

Under the [Equal Credit Opportunity Act](#), according to the FTC, credit discrimination is prohibited on the basis of race, color, religion, national origin, sex, marital status, age, or status as a recipient of public assistance.

Additional information about your rights with respect to credit is available from the FTC in English and Spanish at ftc.gov/credit.

Statute of Limitations on Debt

States may have different laws limiting allowable time periods for debt collection, known as a "statute of limitations." To find out what laws apply in your state, consult an attorney or the office of your state's attorney general. The Consumer Division of the Federal Trade Commission (FTC) may also give you helpful advice without charge.

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If a Debt Collector Calls...

Keep track of what bills you have and have not paid. That way you will know whether someone is trying to collect a debt from you that you do not owe or that is more than you owe.

Find out whether the company contacting you is licensed to collect debt. In most states and cities, debt collection companies must be licensed. Ask for the business name, address, telephone number, and license number. For example, in New York City, any debt collection agency must be licensed by the New York City Department of Consumer Affairs (call 3-1-1 in New York City to reach them). Check with the FTC, your local or state department of consumer affairs, or your state's banking department, to see if the collector is in fact legally authorized to collect debts.

Debt collectors should be able to prove that they legally represent a creditor who owns a debt that you still owe. Unpaid debts may have been "sold" to debt collectors by the original creditor. You can ask your original creditor if they either sold your debt to a collection company or authorized the collection company to collect your debt. Sometimes a debt is sold and resold several times, which makes identifying the debt owner difficult.

Companies may try to collect a debt from you that is owed by someone with a similar name, that you paid off long ago, or that was never owed by you at all. It is also possible for debt collectors to submit documents as "proof" which do not show that you actually owe the debt. Be sure you know who truly owns the debt, and check that the debt is in fact one that you owe, before you make any payment or try to negotiate with a debt collection caller.

If you do not believe that you owe a debt, tell the creditor or debt collection company in writing. Get the debt collector's contact information so that you can send them a letter by certified mail, explaining the situation. You can ask the debt collection company to prove that the debt is owed by you and that they are entitled to collect it. Send your letter *as soon as you are contacted*, since after a brief period (usually about 30 days) the debt collector may be allowed to assume that you do owe the debt, and act accordingly.

Always be wary of pressure to settle a debt right away. High pressure to pay or sign something quickly is almost always a bad signal. Even if you think the call may have come from a genuine, licensed debt collector, investigate the collector's background before handing over any money. You may want to pay off a debt to avoid going to court, to clear your record, or for another reason. However, you should not agree to any payment or payment plan without first getting the terms in writing and proof that the creditor actually owns the debt and this debt collector is legally entitled to collect it. Also check to be sure the creditor will note on your credit report that you have paid off the debt. If the debt is not paid off, but merely reinstated under a pay down plan, make sure that the plan can be met.

How to Stop Unfair Debt Collection Practices

Get the debt collector's name, company name, and contact information. If a debt collector uses unfair or illegal practices with you, you can send a certified letter asking the collector to stop contacting you. Be aware that this will not stop them from suing you for the debt. You can also report an unfair debt collector to the Better Business Bureau and to your state's Attorney General. See the Resources Section for details.

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If you get a summons for a debt collection lawsuit...

Warning: if you do not answer a debt lawsuit summons in the time permitted, a “default judgment” might be entered against you. Even if you do not really owe the debt, a default judgment could enable the debt collector to try to force repayment of a debt through legal means, such as taking money from your wages or bank account (“garnishing”) or by seizing property you own and selling it to get repayment (“attachment”).

Don’t let fears about the legal system stop you from defending yourself! If a creditor, debt buyer, or debt collector has taken legal action against you, the best thing to do is to seek the advice of a lawyer. If you cannot afford to pay a lawyer, a volunteer lawyer might be able to represent you without a fee, or talk to you and give advice about your case. See the Resources section for information about how to find legal help.

