

DIY Credit Repair E-Book



STEP ONE

GET YOUR FREE CREDIT REPORT!!

NO CREDIT CARD!!

NO DEBIT CARD!!

NO MONTHLY FEES!!

GO TO

www.annualcreditreport.com

**Get you annual credit report free that's entitled to every single person who has a credit profile
EVERY SINGLE YEAR!!**

This will take about 10 minutes. Make sure you have all your personal info handy and be ready to fill out info forms to request all three credit reports.

Again this is free if this is your first time receiving your annual credit report this year.

If this site does not allow you to get your report free don't worry you have a 2nd option.

Go to:

www.creditchecktotal.com

And pay \$1 for all three credit reports.

The #1 reason people have bad credit is because they don't know what's on their report and due to inaccuracies file by creditors.

Please review your report! Now it's time to work 😊

It doesn't cost anything to dispute mistakes or outdated items on your credit report. Both the credit reporting company and the information provider (the person, company, or organization that provides information about you to a credit reporting company) are responsible for correcting inaccurate or incomplete information in your report. To take advantage of all your rights, contact both the credit reporting company and the information provider.

Step 2: Tell the credit reporting company (Trans Union, Equifax and Experian), in writing, what information you think is inaccurate. Use the letters on the next page to help write your own. Include copies (NOT originals) of any documents that support your position. In addition to including your complete name and address, your letter should identify each item in your report that you dispute; state the facts and the reasons you dispute the information, and ask that it be removed or corrected.

You may want to enclose a copy of your report, and circle the items in question. Send your letter by certified mail, “return receipt requested,” so you can document that the credit reporting company got it. Keep copies of your dispute letter and enclosures.

****IMPORTANT**** always include a copy of your Social Security Card, State ID/Driver’s License and a utility bill with your current address with anything you send to the Credit Bureaus or collection companies. Make sure to always get your letters notarized☺ Always send certified with return receipt.

Credit reporting companies must investigate the items you question within 30 days — unless they consider your dispute frivolous. They also must forward all the relevant data you provide about the inaccuracy to the organization that provided the information. After the information provider gets notice of a dispute from the credit reporting company, it must investigate, review the relevant information, and report the results back to the credit reporting company. If the investigation reveals that the disputed information is inaccurate, the information provider has to notify the nationwide credit reporting companies so they can correct it in your file.

When the investigation is complete, the credit reporting company must give you the results in writing, too, and a free copy of your report if the dispute results in a change. If an item is changed or deleted, the credit reporting company cannot put the disputed information back in your file unless the information provider verifies that it’s accurate and complete. The credit reporting company also must send you written notice that includes the name, address, and phone number of the information provider. If you ask, the credit reporting company must send notices of any correction to anyone who got your report in the past six months. You also can ask that a corrected copy of your report be sent to anyone who got a copy during the past two years for employment purposes.

If an investigation doesn’t resolve your dispute with the credit reporting company, you can ask that a statement of the dispute be included in your file and in future reports. You also

can ask the credit reporting company to give your statement to anyone who got a copy of your report in the recent past. You'll probably have to pay for this service.

Step 3: Tell the creditor and Credit Bureaus or other information provider, in writing, that you dispute an item. Include copies (NOT originals) of documents that support your position. Many providers specify an address for disputes. If the provider reports the item to a consumer reporting company, it must include a notice of your dispute. And if the information is found to be inaccurate, the provider may not report it again.

Please read all letters and tailor them to your situation. The most popular letters are 1, 3, 6, 10, 11, 12, 14, and

16. All of these letters has worked whether the info was authorized or not on the credit reports. Again rearrange these letters to your situation. If letter 1, 3 or 6 does not result in removal of the debts in question the first time around with credit bureaus then you must send one of the following follow-up letters 10, 11, 12, 14 or 16. These letters are more aggressive and usually result in immediate removals.

The next 3 pages are sample letters to send to the credit bureaus as well as the collection agency. Tailor them to your personal report and situations. It never hurts to include the consequences that have resulted from this wrongful information as well. The credit agencies give the most immediate attention to seriously wronged consumers. Remember, they are bombarded with 10,000 letters a day.

Letter #1

[Your Name]

[Your Address]

[Your City, State, Zip Code]

[Date]

Complaint Department

[Company Name]

[Street Address]

[City, State, Zip Code]

Dear Sir or Madam:

I am writing to dispute the following information in my file. I have circled the items I dispute on the attached copy of the report I received.

This item [identify item(s) disputed by name of source, such as creditors or tax court, and identify type of item, such as credit account, judgment, etc.] is [inaccurate or incomplete] because [describe what is inaccurate or incomplete and why]. I am requesting that the item be removed [or request another specific change] to correct the information.

Enclosed are copies of [use this sentence if applicable and describe any enclosed documentation, such as payment records and court documents] supporting my position. Please reinvestigate this [these] matter[s] and [delete or correct] the disputed item[s] as soon as possible.

Sincerely,

Your name

Enclosures: [List what you are enclosing.]

