

So Who Can You Sue and What Can You Sue For?

Who	Why	Precedent/Law	Fine
Creditors if they report your credit history inaccurately	Defamation, financial injury	US Court of Appeals, Ninth Circuit, No. 00-15946, Nelson vs. Chase Manhattan	Extent of damages incurred by the wronged party as deemed by the courts
Creditors , if you dispute a debt, and they fail to report it as disputed to the credit bureaus	Protection under the FCRA	FCRA Section 623.	\$1,000
Creditors if they pull your credit file without permissible purpose	Injury to your credit report and credit score	FCRA Section 604 (A)(3)	\$1,000
Credit bureaus if they refuse to correct information after being provided proof	Defamation, willful injury	FCRA Section 623 CUSHMAN, v. TRANS UNION CORPORATION US Court of Appeals for the Third Circuit Court Case 115 F.3d 220 June 9, 1997, Filed (D.C. No. 95-cv-01743).	Extent of damages incurred by the wronged party, as deemed by the courts
Credit bureaus if they reinsert a removed item from your credit report without notifying you in writing within 5 business days.	Consumer protection afforded by the FCRA	FCRA Part (A)(5)(B)(ii)	\$1,000
Credit bureaus if they fail to respond to your written disputes within 30 days (a 15 day extension may be granted if they receive information from the creditor within the first 30 days)	Consumer protection afforded by the FCRA	FCRA Section 611 Part (A)(1)	\$1,000
Collection Agency can NOT be BOTH purchaser and	Protection under the FDCPA	Gearing v. Check Brokerage Corp 233 F.3d 469 (7th Cir.	\$1000

'assignee' it's one or the other		2000)	
Misrepresentations by the collector about themselves or the debt are actionable regardless of intent	Protection under the FDCPA	Gearing v. Check Brokerage Corp Cacace v. Lucas, 775 F. Supp. 502, 505 (D. Conn. 1990)	\$1000
Creditors or collection agencies , and credit bureaus if they try and "Re-age" your account by updating the date of last activity on your credit report in the hopes of keeping negative information on your account longer	Consumer protection afforded by the FCRA	FCRA Section 605 (c) Running of the reporting period	\$1,000
If you dispute a debt, the collection agency fails to report it disputed to the credit bureaus	Protection under the FDCPA	FDCPA Section 807(8)	\$1,000
Collection agencies if they do not validate your debt yet continue to pursue collection activity (file for judgments, call or write you)	Consumer protection afforded by the FDCPA	FDCPA Section 809 (b), FTC opinion letter <i>Cass from LeFevre</i>	\$1,000
Collection agencies if you have sent them a cease and desist letter and they still call you	Consumer protection afforded by the FDCPA	FDCPA Section 805 (c)	\$1,000
Collection agencies if they have not validated your debt and they still continue to report to the credit bureaus	Consumer protection afforded by the FDCPA	FDCPA Section 809 (b), FTC opinion letter <i>Cass from LeFevre</i>	\$1,000
Collection agencies if they: - Cash a post-dated check before	Consumer protection afforded by the FDCPA	FDCPA 808 Section	\$1,000

<p>the date on the check</p> <ul style="list-style-type: none"> - Cost you money by making you accept collect calls or COD mail - Take or threaten to take any personal property without a judgment 			
<p>If a collector calls you after 9 PM at night or before 8 AM</p>	<p>Consumer protection afforded by the FDCPA</p>	<p>FDCPA Section 805. (a)(1)</p>	<p>\$1,000</p>
<p>Calls you at your place of employment if the debt collector knows or has reason to know that your employer prohibits the consumer from receiving such communication.</p>	<p>Consumer protection afforded by the FDCPA</p>	<p>FDCPA Section 805. (a)(3)</p>	<p>\$1,000</p>
<p>Calls any third part about your debt like friends, neighbors, relatives, etc. However they can contact your attorney, a consumer reporting agency, the creditor, the attorney of the creditor, or the attorney of the debt collector.</p>	<p>Consumer protection afforded by the FDCPA</p>	<p>FDCPA Section 805. (b)</p>	<p>\$1,000</p>
<p>The collection agency can not use any kind of harassment or abuse**</p>	<p>Consumer protection afforded by the FDCPA</p>	<p>FDCPA Section 806</p>	<p>\$1,000</p>
<p>Collector cannot claim to garnish your wages, seize property or have you arrested ***</p>	<p>Consumer protection afforded by the FDCPA</p>	<p>FDCPA Section 807</p>	<p>\$1,000</p>
<p>Collector must you in a county in which you lived when you signed the original contract for the debt or where</p>	<p>Consumer protection afforded by the FDCPA</p>	<p>FDCPA Section 811 (a) (2)</p>	<p>\$1,000</p> <p>Also a good grounds for getting a judgment vacated</p>

you live at the time when they file the lawsuit			
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** (1) The use or threat of use of violence or other criminal means to harm the physical person, reputation, or property of any person. (2) The use of obscene or profane language or language the natural consequence of which is to abuse the hearer or reader. (3) The publication of a list of consumers who allegedly refuse to pay debts, except to a consumer reporting (4) The advertisement for sale of any debt to coerce payment of the debt. (5) Causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number. (6) Placement of telephone calls without meaningful disclosure of the caller's identity.

***If the collection agency get a judgment against you, then they will be able to garnish your wages and seize property, but until that time, no.