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

Take Control of Your Debt

Toma Control de Tus Deudas

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 bankruptcy, and several associations also can help you locate qualified 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.
   - 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 solution companies. Be wary if any business promises to solve your debt problems quickly. They may want you to pay them a lot of money.
   - As of October 27, 2010: new 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. New laws and government rules can help you. Accredited counselors, some nonprofits, and lawyers can provide 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 case in court and it is important to answer right away. Some people do not owe the debt named in a lawsuit, or the legal paperwork might be incorrect. Even if you do owe the debt, you are entitled to get help. Seek professional advice from a...
real lawyer. There are free sources of legal advice in some courts, and some nonprofits offer no-cost legal help. You can also choose to represent yourself and tell your side of story to court representatives.

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 proof that the debt collector represents someone who owns a real debt that you actually owe.
   - **Don’t believe people who threaten you with arrest 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**

If you do owe money, it is always best if you can find a way 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 pay-down plan.

In some cases, the company might be willing to accept less money than you owe. 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 - there might also be significant tax implications. 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 you stick to it and pay it off on time. This will help to protect your personal credit record. Remember, you need to keep your credit 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**

**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. 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 foul language
- Call many times, 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, or your attorney 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

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• 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.

Statute of Limitations on Debt

In most instances, consumer debt cases in New York, New Jersey, and Connecticut from open credit card accounts and written contracts can only be litigated for 6 years after your last payment. If a collector tries to get you to pay after 6 years, they usually will not be able to sue you for the money unless you make a new payment.

- You may want to repay old debt to improve your credit report.
- Once you make any new payment on an outstanding debt, usually the clock is reset and legal action is available to the creditor or collector again.

Time periods may be longer under local state laws for particular types of debts, such as domestic or foreign judgments. To be certain about the statue of limitation for your state, consult an attorney or the office of your state’s attorney general.

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.

Find out whether the company contacting you is licensed to collect debt. In many 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 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 can be sold to debt collectors by the original creditor. You can ask your original creditor if they sold your debt to a collection company. But 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” that do not actually show that you owe a debt. Be sure you know who truly owns the debt and check that the debt is 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 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, or after a brief period (usually about 30 days) the company may be able to assume that you do owe the debt and will 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.

**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.

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

**Warning:** if you do not answer a debt lawsuit summons right away, a “default judgment” might be entered against you. Usually you must answer within 20 to 30 days to avoid having this happen automatically. 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.** In New York, for example, a debt lawsuit summons would probably be labeled “Consumer Credit Transaction.” Whatever the wording, make sure you understand what the case is about, who is suing you and for how much money. 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 at 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 you can show that you do not owe the debt, or 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.

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Judges have the power to dismiss a debt lawsuit case “with prejudice” when the case 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 debts, do you have any documentation confirming that you paid them off? If the debt is past the statute of limitations, 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.

You can get a copy of your personal credit report, at no charge once per year, from [www.annualcreditreport.com](http://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, 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.

**Watch Out for These Issues**

**Correct advance legal “service” (notice of a lawsuit):** If the creditor or debt collector did not have a process server give you the papers in person, left the summons with someone who you do not live with, or made any other error in serving the papers, the judge may consider this a reason to dismiss the case. Some unethical debt collectors do not give proper legal notices: this is sometimes called “sewer service”, implying that the papers were discarded instead of being served to you directly.

**Be wary if the creditor’s attorney offers a settlement.** The debt collector’s attorney may try to get you to make an agreement (a “settlement”) instead of going before the judge. If you do not owe the debt, it is not a good idea to sign a settlement. If you do owe the debt and wish to consider an agreement, get the terms in writing and check them carefully. Watch out if the settlement says that you must pay legal costs for the other party or extra fees. Do not sign anything that you don’t understand. Try to get help from your own attorney or a volunteer lawyer so you can be sure what a settlement means for you if you decide to agree to it.

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

A creditor who is seeking to collect a debt from you might try to get a legal court order that would enable the creditor to get repayment from your paycheck (“garnishment”) or your bank account. A creditor could also try to seize property that you own, such as 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 called “protected funds” or “exempt income.”

**Protected Funds or Exempt Income:** 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 exempts veterans’ benefits, Social Security, Social Security Disability Insurance, and Workers’ Compensation Benefits. For New York residents, military retirement benefits and veterans’ benefits are also not subject to garnishment. Non-Federal sources of funds not subject to garnishment include retirement funds (e.g., pensions, 401K/403B), union benefits, unemployment compensation, disability payments (including workers’ compensation), Social Security, public and private annuities, life insurance proceeds, and veteran’s benefits.
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.