Letter #2

(Billing Inaccuracies)

[Date]

[Your Name]

[Your Address]

[Your City, State, Zip Code]

[Your Account Number]

[Name of Creditor]

[Billing Inquiries]

[Address]

[City, State, Zip Code]

Dear Sir or Madam:

I am writing to dispute a billing error in the amount of [\$_____] on my account. The amount is inaccurate because [describe the problem]. I am requesting that the error be corrected, that any finance and other charges related to the disputed amount be credited as well, and that I receive an accurate statement.

Enclosed are copies of [use this sentence to describe any information you are enclosing, like sales slips or payment records] supporting my position. Please investigate this matter and correct the billing error as soon as possible.

Sincerely,

[Your name]

Enclosures: [List the enclosures]

Letter #3

(Remove Fraudulent Charges)

[Date]

[Your Name]

[Your Address]

[Your City, State, Zip Code]

[Name of Company]

[Fraud Department of Billing Inquiries]

[Address]

[City, State, Zip Code]

[RE: Your Account Number (if known)] Dear Sir or Madam:

I am writing to dispute [a] fraudulent charge[s] on my account in the amount[s] of \$_____, and posted on [dates]. I am a victim of identity theft, and I did not make [this/these] charge[s]. I request that you remove the fraudulent charge[s] and any related finance charges from my account, send me an updated and accurate statement, and close the account (if applicable). I also request that you stop reporting this inaccurate information and report the correct information to all of the nationwide credit reporting companies (CRCs) to which you provided it.

Enclosed is a copy of my Identity Theft Report, credit report, and account statement showing the fraudulent items related to your company that are the result of identity theft. Also enclosed is a copy of the Notice to Furnishers of Information issued by the Federal Trade Commission, which details your responsibilities under the Fair Credit Reporting Act as an information furnisher to CRCs.

Please investigate this matter and send me a written explanation of your findings and actions.

Sincerely,

Letter 4

(Requesting Removal of Inaccurate Information)

Date

Your Name

Your Address

City, State Zip

Credit Bureau

Bureau Address

City, State Zip

Dear Credit Bureau,

This letter is a formal complaint that you are reporting inaccurate credit information.

I am very distressed that you have included the below information in my credit profile due to its damaging effects on my good credit standing. As you are no doubt aware, credit reporting laws ensure that bureaus report only accurate credit information. No doubt the inclusion of this inaccurate information is a mistake on either your or the reporting creditor's part. Because of the mistakes on my credit report, I have been wrongfully denied credit recently for a , which was highly embarrassing and has negatively impacted my lifestyle.optional

With the proof I'm attaching to this letter, I'm sure you'll agree it needs to be removed ASAP.

The following information therefore needs to be verified and deleted from the report as

soon as possible: CREDITOR AGENCY, acct. 123-34567-ABC

Please delete the above information as quickly as possible.

Sincerely,

Your Signature

Your Name

SSN# 123-45-6789

Attachment included

Letter 5

(Cease and Desist)

The following is a sample letter requesting a collection agency to cease and desist contact with you for a debt owed. Attach a copy of a recent statement from them showing the account you are referring to. If they continue to harass you, you have legal recourse against them. Check out our section on suing your creditors.

Date

Your Name

Your Address

City, State Zip

Collection Agency

Collection Agency Address

City, State Zip

RE: Account #XXXXX-XXXXXX

Dear Collection Agency,

Under the Fair Debt Collection Practices Act Section 805 (C), it is my right to request that you cease contact with me. I am exercising my right to do so with this letter. I request that you immediately CEASE and DESIST all contact with me.

With this notice, under the law, you can now only contact me to:

To advise me that your company's further efforts are being terminated;

To notify me that your company may invoke specified remedies which are ordinarily invoked by such debt collector or creditor; or

Where applicable, to notify me that your company intends to invoke a specified remedy.

GIVE THIS LETTER THE IMMEDIATE ATTENTION IT DESERVES.

Sincerely,

Your Signature

Letter #6

(Letter to Creditor to Stop Calling on a Zombie Old Out of Statute of Limitations Debt)

If a collection agency is coming after you for zombie debt, debt which is outside of the statute of limitations, here is the letter you should send them.

This letter is a triple whammy - it tells the collection agency to get lost because the debt is outside of the statute of limitations, requests a cease and desist under the FDCPA and also requests an investigation under the FCRA.

Date

Your Name

Your Address

City, State Zip

Collection Agency

Collection Agency Address

City, State Zip

Re: Acct # XXXX-XXXX-XXXX-XXXX

To Whom It May Concern:

I am continually being called on the telephone by your firm over an alleged (fill in the amount) debt. According to the information given to us by your firm, the date of last activity by the original creditor was (date). The State of Limitations on this alleged debt, even should it be ours, is X years in the state of (your state). Since the debt is out of the statute of limitations, and you are reporting this on my credit report, you are conducting collection activities on zombie debt.