Make sure you understand what the lawsuit is about, who is suing you, and for how much money. In New York, for example, a debt lawsuit summons would probably be labeled “Consumer Credit Transaction.” This will help you figure out what to do next.

If you do not speak English, and need assistance speaking to court officers or filling out forms, you can explain this to the court clerk or in the courtroom and ask for help with translations and understanding procedures. Debtors are entitled to defend themselves without legal help and can be successful, especially when they can show that they do not owe the debt, or that a debt collector or creditor has not followed proper legal rules.

You have the right to ask for the debt collector to prove that a debt is owed by you and that the collector is legally entitled to collect it from you. If you did not receive proper advance legal notice of a lawsuit from the debt collector (called “service” of the summons), this is an important matter that you can explain to court representatives.

Judges have the power to order the dismissal of a debt lawsuit “with prejudice” when it does not have any merit, so that the creditor cannot sue about the same debt claim again. This is something that defendants can ask the judge to do.

Gather any evidence you can find to back up your arguments. Decide in advance what you want to say and how you might prove it. If you have already paid off the debt, do you have any documentation confirming that you paid it off? If the suit has been filed after the statute of limitations has expired, do you have any documentation showing when your last payment was made or when the creditor discovered you had stopped paying? Have you made any written arrangements with your creditor that the court should know about? Try to locate these important papers and have them ready to show as evidence. In any borrowing or credit arrangement you should always keep an accurate “file” containing all the credit documents and related correspondence.

You can get a copy of your personal credit report, at no charge once per year, from www.annualcreditreport.com or by calling (877) 322-8228. Your credit report should help you to figure out what debt you really do or don’t owe, and may alert you if identity theft has occurred. If you believe the debt belongs to someone else, bring any documents about your own identity such as social security card, passport, birth certificate, apartment lease, residence address, etc. to show you have been wrongly identified. If the creditor is attempting to take “protected funds” or “exempt income” (see explanation below), bring documentation of the benefits you receive from the government or your bank account balance or recent pay stubs.

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Watch Out for These Issues

Correct advance legal “service” (notice of a lawsuit): Some unethical debt collectors do not give you (“serve”) legal notices in the proper manner: this is sometimes called “sewer service”, implying that the papers were discarded instead of being served on you correctly. A judge may consider incorrect notice of a lawsuit as a reason to dismiss the case.

Be sure you understand legal agreements before signing. You may be offered a debt settlement or be asked to sign a legal document. Read it carefully and make sure you understand all the terms and fees that may be included in an agreement relating to debt issues. If possible, get qualified legal help.

If Your Bank Account is Frozen or Deductions Are Taken from Wages...

A creditor who already has a judgment against you, including a “default” judgment, might try to get a legal court order allowing it to collect from or “garnish” your paycheck (“garnishment”) or take funds from your bank account (“attachment” or “execution”). A creditor could also try to attach or execute against other property that you own, such as your house or car, to sell it and obtain debt repayment. Government rules limit the type of funds that a creditor can get with this method. Some sources of money are off-limits to the creditor – they are sometimes referred to as “protected funds” or “exempt income.”

Protected Funds or Exempt Income: Under federal or local laws, debt collectors may not take money that comes from protected funds or exempt income. For example, according to the New York State Banking Department, federal law generally exempts from seizure by creditors: veterans’ benefits, Social Security, Social Security Disability and Supplemental Security Income; New York law also exempts benefits such as: pensions, public assistance, workers compensation and unemployment insurance, as well as child support and spousal support or maintenance. If you are not sure whether funds sought by a debt collector are “protected”, you can ask a volunteer lawyer or court representative for information.

When a creditor is seeking repayment from protected funds or exempt income, you can tell this to a judge. If the “garnished” wages (deducted from pay) or “attached” bank account funds include money you need for rent, food or other essential expenses, you can explain this so the judge will know how serious the matter is and how soon you need relief.

These laws may change from time to time, and in some cases (such as debts owed for child support) “protected funds” might still be subject to a “garnishment” order. For the most current information, consult your state’s banking department or attorney general.

