

## RESOURCES:

### Information regarding the Attorney General's Debt Collection Regulations:

<https://www.mass.gov/service-details/fair-debt-collection>

(617) 727-8400

### Tools from the Consumer Financial Projection Bureau:

<https://www.consumerfinance.gov/consumer-tools/debt-collection/>

(855) 411-2372

### Answers to Frequently Asked Questions from the Federal Trade Commission:

<https://www.consumer.ftc.gov/articles/debt-collection-faqs>

### Information about finding legal assistance from the Trial Court:

<https://www.mass.gov/info-details/finding-a-lawyer>



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# DEALING WITH DEBT



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<https://www.mass.gov/get-consumer-support>

## A MESSAGE FROM ATTORNEY GENERAL MAURA HEALEY

For Massachusetts residents dealing with debt, interacting with debt collectors can be a challenging process. The Attorney General's office is committed to ensuring fair debt collection practices in Massachusetts, so that consumers are treated honestly and fairly.

This booklet is designed to help you understand your protections when dealing with debt collectors, whether they've contacted you directly or sued you over the debt in court. Keep in mind that this booklet is only a brief guide to the debt collection process and does not contain legal advice.

If you are contacted about a debt, the first thing to know is that you're not alone. Debt is a reality for thousands of hardworking people across Massachusetts. We understand that getting called about a debt can be stressful, embarrassing, and confusing.

But the Attorney General's Office is here to help. This booklet provides a brief outline of some of your rights and protections when you're contacted or sued over a debt. If you believe your rights have been violated, you may file a complaint with our Consumer Advocacy and Response Division at 617-727-8400. More information can be found at [mass.gov/xxxxx](http://mass.gov/xxxxx).



Maura Healey  
Massachusetts Attorney General

### MAKE SURE THE DEBT IS YOURS

Debt collection scams are real. You might not recognize the name of the company that says you owe them money. Maybe the company says you owe \$1,000, when you're pretty sure that you only owe \$100. Or maybe you're just not sure if you owe any money at all. So, what should you do?

**Demand proof of the debt** in writing as quickly as possible. You might be asked to pay a debt that's not yours. You might be asked to pay the wrong amount. You might be asked to pay a debt that the company contacting you has no right to collect. Requesting proof may be the only way to determine if these errors were made. The company might not be able to produce proof of the debt.

### YOUR RIGHTS AND PROTECTIONS

There are rules a company must follow when attempting to collect a debt, regardless of whether the debt is yours. Below are some, but not all, of the protections you have when contacted about a debt. The company cannot:

1. Use profane or obscene language.
2. Call you without explaining who they are and why they are calling.
3. Tell other people (friends, co-workers, or family) about the debt.
4. Call you at home or on your cell phone more than twice in a seven-day period.
5. Call you at work more than twice in a 30-day period. Tip: A company can't call you at work if you tell them not to call in writing.
6. Threaten you with arrest or imprisonment if you don't pay.

### LAWSUITS

Being sued over a debt can feel intimidating and scary, but the court is there to listen to both sides of the case. If you are sued over a debt, the following tips can help you through the process:

1. Go to court! Be sure to set lots of reminders and plan ahead. If you miss your court date, you can't tell your side of the story and the court will likely order you to pay the full amount.
2. Bring documents with you that support your side of the story, if you have any.
3. Don't feel pressured to talk to anyone you don't want to. It's your choice to talk with the lawyer for the other side.
4. It is the company's responsibility to prove that you owe them money. If the court decides there isn't enough proof, the court will dismiss the case.
5. If you are not comfortable with English, request a language interpreter for your court date.
6. The court might be crowded on your court date, so be sure to arrive early. Listen carefully when you arrive in the courtroom, because the clerk (one of the court's employees) will call attendance and give important instructions about presenting your case.
7. You can't be ordered to pay a debt from certain sources of income, including social security disability benefits and other government benefits. You also can't be ordered to pay a debt if you make \$550 or less per week.