Debt collectors are also limited by how much money you make and how much is in your bank account. In New York, for example, they may only take 10% of wages above $217 a week or money from bank accounts above $1,740, or above $2,500 for bank accounts that recently received electronic deposits of exempt payments. If you are not sure about 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 frozen bank account contain 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.

Laws about these types of funds and protected amounts 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: Talk to your bank or your employer to see if they are withholding money because of a court order. Make sure that money is being withheld because of a 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. The Civil Court Clerk can help you locate your case file and make a copy. Find out the case number of the judgment and the name of the party who sued you among other details.

Wage Garnishment Maximums

Federal guidelines establish basic exemption levels. Some states have additional rules.

In New York: For wage garnishments, if you earn less than $217.50 a week, all of your income is exempt from collection. If you earn more than $217.50, then 10% of your gross weekly income or 25% of your disposable income, whichever is less, can be garnished.

In New Jersey: If disposable income is $217.50 per week or less, no garnishment is possible. If you earn more, then creditors may only take the least of 10% of your gross pay, 25% of your disposable income, or whatever you earn above $217.50 a week.

In Connecticut: Creditors can take either 25% of your disposable income, or the amount you earn on a weekly basis that is greater than 40 times the federal minimum hourly wage, whichever amount is less.

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. After you give your explanations to the court in a formal way, your case may be re-opened and 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 overturning the judgment against you, tell your bank or employer.** If the judgment is “vacated” or overturned, 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 your case, and ask them to give back any funds that were taken or frozen.

**If You Are Seeking Debt Help**

**New government rules help protect you from paying advance fees.** The Federal Trade Commission (FTC) recently updated regulations relating to 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.
- The debt relief service must get your written agreement to its debt settlement or management plan with the creditor, before it can take a fee.
- Also, they cannot take their fee until you have made at least one payment to your creditor as a result of the agreement negotiated by the debt relief provider.
- If the debt relief service requires that you set aside money in a special bank account, it should be one 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 new 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, 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 settle with a delinquent debtor but they are also more likely to sue you or take other actions in that situation.

**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. 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 not choose 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 original debt and the amount you pay in settlement might be considered income and be taxed by the IRS. Be cautious about this and check the facts before agreeing to a

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settlement. You would not want to go from being in debt to a private company to owing tax money to the government.

**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 settlement 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 settlement company to help you, check them out.** If you still want to pay a debt solutions 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 be sure it is complying with government rules. If a company is trying to charge you big advance fees before they help you, asking you to pay them instead of paying your creditors, or claiming that they are part of the government Stimulus program, stay away from them. Even if you decide to work with a debt solutions company that seems legitimate, it is still a good idea to make your payments to the settlement company’s dedicated account by money order 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 counselor is giving you enough financial education and advice before pressing you to accept any option. Check the terms of any proposal to see whether it includes any burdensome advance fees or other potential problems. Fees on a debt plan should not be much more than around $75 a month. If the fees are high, 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 your creditor yourself and see what options they are willing to offer you.

**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 always keep good records of your expenses and debts. Be sure that you file a police report if you are 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: 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 an individual’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 use threats and bad language, and may not 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. You can ask them to prove that they truly represent someone who owns a genuine debt. You can also ask them to send you written proof that the debt they are claiming is really yours. Make sure that any documents provided by this type of caller really do “prove” that a debt is owed by you.

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 to let them know that you think identity theft has happened and to get a copy of your credit report. Ask that they put a “fraud alert” on your account. You only need to contact one agency to post a notice about the identity theft with all of them. If you are reporting an identity theft, you are entitled to get your credit report at no cost. Check the report to see if it shows any loans, unfamiliar new accounts, or other financial activity that is not really yours. If you see a debt on your credit report that you do not owe, you can write the credit agency to tell them it is not yours (“disputing” the debt), and ask them to remove the false debt from your credit record. Keep copies of all such letters, as well as written records about who you speak 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 in addition to calling. This could be important later, if you need evidence. Inform the creditors about any debts that are not yours, if they appear to have been created by someone else using your identity. Ask the creditors to close any accounts opened by a criminal that do not belong to you. 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 the fraudulent debt is not owed by you. Your creditors may require that you send them a copy of a police report or other evidence.

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 or your identity and residence. Make sure that you can get a copy of the report later. 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 the 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 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 the national BBB 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
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 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
www.justice.gov/ust/oe/bapcpa/ccde/index.htm
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.