“Garnished” wages: Your creditor is generally required to mail you written notice of an attachment or wage garnishment. However, you can always ask your bank or your employer whether they are withholding money because of a court order. Make sure that money is being withheld because of an actual court judgment, instead of for some other reason determined by your bank or employer.

You can go to your local Civil Court and ask about the case against you. It is very important to know the details of your case. In New York City your borough’s Civil Court Clerk can help you locate your case file and make a copy. Find out the case or “docket” number of the lawsuit, obtain a copy of the judgment and the name of the party who sued you, among other details.

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Wage Garnishment Maximums

Federal guidelines establish basic exemption levels: 25% of your disposable earnings, or that amount that your earnings exceed 30 times the federal minimum hourly wage – whichever is less. Some states have additional rules.

Federal and state laws regarding garnishment maximums may change. Check with your state's attorney general to confirm the latest information.

Get help from volunteer lawyers or court representatives to fill out any needed paperwork. Don't be afraid to ask for help at the court. In some cases a judgment may be opened up or "vacated". After you give your explanations to the court in a formal way, if your case is re-opened, a new date will be set for a court hearing that you should attend. You would need to notify the other party in the case about the new hearing. The court representatives can let you know how to do this.

If you succeed in vacating the judgment against you, tell your bank or employer. If the judgment is vacated, then there is no basis for money to be taken from your wages or your bank account. You can then bring your employer or your bank documentation showing that you were successful in having your case re-opened, and ask them to release any funds that were frozen. The court may also require the creditor or collection agency to return to you any funds collected under the re-opened judgment.

If You Are Seeking Debt Help

Government rules help protect you from paying advance fees. The Federal Trade Commission (FTC) enforces regulations relating to multi-state for-profit companies that offer debt settlement or other debt relief services for unsecured debts.

- **If they work with you by phone**, these companies may not charge you any fees for service until they have settled, reduced, or changed the terms of at least one of your debts.
- They must obtain your written agreement to any debt settlement or management plan before they can request a fee.
- Also, they cannot receive any fee until you have made at least one payment to your creditor under this agreement.
- If the debt relief service requires that you set aside money in a special bank account, it should be an account that you own and control in an insured financial institution that is not related to the debt relief company, so that you can remove funds without penalty as needed.

Other rules, such as requirements about full and accurate disclosure of debt solution provider services and fees, will help to protect you. Watch out for firms that may try to avoid these rules.

Note that if you only work with the company in person, on the Internet, or through the mail (and not by phone), these protections will not apply.

Know the risks of these types of offers. Even if a debt relief company does not charge you large upfront fees, there are many risks involved in the process. These companies can negotiate with your creditors but they cannot protect you from debt collectors or lawsuits if you are behind on your payments. Sometimes debt settlement companies will tell consumers to stop their regular payments so that the creditor will be more likely to settle. A creditor will be more likely to

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settle with a delinquent debtor but the creditor may then be more likely to sue you or take other actions.

If you stop payments to a creditor, or settle a debt for less than is owed, it could hurt your credit score. If you stop payments, your creditor will probably report that you are behind on your payments. If you settle a debt for less than is owed, your record would show future creditors that you did not pay back the full amount. These situations can lower your credit score or hurt your credit report, and make it harder for you to get credit in the future. You can ask a creditor to note that your settled debt was "paid in full" on your credit report. However, this is not required and your creditor may choose not to do so.

If you pay a creditor less than is owed to resolve a debt, the difference might count as taxable income. Rules vary by circumstance, but the difference between your current debt balance and the lesser amount you pay in settlement might be considered taxable income as "forgiveness of debt" and taxed by the IRS. Be cautious about this and check the facts before agreeing to a settlement. You would not want to go from being in debt to a private company to owing tax money to the government. However, if the amount of debt forgiven is considerably more than the additional tax you will owe, the settlement would probably still be in your best interests.