I'm sure you are aware of the provisions in the Fair Debt Collection Practices Act (FDCPA). However, I would like to point out that your firm has violated provisions of the FDCPA by implying that the legal status of the debt is collectible by reporting the alleged debt to the credit bureaus. The exact statute:

[15 USC 1692e]

(2) The false representation of --

(A) the legal status of the alleged debt and

(B) any services rendered or compensation which may be lawfully received by any debt collector for the collection of a debt.

I am also doubtful that you would have adequate documentation to prove in court that you have the right to report this negative information on my credit report, and therefore you are in violation of the Fair Credit Reporting Act as well as the FDCPA. However, I will give you the chance to prove that you are lawfully entitled to report this information by requesting an investigation.

Under the FDCPA I am also invoking my right to ask you to stop contacting me unless you can provide adequate validation of this alleged debt or notification that you are ceasing collections activities.

Please remove this account immediately from my credit report or I will have to take legal remedies which may include lawsuits and notifying our state attorney general's office. In addition, I'm sure your legal staff will agree that noncompliance with this request could put your company in serious legal trouble with the FTC and other state or federal agencies. Under the FCRA and the FDCPA, each violation is subject to a \$1,000 fine, payable to me. Sincerely,

Your Signature

Letter 7

(Goodwill Letter to Send to Original Creditor)

The following is a "Goodwill Letter" requesting a creditor to remove a late payment because you've been a good customer.

Sometimes if you can plead your case that you were a good and loyal customer prior to a unfortunate circumstance, the creditor may remove late payments out of the goodness of their hearts.

Date

Your Name

Your Address

City, State Zip

Credit Card Company

Credit Card Company Address

City, State Zip

Re: Acct # XXXX-XXXX-XXXX-XXXX

Dear Credit Card Company,

I am writing to you today regarding my credit card account #4236-XXXX-XXXX-XXXX which I had while I was a medical student at ----- . The purpose of my correspondence is to see if you would be willing to make a "goodwill" adjustment on the reporting of this account to the three credit agencies.

During the time period this account was established I had was very happy with the service, I was however not the ideal customer and made mistakes with my handling of the account. I should have kept better records regarding the account and I take full responsibility. I became aware of the unpaid balance when I got a copy of my credit report in June of 2006.

I know that payment was my responsibility and I am not attempting to justify this breach of my user agreement, I was however hoping you might review the circumstances under which this non-payment occurred and consider removing the negative trade line associated with this account from my three credit reports.

As soon as I became aware of the balance I contacted ----- and paid the balance in full. I provide this not to justify why the account was unpaid, but rather to show that the issue with ----- is not a good indicator of my actual credit worthiness. I hope that ----- is willing to work with me on erasing this mark from my credit reports.

I would like to STRESS that the information currently being reported IS accurate, (I am not disputing anything with ----
-----). I am simply asking -----for a courtesy gesture of goodwill in having the credit bureaus remove this account from my report. I do recognize that this request is unique and that it may not be ----- normal policy. Please consider that the Fair Credit Reporting Act does not demand that all accounts be reported, only that any account that is reported be reported accurately. Therefore, a company does have legal discretion and permission to remove any account it chooses from the credit report. I'm hoping that ----- will do that in my case for this account.

Your kind consideration in this matter is greatly appreciated.

Best Regards,

Your Signature

Letter #8

(Reduction of Debt Sample Letter)

The following is a sample letter requesting the reduction of a debt owed and once signed, it is a binding contract for the settlement amount. This letter is sent to a collection agency confirming an offer to settle a debt and the amount the debt was settled for. It is very important this type of settlement is in writing and signed by all parties involved. This is after you've disputed over 3 times with the bureaus and they have refused to remove the collection account.

AGREEMENT TO COMPROMISE DEBT

EFG Collections, Inc, referred to as COLLECTION AGENCY and Jane Doe. Consumer, referred to as CONSUMER, agree to resolve the matter of the alleged debt, originally held by the _____ Company, hereafter referred to as the CLIENT. CONSUMER hereby agrees to settle this alleged debt claimed by COLLECTION AGENCY on the following terms and conditions:

The COLLECTION AGENCY certifies that it is legally authorized to act in behalf of its CLIENT and that any agreement that the COLLECTION AGENCY makes on behalf of CLIENT is legally binding on the CLIENT.

The COLLECTION AGENCY and the CONSUMER agree that alleged debt is \$_____.00 (_____ & 00/100 dollars). While the CONSUMER feels that validity of the debt has not been proved by the COLLECTION AGENCY, the parties agree that the COLLECTION AGENCY shall accept the sum of \$_____.00 (_____ & no/100 dollars) as full payment on the debt. The acceptance of the payment will serve as a complete discharge of all monies due, and the COLLECTION AGENCY agrees to consider the debt paid in full and agrees to not take further action to collect on the alleged debt. The payment shall be made in the form of a cashier's check or money order.

Upon payment of the \$_____.00, the COLLECTION AGENCY agrees to remove any listing or information that the COLLECTION AGENCY may have placed on the CONSUMER'S credit report. The COLLECTION AGENCY agrees to never at any time in the future place any information on the CONSUMER'S credit report.

