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MOST COMMON VIOLATIONS - THE FAIR CREDIT REPORTING ACT

- **Identity Theft.** Still, the fastest growing crime in America.
- **Mixed/Mismerged data.** Two different people with the same name might have data mixed up between their accounts. Jr.s/Sr.'s living in the same house? Almost guaranteed.
- **Timely made payments reported as late.**
- **Derogatory information** remaining on a credit report for longer than seven (7) years.
- **Chapter 7 Bankruptcy issues:**
 - information remaining on a credit report for longer than ten (10) years.
 - Reaffirmed debt reported as discharged;
 - Debt collector reporting an included debt as open and active
- **Chapter 13 Bankruptcy issues:**
 - Trade line not reflecting the modification of the terms of a confirmed plan;
 - Mortgage loans or other trade lines reported with a zero balance;
 - Chapter 13 remaining on the public records section longer than 7 years;
 - Non-filing BK spouse also reported as included in bankruptcy;
- **Home mortgage loans being reported as foreclosures** when in fact, no foreclosure had ever been initiated by the lender.
- **Debt buyers re-aging debt.** Debt buyer reporting delinquency as more recent than it really is.



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MOST COMMON VIOLATIONS -FAIR DEBT COLLECTION PRACTICES ACT

- Repeatedly calling your telephone.
- Cursing, swearing or otherwise profaning at you.
- Contacting and disclosing your debt to other people.
- Contacting you without disclosing their identity or purpose for the call.
- Threatening to take action against you that they don't intend to take.
 - Criminal actions-having you arrested or prosecuted.
 - Garnishing your wages or taking your property when there is no judgment against you.
 - Threatening to call your employer and disclose the debt.
 - Threatening to turn your case over to an attorney when it is highly unlikely that any attorney would sue for a small balance.
- Contacting you after they know you are represented by an attorney.
- Calling you at an unusual time (before 8am or after 9pm) or an unusual place.
- Calling you at work if they know that your employer prohibits it or if it is inconvenient for you.
- Contacting you after they receive a Cease and Desist Letter prohibiting any further contact.
- Contacting you and making false, deceptive or misleading statements in connection with the collection of the debt.
 - Falsely representing to you that criminal action will be taken against you in connection with the debt.
 - Leading you to believe that the debt collector is an attorney or that a phone call or letter is from an attorney.
 - Falsely implying affiliation with the United States or any state, including the use of any badge or uniform.
 - Sending a collection letter or leaving a voice mail that fails to contain the statement "This is a communication from a debt collector."