Nonprofit debt counselors can help you design a repayment plan that works for you and advise you on other options. Usually their services are available at low cost or even at no charge. Before you take drastic measures like filing for bankruptcy, or turning to a debt relief company that might charge you a lot of money, talk with an accredited debt counselor. See the Resources section for information about finding one.

Before you hire a debt relief company to help you, check it out. If you still want to pay a debt relief company to help you, check the company's background with the Better Business Bureau, your city or state's Department of Consumer Affairs and the Federal Trade Commission. Ask the company for written details of their services and whether it is licensed. Obtain its license number and ask for assurance that it is complying with government rules. If a company is trying to charge you big advance fees before they help you, asking you to make payments to them instead of to your creditors, or claiming that they are part of the government economic stimulus program -- stay away from them. Even if you decide to work with a debt relief company that seems legitimate, *it is still a good idea to make your payments directly to the settlement company's dedicated bank account (i.e., by check or money order made payable only to that account) so that there's no way the settlement company can access your personal bank information.*

Be wary of debt counselors that try to push you into a Debt Management Plan (DMP) too quickly. Make sure that your debt counselor is giving you enough financial education and advice before pressing you to accept any particular option. Check the terms of any proposal to see whether it includes any burdensome advance fees or other potential problems. If the fees are high, try to negotiate a smaller monthly fee or else consider finding another counselor to help you.

You can negotiate a settlement with your creditor without paying someone else to do it. You can call any single creditor directly yourself and see what options they are willing to offer you for paying back a debt that you may owe. This may allow you to avoid the cost of paying a debt counselor to help you arrange the same settlement.

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Identity Theft and Debt Problems

In some debt cases, a criminal has stolen a person's identity and created many debts with it, leaving the true owner of that identity to face serious credit and legal troubles. This can be a hard problem to solve. It will be easier for you to deal with this kind of situation if you have always kept good records of your expenses and debts. Be sure that you file a police report *as soon as possible* if you believe you have been a victim of identity theft.

Better Business Bureaus across the U.S. have also heard from consumers that criminals are calling some people and pretending to be debt collectors. Often these criminals have some identity information about a person obtained from applications, receipts or public sources: they try to get the rest by claiming that a debt is owed, and attempting to confirm other personal financial information that would allow them to steal that person's identity. In other cases, they may simply pretend to be a debt collector in order to get a direct payment from you.

Often this kind of criminal may call repeatedly, use abusive language, or threaten you with arrest or a lawsuit. This is a sign that something is wrong. Debt collectors are not permitted to make threats, use bad language or say they will sue if they do not intend to do so. Be cautious if a stranger calls claiming that a debt is owed, especially if you do not believe that you owe the money.

Never confirm personal financial identity information over the phone. Tell the caller to send you complete details in writing about the debt they are saying is owed. Do not give him your mailing address. A legitimate creditor should already have that information. You can ask the caller to provide proof that his or her company truly represents someone who holds your debt. You can also ask the caller to send you written proof that the claimed debt is actually your debt. Make sure that any documents provided by this type of caller really do "prove" that this debt is owed by you and also that the caller's company owns it.

Do you think someone stole your identity?

Contact a credit agency about the identity theft and get copies of your credit report.

Call Equifax, Experian or TransUnion (the three major credit reporting and rating agencies) to let them know that you think identity theft has happened and to get a copy of your credit report. Follow up your call with a letter. Ask that they put a "fraud alert" on your account. If you are reporting an identity theft, you should be entitled to get your credit report at no cost. Check the report to see if it shows any suspicious loans, unfamiliar new accounts, or other financial activity that may not really be yours. If you see a debt on your credit report that you do not owe, you should send the credit agency a certified letter telling them it is not yours ("disputing" the debt) and asking them to remove the disputed debt from your credit record. Keep copies of all such letters, as well as notes about who you spoke to and what was said.