The CONSUMER feels that the negative information on CONSUMER's credit report is damaging and while the exact estimation of the damage is not currently known, the

CONSUMER estimates it to be \$10,000 (ten thousand dollars and zero cents). Should the COLLECTION AGENCY fail to remove the listing or reinsert it at a later date, the COLLECTION AGENCY agrees to award liquidated damages of \$10,000 to CONSUMER. This compromise is expressly conditioned upon the payment being received by (date). If the CONSUMER fails to pay the compromised amount by (date), this contract will be immediately terminated.

The person signing this agreement, _____, hereby declares that he/she is authorized to act as an agent of the COLLECTION AGENCY.

This Agreement shall be binding upon and inure to the benefit of the parties, their successors, and assignees.

Dated:

Your Signature: _____

Legal Representative of EFG Collections, Inc. Signature: _____

Letter #9

(Another Letter Requesting the Removal of Inaccurate Info)

This is a shorter version of a letter you can send to the credit bureaus to request removal of inaccurate information.

Always include any copies of proof you may have (i.e. cancelled checks showing timely payments, paid off accounts, loans, anything that will show the information is indeed erroneous). It never hurts to include the consequences that have resulted from this wrongful information as well. The credit agencies give the most immediate attention to seriously wronged consumers. Remember, they are bombarded with 10,000 letters a day. Date

Your Name

Your Address

City, State Zip

Credit Bureau

Bureau Address

City, State Zip

Dear Credit Bureau,

I've just reviewed my credit report and have noticed there are several inaccurate items on my report:

Chase VISA Acct: xxxxx-xxxxx-xxxx-xxx:

This account is listed as being 30 days late. I have never been late on this account.

Sears Acct: xxxxx-xxxxx-xxxx-xxx:

This account is listed as being 30 days late. I have never been late on this account.

Universal Acct: xxxxx-xxxxx-xxxx-xxx:

This account is listed as being 30 days late. I have never been late on this account.

In addition, there are a number of credit accounts which have been inactive for more than 7 years. As you know, the FCRA states that all credit older than 7 years should be removed from my report. The following accounts should be removed:

Diner's Club Acct: xxxxx-xxxxx-xxxx-xxx:

GE Consumer Card Acct: xxxxx-xxxxx-xxxx-xxx:

Macy's Acct: xxxxx-xxxxx-xxxx-xxx:

I have enclosed a copy of my driver's licence as proof of identity.

Sincerely,

Your Signature

Your Name

SSN# 123-45-6789

Attachment included

Letter #10

(Sample Follow up Letter to Send to the Credit Bureaus)

In this letter, and all succeeding correspondence with the credit bureaus, you need to get increasingly threatening. Use this letter to follow up with the credit bureaus with respect to the original dispute letters you already sent to them. You will use this letter if you have not heard back from the bureaus in 30 days.

Date

Your Name

Your Address

City, State Zip

Credit Bureau

Bureau Address

City, State Zip

RE: Dispute Letter of date you sent in first or subsequent requests

Dear Credit Bureau,

This letter is formal notice that you have failed to respond to my dispute letter of date. I sent this letter registered mail and have enclosed a copy of the return receipt which you signed on some date.

As you are well aware, federal law requires you to respond within 30 days. It has now been over that period since your receipt of my letter. As you are no doubt aware, failure to comply with federal regulations by credit reporting agencies are in serious violation of the Fair Credit Reporting Act and may be investigated by the FTC. Obviously, I am maintaining detailed records of all my correspondence with you.

I am aware that you may have misplaced my letters or have failed to respond to my letter because of an oversight due to the high volume of the requests you receive daily. If this is the case, I'm sure you'll want to handle this matter as soon as possible. For this purpose, I have included a copy of my original request, the dated receipt of your reception of the original letter and a copy of the proof verifying the incorrectness of the credit item you have mistakenly placed on my records.

The following information therefore needs to be verified and deleted from the report as soon as possible: CREDITOR AGENCY, acct.

123-34567-ABC

Please delete this erroneous item from my credit report as soon as possible.

Sincerely,

Your Signature

Your Name

SSN# 123-45-6789

Attachment included

Letter #11

(Removing Inquiries From Your Credit Report)

Prepare letters to each inquiring creditor asking them to remove their inquiry. The Fair Credit Reporting Act allows only authorized inquiries to appear on the consumer credit report. You must challenge whether the inquiring creditor had proper authorization to pull your credit file.

Your letter can go like this:

Re: Unauthorized Credit Inquiry

Dear American Express,

I recently received a copy of my Experian credit report. The credit report showed a credit inquiry by your company that I do not recall authorizing. I understand that you shouldn't be allowed to put an inquiry on my file unless I have authorized it. Please have this inquiry removed from my credit file because it is making it very difficult for me to acquire credit.

I have sent this letter certified mail because I need your prompt response to this issue. Please be so kind as to forward me documentation that you have had the unauthorized inquiry removed.

