

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.

## **SOME QUICK TIPS FOR DEALING WITH CREDITORS**

### **My creditors are harassing me when I can't pay my bills. Can they do that?**

If you do not make payments and the company is not willing to make arrangements with you, you may begin to receive harassing telephone calls. If the creditor turns the collection of your bill to a collection agency or attorney, federal law limits how they may contact you. Bill collectors **CANNOT**:

- contact you if you tell the agency in writing to stop further contact **(see sample letter on this site)**;
- contact you before 8 a.m. or after 9:00 p.m.;
- contact you at work if the agency is told that your employer does not allow that communication;
- contact other people (such as employers, relatives or neighbors) about the debt except to obtain your address and telephone number;
- contact you if you have a lawyer;
- be harassing and abusive.

If the abusive actions continues after writing a "cease contact" letter **(see sample letter on this site)**, you may have an action under federal law against the collector. You should contact an attorney that specializes in "Fair Debt Collection."

### **They have seized my bank account. Can they do that?**

If a creditor has seized funds from your bank account, you may have recourse. If your total funds in that account come from "exempt" sources, they cannot be seized. Examples of exempt funds are Social Security, Social Security Disability, and Pensions. If your account has been unfairly seized you will need to write the the creditor and your bank disputing this action. **(see sample letter on this site)**

