This material is provided to answer general questions about the law in New York State. The information and forms were created to assist readers with general issues and not specific situations, and, as such, does not replace the legal advice or representation of an attorney. Because of this and because of unanticipated changes in the law, the Rural Law Center of New York (RLC) makes no claim that this information will achieve the results you desire. Also, the RLC disclaims any responsibility for actions taken based on this material. If you are seeking advice about a specific legal issue, you should contact an attorney licensed to practice in New York State.

Rural Law Center of New York, Inc.

SAMPLE LETTER TO COLLECTION AGENCY REGARDING EXEMPT FUNDS

The following page is a sample of a letter that you can send to a collection agency if you have exempt funds such as Social Security, Pensions, SSI, SSD.

Be sure to keep a copy of your letter and always send a letter like this “Certified with a Return Receipt”. If you need help with the mailing, just ask at any post office.
Dear Sir/Madam:

I am writing in regards to the above numbered account to inform you of my financial status and my desire not to receive communications or telephone calls from your office.

Please note that my only source of income is -

This money is completely exempt from debt collection. If you attempt to restrain my exempt funds, you will cause me a severe hardship. In the event that this debt is sold, this letter shall be included in my file to ensure that the buyer is put on notice of my exempt income. If you attempt to restrain my exempt funds in disregard of this notice, I reserve the right to seek compensation from you for any damages caused by the restraint.

I also request that you stop all communications, letters, and phone calls to me regarding this debt. The Fair Debt Collection Practices Act, 15. U.S.C. Section 1692c, requires that you honor this request.

This letter is not meant in any way to be an acknowledgment that I owe this money.
Thank you for your attention to this matter.

Sincerely,
Jane Doe
PO Box 000
Sometown NY 10000