If you find that I am remiss, and you did have my authorization to inquire into my credit report, then please send me proof of this.

Thanking you in advance,

Letter #12

(if Collection Agency Fails to Validate Your Debt)

Assuming you have contacted the collection agency using our debt validation methods, and they have failed to send you adequate proof of your legal obligation to pay a debt, this is the letter you need to write to the credit bureaus.

Date

Your Name

Your Address

City, State Zip

Credit Bureau

Bureau Address

City, State Zip

RE: Account XXXXX-XXXX-XXXXX

Dear Credit Bureau,

I am continually being called on the telephone by your firm over an alleged debt. I'm sure you are aware of the provisions in the Fair Debt Collection Practices Act (FDCPA), and I am requesting validation of this debt. I am requesting proof that I am indeed the party you are asking to pay this debt, and there is some contractual obligation which is

binding on me to pay this debt. I request that you cease contacting me via telephone and all future correspondence be writing. To refresh your memory on what constitutes legal debt validation, I am providing you a list of the required documentation:

Complete payment history, the requirement of which has been established via Spears v Brennan 745 N.E.2d 862; 2001 Ind. App. LEXIS 509. Agreement that bears the signature of the alleged debtor wherein he/she agreed to pay the original creditor. Letter of sale or assignment from the original creditor to your company. (Agreement with your client that grants you the authority to collect on this alleged debt. Coppola v. Arrow Financial Services, 302CV577, 2002 WL 32173704(D.Conn., Oct. 29, 2002) - Information relating to the purchase of a bad debt is not proprietary or burdensome. Debtor must phrase their request clearly to obtain: The source of a debt and the amount a bad debt buyer paid for plaintiff's debt, how amount sought was calculated, where in issue a list of reports to credit bureaus, and documents conferring authority on defendant to collect debt.

Intimate knowledge of the creation of the debt by you, the collection agency.

As I am sure you are well aware, under FDCPA Section 809 (b), you are not allowed to pursue collection activity until the debt is validated. You should be made aware that in TWYLA BOATLEY, Plaintiff, vs. DIEM CORPORATION, No. CIV 03-0762 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA, 2004, the courts ruled that reporting a collection account indeed is considered collection activity.

While I prefer not to litigate, I will use the courts as needed to enforce my rights under the FDCPA.

I look forward to a speedy resolution of this matter.

Sincerely,

Your Signature

enclosures

Letter #13

(Notification of Lawsuit to a Credit Bureau Letter)

The following is a sample letter informing a credit reporting agency that you have filed suit against them. Make sure to edit this one carefully to include all of your correct information. Some of the language in this letter was from an identity theft case so you will have to tailor the verbiage to fit your situation. You will also want to provide them with a copy of the filed lawsuit. Use this letter only if you have filed a lawsuit against the collection agency.

Date

Your Name

Your Address

City, State Zip

Cedit Bureau

Bureau Address

City, State Zip

RE: Your Social Security Number

Dear Credit Bureau,

Enclosed is a copy of the lawsuit that I filed against you in (your county) court on (date of filed). Currently, the Pretrial Conference is scheduled for (insert date and time and location). The case number is (insert case #). The lawsuit was filed due to the utter lack of response from your company. When someone is the victim of identity theft, it is simply a nightmare trying to get false information removed from a credit file. I have contacted all of the false creditors listed on my credit file. I have challenged all of the false listings on my credit file. Nothing ever happens to fix the situation.

Over 90 days ago I wrote each the creditors in question and demanded proof that I am their customer. I asked for proof of the alleged debt, including specifically the alleged contract or other instrument bearing my signature. So far none of them has been able to provide such proof to me. I have sent follow-up letters to each of them and there is still no proof. I have attempted phone contact, but I simply get transferred around and nothing ever gets accomplished.

I have fully investigated my rights in this matter. Under the doctrine of estoppel by silence, *Engelhardt v Gravens* (Mo) 281 SW 715, 719, I may presume that no proof of the alleged debt, nor therefore any such debt, in fact exists. I have copies of the certified letters and dates prepared to bring to court on April 10th. Also, under the Fair Credit Reporting Act, these disputed items may not appear on my credit report if they cannot be supported by any evidence.

Under the Fair Credit Reporting Act, if they cannot verify the debt within 30 days, then it must be removed. Your letters to me claim to have 'verified' the debt, but this is in fact not true under law. Simply contacting the alleged creditor and asking them to match up numbers in their database is no sufficient verification for identity theft. Of course the information matches up. Someone clearly used my information without my authorization.

Now I am suing Equifax for being such a pain in the posterior to me. I have provided more than sufficient evidence to get these false accounts removed.

You may contact me before April 10th at (my phone number) or at my address listed at the top of this letter. This matter can be settled simply by your agreement to remove the false information from my credit file.

I require a response, on point, in writing, hand signed, and in a timely manner. If I get another pointless letter from you saying that it has already been 'verified' then there will be no more opportunity for negotiation. This will proceed in court until I have successfully proven to a judge that this false information must be removed from my credit file. I will also be aggressively pursuing the full judgment that I can get against Equifax for violation of the Fair Credit Reporting Act and Defamation.