Contact the fraud departments of your creditors and tell them about the false debt. Be sure that you send a written notice after calling. This could be important later, if you need evidence. Inform the creditors about any debts that you think are not yours or which appear to have been created by someone else using your identity. To avoid further problems, ask the creditors to close any of your accounts that show activity that you did not authorize or any new accounts in your name that you did not open. You can also ask to see copies of any information submitted by an identity thief. Ask the creditors to give you a written reply acknowledging that this fraudulent debt is not owed by you. Your creditors may require that you send them a copy of a police report or other evidence.

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File a police report about the identity theft at your local police station. This is very important to do as soon as you discover the problem. The police report documents your claim that an identity theft has taken place. Bring any information you have gotten from creditors and proof of your identity and residence. Make sure that you can get a copy of the police report later – you may need it. You can also report the identity theft to the Federal Trade Commission (www.FTC.gov) and get additional information from them about how to deal with identity theft problems. In the case of very serious identity theft cases, especially ones that may be coming from other countries, you can also inform the FBI (Federal Bureau of Investigation, www.FBI.gov).

Keep all these documents and responses in case you are contacted about the debt again or sued. If someone tries to collect this fraudulent debt in the future, be sure you keep written records so that you can prove that you were an identity theft victim and that you do not owe the money. If you only learn that your identity has been stolen after a lawsuit is started, be sure that you document the identity theft with creditors, credit agencies, and the police so that you will have evidence to show in court if needed.

Resources

National

Better Business Bureau
www.bbb.org

Wherever you are in the United States, your local BBB can offer advice and take complaints about consumer debt issues. Check with the BBB before using the services of a debt settlement/relief company or credit counselor. Contact the BBB to report abuse by debt collectors, debt settlement/relief companies, credit counselors, or problems with identity theft. The BBB can also provide information about trustworthy sources of help in your area.

**Get More Money Now-Más dinero ya
BBB Education Project**
www.bbbmoneynow.org

For BBB consumer tips about managing credit, debt, saving, and investment issues, and detailed links to resource information, go to BBB's national website for this project. The site contains detailed information about debt problems and finding appropriate help with credit counseling. The *Get More Money Now* program has been generously supported by FINRA Investor Education Foundation.

Federal Trade Commission (FTC)
www.ftc.gov and www.ftc.gov/credit
<http://www.ftc.gov/es> (Spanish)
1-877-FTC-HELP (1-877-382-4357)

The Federal Trade Commission is a government consumer protection agency. The FTC is charged with educating both businesses and consumers about marketplace fairness and fraud prevention. It has the power to issue and enforce business regulations. The FTC can tell you about your rights under federal law when dealing with debt collectors, debt settlement/relief companies, or if

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your federal benefits are being seized. Report abuse by debt collectors and others to the FTC. Also contact them if you are the victim of identity theft or some other type of fraud.

Referrals to Credit, Debt and Housing Counselors

Department of Justice

U.S. Trustee Program

<https://www.justice.gov/ust/credit-counseling-debtor-education-information>

<https://www.justice.gov/espanol> (Spanish)

202-514-4100

The Justice Department maintains a list of approved credit counselors for every state. The list was originally developed because people seeking to file for bankruptcy are now often required by law to undergo credit or debt counseling. You can also contact one of these counselors simply to get accredited help with solving your debt problems.

Homeowner's Preservation Foundation

www.995hope.org

888-995-HOPE (4673)

Free help for home owners in trouble provided by selected HUD-approved counselors.

U.S. Department of Housing and Urban Development (HUD)

www.hud.gov

<https://www.hud.gov/espanol> (Spanish)

800-569-4287 or TTY 800-877-8339

HUD approved housing counselors can help you with questions about financial issues related to housing. To find HUD-approved counselors, go to www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm, click on the state where you live, in order to view a list of counselors in that state. Each state list notes which HUD approved housing counselors are available to speak in Spanish.

New York City Office of Financial Empowerment

3-1-1 or 212-NEW-YORK (outside NYC)

The city offers free financial counseling to residents. For details, see New York City section below or just call 3-1-1 in the city.