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

[www.hud.gov](http://www.hud.gov)  
800-569-4287 or TTY 800-877-8339

HUD approved housing counselors can help you with legal issues and answer financial questions. To find HUD-approved counselors online, go to:  
[www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm](http://www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm) for information in English, and to  

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://www.nfcc.org)  
[www.debtadvice.org](http://www.debtadvice.org)  
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.

Association of Independent Consumer Credit Counseling Agencies  
[www.aiccca.org](http://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](http://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](http://www.equifax.com)  
- Experian: 1-888-397-3742; [www.experian.com](http://www.experian.com)  
- TransUnion: 1-800-916-8800; [www.transunion.com](http://www.transunion.com)

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**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.

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

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

**New York State**

**Better Business Bureau**  
[www.newyork.bbb.org](http://www.newyork.bbb.org) (Southern NY)  
212-533-6200

[www.upstateny.bbb.org](http://www.upstateny.bbb.org) (Northern NY)  
716-881-5222

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.

**New York State Banking Department**  
[www.banking.state.ny.us](http://www.banking.state.ny.us)  
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](http://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 State Consumer Protection Board**  
[www.consumer.state.ny.us](http://www.consumer.state.ny.us)  
1-800-697-1220

The Consumer Protection Board 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.courts.state.ny.us/courthelp/helpcenters.html  
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: www.courts.state.ny.us/courthelp/forms.html.

Law Help-NY  
www.lawhelp.org/NY

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  

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  
www.nycbar.org/citybarjusticecenter  
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)**
[www.claronyc.org](http://www.claronyc.org)

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.

**Center for New York City Neighborhoods**
[www.cnycn.org](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 County Volunteer Lawyers Project**
516-292-8299

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

**Nassau County Bar Senior Citizen Consultation Clinics**
[www.nassaubar.org](http://www.nassaubar.org)
516-747-4070

The Nassau County Bar Association provides free legal consultations for Nassau residents 65 and older in any area of law. Call them to schedule an appointment.

**Suffolk County**

**Touro Law School Public Advocacy Center**
[www.tourolaw.edu/PublicServiceInitiatives/?pageid=150](http://www.tourolaw.edu/PublicServiceInitiatives/?pageid=150)
631-761-7045

This program offers legal assistance to low-income residents of Suffolk County in consumer debt cases and few other types of civil law. Call to learn more about how you might get aid from the program.

**Touro Law School Senior Citizens Law Program**
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. Services are available in Spanish.

Contact BBB! More details: [www.newyork.bbb.org/debt](http://www.newyork.bbb.org/debt) - Call 212-533-6200

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Mid-Hudson Region

Legal Services of the Hudson Valley
www.lshv.org
1-877-574-8529 (877-LSHV-LAW)

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, Duchess, or Ulster County.

New Jersey

Better Business Bureau of New Jersey
http://newjersey.bbb.org
609-588-0808

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, or credit counselors, or problems with identity theft. The BBB can also provide information about trustworthy sources of help in your area.

Office of the Attorney General-Division of Consumer Affairs
www.njconsumeraffairs.gov/ocp/
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.

Department of the Treasury-Division of Revenue
www.state.nj.us/treasury/revenue/certcomm.htm

Check with the Division of Revenue to see if a debt collector is actually licensed 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/prose/index.htm

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 you 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.

Connecticut

Better Business Bureau of Connecticut  
http://connecticut.bbb.org  
203-269-2700

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.

Connecticut Department of Banking (DOB)  
www.ct.gov/dob/site/default.asp  
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/site/default.asp  
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.

Statewide Legal Services  
www.slsct.org/get-help  
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. Their website also contains self-help information for those representing themselves in court (pro se): www.slsct.org/Self-Help_Guides.
Consumer Law Project for Elders  
[www.ctelderlaw.org](http://www.ctelderlaw.org)  
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.

**Judicial Branch Court Service Centers**  
[www.jud.ct.gov/csc](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](http://www.jud.ct.gov/selfhelp.htm).

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For information about charities reviewed by the Better Business Bureau, please go to [www.bbb.org](http://www.bbb.org), find your local BBB by inputting your zip code, and search for local charity reports with your local BBB. National charity reports may be viewed at [www.bbb.org/charity](http://www.bbb.org/charity). Charity reports for the New York City, Long Island and Mid-Hudson Region may be viewed online at [www.newyork.bbb.org](http://www.newyork.bbb.org).

Likewise, information in this publication is not intended as legal advice or financial advice. Please consult a reputable attorney, credentialed financial adviser, or qualified counselor for professional help with such matters.

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