I have already won a similar lawsuit against Trans Union. Enclosed is a copy of that settlement. I will agree to a similar settlement with Equifax if you contact me before April 10th. If you accept the same terms as Trans Union did, then I will dismiss my lawsuit against Equifax and you will not need to appear in (my county and state).

The items to be removed from my credit report are listed as follows:

(list all accounts and account numbers) I look forward to your response.

Sincerely,

Your Signature

Your Name

SSN# 123-45-6789 Attachment included

Letter #14

(Notification to a Collection Agency You Are Suing Them)

The following is a sample letter informing a collection agency you are planning to file suit against them. If you don't get a response to your previously sent debt validation letter, send this letter out to them. Add in specifics of what's been going on - describe what they're doing that's wrong, and WHAT YOU want them TO DO. Spell it out clear and simple.

Date

Your Name

Your Address

City, State Zip

Collection Agency

Collection Agency Address

City, State Zip

RE: Account #xxxx-xxxx-xxxx

To Whom it May Concern,

Your firm has failed to send the legally required validation of this debt. You have been notified that your actions are detrimental to me and that your firm has violated (including

but not limited to) the Consumer Credit Protection Act, the Fair Credit Reporting Act, and the Fair Debt Collection Practices Act. Your firm knew or should have known that the actions taken against me and the information collected about me was inappropriate and damaging to me.

Failed to use reasonable care in the course of business and failed to use even minimal procedures to ensure that I was not harmed. Communicated and are continuing to communicate incorrect and defamatory information to third parties including but not limited to: Equifax, Experian, and Trans Union.

As a result of these blatantly reckless, wanton, and intentional acts, I have suffered and continue to suffer general and specific damages. I am also very upset at your firm's intentional infliction of emotional distress and at the other diminishment of the quality of my life. I am now demanding the immediate and complete removal of this tradeline from my credit reports (Equifax, Experian, and Trans Union). As I am currently attempting to apply for credit, time is of the essence. Please understand that I am extremely concerned about the consequences of the actions your firm is having on my life. Please be advised that, if this matter is not resolved by xxx, I will take any and all necessary steps to protect my rights.

Thank you in advance for your attention to this matter.

Sincerely,

Your Signature

Letter #15

(Sample of a Hardship Letter)

A hardship letter is a document that must be created in your own words. Basically you want to get across to the bank that you did experience a hardship but are looking to resolve the situation with their help. I would also include if you saved any money that you are willing to put that towards a good faith deposit. Also include the new mortgage payment you can afford. Note: DO NOT COPY AND PASTE THIS LETTER. It is an example only, and must be in YOUR WORDS.

The basic premise of this letter is:

The situation you were in which caused you to pay late/not pay was beyond your control. You have vowed to never let it happen again. Here are the things you have done to make sure it doesn't happen. You've saved \$XX amount of money to make a good faith payment. You think you could afford a payment of \$XX.XX.

To Whom it May Concern:

I am writing this letter to explain why I am currently facing foreclosure on my mortgage to you.

I am very distressed that this has ever happened to me, but I was , , . The circumstances drained my carefully put aside savings and in order to provide for my family I was forced to choose between mortgages payments and food. My financial advisor told me not to tap into my 401K. This is a very embarrassing to me, I have always prided myself in paying on time, and I have taken steps to put away money in my savings account to guard against other unforeseen occurrences like this. I guess I just did not put away enough. As a good faith payment, I would be willing to do a partial distribution from my 401K towards the loan restructuring. Staying in my home is very important to myself and my family. My wife and I have sat down together to

review our finances and believe we could safely accommodate a payment of \$1000/month over 30 years should you approve our loan restructuring. Sincerely,

Your Signature

Letter #16

(Dispute Collection Activity From a Auto Repossession Letter)

The following is a sample letter disputing collection activities associated with a deficiency from a motor vehicle repossession. Send a copy to EACH of the party - collection agency and original creditor - via Certified Return Receipt Request. It may be used AFTER 2 years from the date of the repo sale, providing there has been no filed claim for a judgment. It should not be used if you have been sued, or if the repossession was less than 2 years ago. Date

Your Name

Your Address

City, State Zip

Collection Dept

Address

City, State Zip

Name of Original Creditor

Address of OC

Name of Original Seller (car dealer)

Address of OS

Re: Acct # XXXX-XXXX-XXXX-XXXX (collection agency)

Re: Acct # XXXX-XXXX-XXXX-XXXX (original creditor)

Make of car:

Model:

VIN#

To Whom It May Concern:

I am writing in regard to the above referenced accounts and transactions. This vehicle was repossessed by (Original

Creditor) in the State of (Your State) on or about, xx/xx/xxxx, and resold on or about xx/xx/xxxx. Under the laws of the

State of (State where car was repossessed) UCC § (Your stat's UCC code, you will need to look this up) and State RISA and MVISA statutes a deficiency can not be claimed unless all of the required notices were properly and timely given, and all of the allowable redemption and cure time limits were adhered to. Please provide copies of the legal notices and proof of the commercially reasonable manner of the resale of the subject vehicle.