The National Foundation for Credit Counseling

www.nfcc.org

<http://espanol.nfcc.org> (Spanish)

800-388-2227 (English)

800-682-9832 (Spanish)

You can contact this national organization to locate member agencies that provide free or affordable money management and debt counseling services.

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Association of Independent Consumer Credit Counseling Agencies
www.aiccca.org

This association of counselors asks its members to follow best practices and standards. Its website provides a searchable database of counselors.

Credit Rating Agencies

Free Annual Credit Reports
www.annualcreditreport.com
877-322-8228

Hearing Impaired: 877-730-4104

Write to: Annual Credit Report Request Service, P.O. Box 105283, Atlanta, GA, 30348-5283

You are entitled to receive a free copy of your credit report once per year. To get your report at no cost, go to the website or call the numbers shown above.

Credit Rating Agencies

You may also be eligible for another free report if you are the victim of identity theft or other special circumstances. If you think ID theft has occurred, make sure to contact at least one of the three main credit rating agencies:

Equifax: 1-800-685-1111; www.equifax.com
Experian: 1-888-397-3742; www.experian.com
TransUnion: 1-800-916-8800; www.transunion.com

Local Help with Legal Issues

Local bar associations and pro bono legal groups can help you find a qualified attorney who will fairly represent your interests.

LawHelp and Pro Bono Net
www.LawHelp.org
<https://espanol.lawhelp.org/> (Spanish)

Visit this website to see information about locating and qualifying for free or low cost legal services, in your state.

American Bar Association – “FindLegalHelp.org”
www.americanbar.org/groups/legal_services/flh-home.html

This is the American Bar Association (ABA) website resource, which can link you to sources of qualified legal help in your state.

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New York State

Better Business Bureau

www.newyork.bbb.org (Southern NY)
212-533-6200

<https://www.bbb.org/upstate-new-york> (Northern NY)
716-881-5222

In New York State, there are two BBB organizations ready and able to help you with consumer information services.

New York State Department of Financial Services - Banking Industry

<http://www.dfs.ny.gov/>
1-877-BANK-NYS (1-877-226-5697)

The Banking Department can give you information about your consumer rights. Check with them about New York regulations about what money is protected from debt collectors or creditors, and issues related to your bank account.

New York State Office of the Attorney General

www.ag.ny.gov
1-800-771-7755

Contact the Office of the Attorney General about identity theft or any other consumer abuse. The Attorney General's office can help you learn about your rights as a debtor and take your complaints against debt collectors, debt settlement/relief companies or debt counselors.

New York Department of State, Division of Consumer Protection

<https://www.dos.ny.gov/consumerprotection/>
1-800-697-1220

The Department of State-Consumer Protection Division helps educate New York consumers. Contact them to learn about your rights when dealing with debt collectors. Also be sure to check with them if you believe you are the victim of identity theft or to learn more about protecting yourself from ID theft.

New York State Unified Court System

www.nycourts.gov/courthelp/goingtocourt/helpcenters.shtml
www.nycourts.gov/courthelp/diy/index_spanish.shtml
1-800-COURTNY (1-800-268-7869)

Contact the Courts to learn about dealing with consumer law suits or default judgments. They can direct you to sources of help and provide a lot of information on their website and at courthouses throughout the state. Check for help centers at your local county court or other resources such as volunteer lawyer programs. Their website includes details on how to represent yourself (pro se): www.nycourts.gov/courts/nyc/civil/procedural.shtml and important forms: <http://www.nycourts.gov/forms/>.

controldebt.org and controldedeudas.org

Law Help-NY

<https://www.lawhelpny.org/>

<https://www.lawhelpny.org/es>

Law Help maintains a website that offers legal information for persons who want to represent themselves ("pro se") or who are trying to learn more about legal issues. They also provide links to other legal advice resources or places to look for volunteer lawyers who may be able to assist you at no cost.

