There are many types of debt, including credit card debt, medical debt, and debts arising from non-payment of rent, mortgage, or utility bills.

In Oregon, a creditor generally has 6 years to collect debt arising out of a contract. This is called the “statute of limitations” and it begins when the person who owes the debt first defaults (stops making payments) on the contract. The statute of limitations can start over if you make a payment on that debt before the six years expire.

Even if you owe the debt, it does not mean that you do not have any rights when being contacted by debt collection companies and debt collection law firms. These entities must follow certain rules that are intended to protect the consumer from being harassed and from other unfair and illegal debt collection practices.

1. Collection Notice
A debt collector may contact you by phone or by mail. You still have the right to request reaffirmation of the debt within 30 days of receiving the first written communication. Student Legal Services can assist you with this process.

2. Documents Proving the Validity of the Debt
Verification documents can include billing statements, a contract, and/or a card member agreement. In the case of a credit card, these can show whether you actually owe the debt.

If you think you do not owe the debt, you should seek legal assistance. Even if you do owe the debt, Student Legal Services can assist in seeking settlements.

3. What if I am Sued?
If you fail to respond to the collection notices or a settlement negotiation is unsuccessful, the collection company may pursue legal action (file a lawsuit). In these cases:

   - **Do Not Ignore the Complaint** — If you fail to respond (file an answer) within 30 days from the date you receive the complaint, the court can enter a “default judgment” whereby you may be liable for the full amount of the debt, plus interest. Default judgments allow the collection companies to garnish your wages and bank accounts. Default judgments are good for 10 years and can be renewed.
   - **Seek Legal Assistance** — Appropriate counselor representation can help you determine your next steps.

The Fair Debt Collection Practices Act ("FDCPA") only applies to third-party debt collectors (not the original creditors). These collectors must abide by certain rules when contacting you.

**Generally,** A debt collector cannot contact you:
- Any time before 8:00 a.m. or after 9:00 p.m.
- At any place that is known or should be known to be unusual or inconvenient to you, including your work place
- If the debt collector knows you are represented by an attorney
- Cannot contact any third party, including relatives and neighbors, without the consent of the court or consumer

A debt collector cannot engage in certain acts:
- **Harassment or abuse** — threats, use of violence, use of obscene or profane language, or causing your telephone to ring continuously or repeatedly
- **False or misleading representations** — misrepresenting the amount owed or the legal status of the debt, any representation that nonpayment of the debt will result in arrest or imprisonment, threat to take legal action that cannot legally be taken
- **Unfair practices** — attempting to collect the debt if it is not permitted by law, charging consumers communication fees such as collect telephone calls or telegram fees

**At your request,** a debt collector must:
- Cease and desist communication with you
- Verify the debt if you provide a written notice of dispute to the debt collector within 30 days of your first debt collection letter
- Notify the consumer reporting agencies and original creditor that the debt is disputed, if you dispute the debt in writing
[DATE]

[DEBT Collection Name]
[Address 1]
[Address 2]
[City, State, Zip]

Re: [Insert Name of Account and Account Number]

To Whom It May Concern:

On [DATE] I received a collection notice (or a phone call) from [NAME COLLECTION COMPANY] regarding the above referenced account. I dispute this debt and request that you validate this debt.

Please provide me with the following information:

- The name of the original creditor, including their address and phone number
- A credit application for this debt
- A signed written contract from the original creditor
- A customer “Terms and Agreement” at the time of signing
- Billing/invoice statements relevant to this debt
- Proof of assignment for this debt to your company, including evidence of chain of title to this debt

Further, you are instructed not to call my cell, work, or home phone number. All further communication with me must be done in writing. Any attempts to call me on my cell, work, or home phone will be considered harassment.

Finally, I request that you notify the consumer reporting agencies and the original creditor that this debt is disputed.

Thank you for your attention to this matter.

Sincerely,

[Your Name]
[Address 1]
[Address 2]
[City, State, Zip]