If no such proof is provided within 14 days from receipt of this notice, the alleged claim of a deficiency will be considered null and void, and any continued collection activities, or continued reporting of this invalid claim on my credit reports will be considered a violation of the FDCPA and FCRA.

In addition, if you singularly or severally fail to comply with the above requests, I reserve the right to seek damages against all parties, under all available State and Federal statutes and UCC § 9 remedies.

Sincerely,

Your Signature

Letter #17

Removal of Inaccurate Info from Chexsystems Database

The following is a sample letter requesting Chexsystems to validate and remove a listing from their database. Make sure to edit this letter and fill in the appropriate information for your situation.

Date

ChexSystems, Inc.

7805 Hudson Road, Suite 100

Woodbury, MN 55125

Fax: (602) 659-2197

To Whom It May Concern:

My bank has informed me that there is negative information reported by (name of bank) included in the file

Chexsystems maintains under (you social security number). Upon ordering a copy of the report, I see an entry from this bank listing a (fill in negative item listed).

I do not recall having a debit card from this bank in 1997.

Please validate this information with (name of bank) and provide me with copies of any documentation associated with this "debit card" bearing my signature. In the absence of any such documentation bearing my signature I ask that this information be immediately deleted from the file you maintain under my Social Security number.

My contact information is as follows:

Your Name

SSN: xxx-xx-xxxx

Your Address

Sincerely,

Your Signature

Be sure to send this to all 3 Credit Bureaus as well as the creditors/Collection Agencies who's reporting derogatory info to your report.

It's simple as that. You will receive updated info within 30 to 45 days from all 3 credit bureaus.

Do not try to do this dispute online as it will come back as not deleted and the bureaus, creditors or Agencies will not take you seriously!!

You must complete this dispute on the phone and by mail with proof of your identity attached.

You are not only disputing with the Collection Agencies but you're also disputing to the Credit Bureaus that this info is incorrect. This is the traditional way to clean your credit.

Get the ball rolling on a FRESH start.

There are FOUR major steps we go by to stay A1 and up to date with credit

- 1. REPAIR**
- 2. BUILD**
- 3. EDUCATE**
- 4. PROTECT**

***Boost your credit score* *Get approved for your dream car* Get approved for your dream home* Below are the addresses and phone numbers for disputes to all 3 major credit bureaus**

Trans Union

TransUnion LLC

Consumer Dispute Center

P.O. Box 2000

Chester, PA 19022

800-916-8800

Experian

Experian Disputes

P.O. Box 4500

Allen, TX 75013

(888) 397-3742

Equifax

Equifax Credit Information Services, Inc

P.O. Box 740241

Atlanta, GA 30374

1-800-685-1111

TIPS

Keep copies for yourself of ALL YOUR REPORTS and DOCUMENTS!

Be sure to make copies/notes of everything you do.

Keep a paper trail! Purchase a notebook and write down every single date and time when you speak with someone or mail off anything.

Remember!!! You are in control. This is your credit, your case, your information and your responsibility.

Always write down the representative's name (at credit bureaus, credit reporting company and collection agency).

Never agree to a debt without it being validated or proved to be yours. Never agree to terms without getting validation of that debt.

The next set of pages is copies of major laws from the Fair Credit Reporting Act. (very valuable information).

You have taken the first step!! Now follow through ☺

Things you can do with this eBook.

- 1. Repair your own credit**
- 2. Make a profit repairing credit to those who don't want to do the footwork**
- 3. Pass this along to family and friends to get control of their credit**

Too time consuming? Contact us at Infowithjc@gmail.com or 678-301-9988 and we will do a FREE CONSULTATION and quote. Please be sure to create your free accounts with Experian and Equifax before contacting us. You will need to create an account with Transunion as well. Keep in mind Transunion charges a monthly fee. You will also need to create an account with the following credit monitoring service (identity iq). It will allow us to do an analysis of your credit during the free consultation phase

FCRA § 605B (15 U.S.C. § 1681c-2)

(a) Block. Except as otherwise provided in this section, a consumer reporting agency shall block the reporting of any information in the file of a consumer that the consumer identifies as information that resulted from an alleged identity theft, not later than 4 business days after the date of receipt by such agency of—

- (1) appropriate proof of the identity of the consumer;
- (2) a copy of an identity theft report;
- (3) the identification of such information by the consumer; and
- (4) a statement by the consumer that the information is not information relating to any transaction by the consumer.

(b) Notification. A consumer reporting agency shall promptly notify the furnisher of information identified by the consumer under subsection (a) of this section—

- (1) that the information may be a result of identity theft;
- (2) that an identity theft report has been filed;
- (3) that a block has been requested under this section; and
- (4) of the effective dates of the block.

(c) Authority to decline or rescind.