New York City

New York City Department of Consumer Affairs (DCA)

www.nyc.gov/consumers

311 or 212-NEW-YORK (outside NY)

Office of Financial Empowerment

<http://www1.nyc.gov/site/dca/consumers/manage-money.page>

New York City's DCA and its Office of Financial Empowerment can help inform you of your rights as a debtor. Any business that collects debts from New York City residents must be licensed by the city's Department of Consumer Affairs. Contact them to check a collector's license, complain about a debt collector, debt settlement/relief company or credit counselor. Check with them to see if someone claiming to represent your creditor is authorized to collect debt. DCA's Office of Financial Empowerment also operates centers where New York City residents can get free financial counseling and other kinds of free or low-cost help with managing your debts and money issues. Dial 3-1-1 in New York City to reach them.

City Bar Justice Center

<http://www.citybarjusticecenter.org/>

212-626-7383

The Justice Center has a range of legal programs for low-income New Yorkers. Their hotline can answer basic legal questions and make referrals on civil law issues such as consumer debt cases.

NYS Courts Volunteer Lawyer for the Day Program

www.nycourts.gov/attorneys/volunteer/vap/program_descriptions.shtml

In all boroughs except Staten Island, the Courts offer this program to give low-income defendants qualified legal guidance or advice for their day in court or for filing important legal papers. Talk to the Clerk's office at your local county court or to the court help center to get a referral.

Civil Legal Advice and Resource Office (CLARO)

<http://www.claronyc.org/claronyc/>

The CLARO program offers limited legal advice at no cost for low-income consumer debtors who have been sued by a debt collector and who want to represent themselves ("pro se"). CLARO's volunteer attorneys cannot represent you in court, but are able to provide answers about debt collection legal issues. The program is available in all boroughs of New York City except Staten Island, where a program is being organized. Ask about the program in your borough at the Court Clerk's office or at the court's help center.

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Center for New York City Neighborhoods

<http://www.cnycn.org/>

646-786-0888

The Center for New York City Neighborhoods (CNYCN) is a nonprofit organization, created to coordinate and expand services to New York City residents at risk of losing their homes to foreclosure. Calls are answered 9:00 AM to 6:00 PM, Monday through Friday. Operators will direct you to qualified sources of foreclosure prevention help in New York City.

Nassau County

Nassau Suffolk Law Services Committee, Inc.

Volunteer Lawyers Project (Nassau) and The Pro Bono Project (Suffolk)

http://nslawservices.org/wp/?page_id=392

516-292-8299

This program provides legal assistance to low-income residents of Nassau and Suffolk Counties in civil matters including consumer debt. Call them to be screened for eligibility.

Nassau County Bar Senior Citizen Consultation Clinics

<http://www.nassaubar.org/>

516-747-4070

The Nassau County Bar Association provides free 30-minute legal consultations for Nassau residents 65 and older (it does not provide free legal services). Call them to schedule an appointment.

Suffolk County

Touro Law School Public Advocacy Center

www.tourolaw.edu/PublicServiceInitiatives/?pageid=150

631-761-7045

This organization collaborates with non-profit organizations working with Touro Law School students to offer legal-related services to eligible recipients. Call to learn more about how you might get aid from the program.

Touro Law School Senior Citizens Law Program

<https://www.tourolaw.edu/AboutTouroLaw/?pageid=571>

631-761-7470

Suffolk County residents 60 and older can get free legal assistance from this program in many areas of civil law including consumer debt.

Mid-Hudson Region

Legal Services of the Hudson Valley

<https://www.lshv.org/>

1-877-574-8529 (877-LSHV-LAW)

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Legal Services of the Hudson Valley represents low-income defendants in civil matters. Call their hotline for help if you live in Westchester, Rockland, Putnam, Orange, Sullivan, Dutchess, or Ulster County. According to the organization's website, they can provide help in Spanish as well as other languages.