(1) In general. A consumer reporting agency may decline to block, or may rescind any block, of information relating to a consumer under this section, if the consumer reporting agency reasonably determines that—

- (A) the information was blocked in error or a block was requested by the consumer in error;

(B) the information was blocked, or a block was requested by the consumer, on the basis of a material misrepresentation of fact by the consumer relevant to the request to block; or

(C) the consumer obtained possession of goods, services, or money as a result of the blocked transaction or transactions.

(2) Notification to consumer. If a block of information is declined or rescinded under this subsection, the affected consumer shall be notified promptly, in the same manner as consumers are notified of the reinsertion of information under section 1681i

(a)(5)(B) of this title.

(3) Significance of block. For purposes of this subsection, if a consumer reporting agency rescinds a block, the presence of information in the file of a consumer prior to the blocking of such information is not evidence of whether the consumer knew or should have known that the consumer obtained possession of any goods, services, or money as a result of the block.

(d) Exception for resellers.

(1) No reseller file. This section shall not apply to a consumer reporting agency, if the consumer reporting agency— (A) is a reseller;

(B) is not, at the time of the request of the consumer under subsection (a) of this section, otherwise furnishing or reselling a consumer report concerning the information identified by the consumer; and

(c) informs the consumer, by any means, that the consumer may report the identity theft to the Bureau to obtain consumer information regarding identity theft.

(2) Reseller with file. The sole obligation of the consumer reporting agency under this section, with regard to any request of a consumer under this section, shall be to block the consumer report maintained by the consumer reporting agency from any subsequent use, if—

(A) the consumer, in accordance with the provisions of subsection (a) of this section, identifies, to a consumer reporting agency, information in the file of the consumer that resulted from identity theft; and (B) the consumer reporting agency is a reseller of the identified information.

(3) Notice. In carrying out its obligation under paragraph (2), the reseller shall promptly provide a notice to the consumer of the decision to block the file. Such notice shall contain the name, address, and telephone number of each consumer reporting agency from which the consumer information was obtained for resale.

(e) Exception for verification companies. The provisions of this section do not apply to a check services company, acting as such, which issues authorizations for the purpose of approving or processing negotiable instruments, electronic fund transfers, or similar methods of payments, except that, beginning 4 business days after receipt of information described in paragraphs (1) through (3) of subsection (a) of this section, a check services company shall not report to a national consumer reporting agency described in section 1681a (p) of this title, any information identified in the subject identity theft report as resulting from identity theft.

(f) Access to blocked information by law enforcement agencies. No provision of this section shall be construed as requiring a consumer reporting agency to prevent a Federal, State, or local law enforcement agency from accessing blocked information in a consumer file to which the agency could otherwise obtain access under this subchapter.

FCRA 609(e) (15 U.S.C. § 1681g(e))

Disclosures to Consumers- information Available to Victims

(1) In general. For the purpose of documenting fraudulent transactions resulting from identity theft, not later than 30 days

after the date of receipt of a request from a victim in accordance with paragraph (3),

and subject to verification of the identity of the victim and the claim of identity

theft in accordance with paragraph (2), a business entity that has provided credit to,

provided for consideration products, goods, or services to, accepted payment from,

or otherwise entered into a commercial transaction for consideration with, a person

who has allegedly made unauthorized use of the means of identification of the

victim, shall provide a copy of application and business transaction records in the

control of the business entity, whether maintained by the business entity or by

another person on behalf of the business entity, evidencing any transaction alleged

to be a result of identity theft to--

(A) the victim;

(B) any Federal, State, or local government law enforcement agency or officer

specified by the victim in such a request; or (C) any law enforcement agency

investigating the identity theft and authorized by the victim to take receipt of records provided under this subsection.

(2) Verification of identity and claim. Before a business entity provides any information under paragraph (1), unless the business entity, at its discretion, otherwise has a high degree of confidence that it knows the identity of the victim making a request under paragraph (1), the victim shall provide to the business entity--

(A) as proof of positive identification of the victim, at the election of the business entity--

- (i) the presentation of a government-issued identification card;
- (ii) personally identifying information of the same type as was provided to the business entity by the unauthorized person; or
- (iii) personally identifying information that the business entity typically requests from new applicants or for new transactions, at the time of the victim's request for information, including any documentation described in clauses (i) and (ii); and

(B) as proof of a claim of identity theft, at the election

of the business entity--(i) a copy of a police report evidencing the claim of the victim of identity theft; and

(ii) a properly completed--

(I) copy of a standardized affidavit of identity theft developed and made available by the Commission; or

(II) an [FN1] affidavit of fact that is acceptable to the business entity for that purpose.

(3) Procedures. The request of a victim under

paragraph (1) shall-- (A) be in writing;

(B) be mailed to an address specified by the business entity, if any; and

(C) if asked by the business entity, include relevant information about any

transaction alleged to be a result of identity theft to facilitate compliance with

this section including--

(i) if known by the victim (or if readily obtainable by the victim), the date of

the application or transaction; and (ii) if known by the victim (or if readily

obtainable by the victim), any other identifying information such as an account

or transaction number.