New Jersey

Better Business Bureau of New Jersey

<https://www.bbb.org/new-jersey>

609-588-0808

Contact your New Jersey BBB for consumer assistance in your state.

Office of the Attorney General-Division of Consumer Affairs

www.njconsumeraffairs.gov/ocp/

<http://www.njconsumeraffairs.gov/News/Pages/consumerbriefs.aspx>

800-242-5846 or 973-504-6200

The Division of Consumer Affairs takes complaints from consumers and directs them towards sources of aid. Call them to complain about a debt collection agency, debt settlement company or other business or to learn about your rights as a debtor. Contact them also if you have been a victim of identity theft or to learn more about the issue. Visit the Consumer Briefs web page listed above for tips on many consumer topics, including credit issues, in both Spanish and English.

Department of the Treasury-Division of Revenue

<http://www.state.nj.us/treasury/revenue/collagency.shtml>

Check with the Division of Revenue to see if a debt collector has posted the bond required to collect debt in New Jersey. You can send a self-addressed envelope with the business's name to: Collection Agency Bond Unit, P.O. Box 453, Trenton, NJ 08646.

New Jersey Judiciary

www.judiciary.state.nj.us/selfhelp/index.html

www.njcourts.gov/selfhelp/catalog.html

http://njcourts.gov/index_spn.html

The New Jersey Judiciary has online information and legal forms for defendants representing themselves ("pro se"); some are in both English and Spanish. Contact the Judiciary also for services such as getting an interpreter or checking on when your court date is or where your local civil court is located.

Legal Services of New Jersey

www.lsnj.org/directory.htm

1-888-576-5529

Legal Services of New Jersey provides assistance to low-income defendants in civil court cases. They also have a hotline that provides free legal advice and referral. Contact their main number or the local Legal Services office in your county to get help if you are sued by a creditor or have had a bank account frozen or wages garnished. LSNJ provides legal information online for consumers who are defending themselves (pro se) or seeking to learn more:

www.lsnjlaw.org/index.cfm.

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Connecticut

Better Business Bureau of Connecticut

<https://www.bbb.org/connecticut>

203-269-2700

Your BBB in Connecticut can provide consumer help that is relevant in your state.

Connecticut Department of Banking (DOB)

<http://www.ct.gov/dob/>

800-831-7225

Debt collectors, debt negotiators and credit counselors all need to be licensed by the DOB in Connecticut. Contact them to find information on a business or file a complaint. They can also help you understand your rights as a debtor.

Connecticut Office of the Attorney General

www.ct.gov/ag

860-808-5318

The Attorney General's office can help inform you of your rights as a debtor. Contact them to complain about a debt collector or debt settlement/relief company that you think has violated your rights.

Connecticut LawHelp

<https://ctlawhelp.org/>

<https://ctlawhelp.org/es> (Spanish)

This website helps to connect Connecticut residents with very low income to sources of help with legal problems. It also provides information and tools that can help you represent yourself.

Consumer Law Project for Elders

<https://ctlawhelp.org/self-help-guides/elder-law>

1-800-296-1467

This special hotline is for consumers 60 and older. The CLPE can inform you of your legal rights as a debtor and answer questions about any consumer legal issue. They also have extensive legal information about debt and other consumer issues on their website.

Statewide Legal Services

www.slsc.org/get-help

<http://www.slsc.org/es> (Spanish)

1-800-453-3320; From Middletown and Hartford: 860-344-0380

SLS gives legal advice and referrals to low-income litigants. Call their hotline to learn more about dealing with legal issues around debt or to see if you qualify for free legal representation.

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Judicial Branch Court Service Centers

<http://www.jud.ct.gov/csc/>

The Connecticut Judicial Branch provides Service Centers for litigants to learn about court procedures, get help filing forms, and finding information. They cannot provide the same legal assistance that a lawyer would but can help those representing themselves (“pro se”) to navigate the legal system. They are located at the Superior Courts in each county. The courts also provide self-help information online: www.jud.ct.gov/selfhelp.htm.

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