



## Collection Agency

**Steps to Take Immediately** - Follow each step below to help recover from the damage caused by identity theft.

### Step 1: Organize Your Case

In order to help law enforcement investigate your case, and to help recover from the damage caused by an identity theft, you should:

- Keep a detailed list of all phone calls you receive or make related to your identity theft incident including name of the person you spoke with, that person's title, phone number, organization name, and what was said during the conversation.
- Make sure you keep a copy of all financial statements, police reports, affidavits, credit reports, collection letters, and all other documents related to your incident.
- Keep all loose documents in a notebook or accordion folder.
- Send all correspondence using certified mail with return receipt requested.
- Keep track of your time and any expenses you incur in the event you are given the opportunity to be reimbursed for your costs through court ordered restitution.

Use ID Theft Central's [Contact Tracking Sheet](#) to keep track of the people you speak with regarding your identity theft incident.

### Step 2: Contact the collection agency

Call the collection agency and advise them that you are a victim of identity theft and that you are disputing the debt. Ask the collection agency what they or the original creditor require to support your claim of identity theft.

A fraud affidavit is typically required. Ask the collection agency if they will accept a generic affidavit or if they require their own.

According to the Consumer Credit Protection Act, within five days after you are first contacted, the collection agency must send you a written notice telling you:

- The amount of the debt.
- The name of the creditor to whom the debt is owed.

- A statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector.
- A statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector
- A statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

[Debt Collection FAQs](#)

[Fair Debt Collection Practices Act](#)

### **Step 3: Confirmation of Conversation**

Follow-up as soon as possible with a Confirmation of Conversation letter, but do not exceed 30 days, or you may lose valuable consumer rights. (Example: [Claim Fraudulent Debt Collection Agency](#)). Include with your letter a copy of the Identity Theft Report and proof of your identity. Send all correspondence by certified mail, return receipt requested.

If you notify the collection agency that you are disputing the debt, they cannot report the debt to a credit-reporting agency without also providing notice of your dispute (See Consumer Credit Protection Act).

### **Step 4: Letter of Clearance Request**

Send a second follow-up letter after you have received verification of the debt. Include with your letter, copies (not originals) of the notarized fraud affidavit and all requested documentation. Request a Letter of Clearance stating that you do not owe the debt. Again, send all correspondence by certified mail, return receipt requested.

If you do not receive a Letter of Clearance within 30 days send a follow-up letter (Example: [Sample Follow-up Letter](#)) to the collection agency via certified mail, return receipt requested.

### **Step 5: Initiate a 90 Day Fraud Alert**

To help protect your personal identifying information from being used to obtain new credit by a thief, initiate a 90 Day Fraud Alert. A 90 Day Fraud Alert notifies potential credit grantors to verify your identification before extending new credit in your name.

- You only need to contact one of the three credit reporting companies to set up a Fraud Alert for all three.
- You will receive a free copy of your credit report from all three credit reporting companies.
- You will receive a notice of your rights as an identity theft victim.
- A 90 Day Fraud Alert stays on your file for at least 90 days and can be renewed.
- A Fraud Alert may slow down your approval process for new credit.

To place a Fraud Alert, you may be required to provide appropriate proof of your identity, which may include copies of your Social Security card, driver's license, and/or utility bills. You may cancel the fraud alerts at any time.

**Experian**

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**Equifax**

P.O. Box 740250  
Atlanta, GA 30374-0241  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

**Transunion**

P.O. Box 6790  
Fullerton, CA 92834-6790  
1-800-680-7289  
[www.transunion.com](http://www.transunion.com)

**Step 6: File an identity theft report at ID Theft Central or with your local police department**

Once you have confirmed unauthorized debt, withdrawals or accounts opened in your name, file a report at ID Theft Central or with your local police department.

- Report the crime at [ID Theft Central](#).
- Contact your local police department and report the crime by calling their non-emergency number and explain to them what happened.
- Make sure your police department issues you a police report with a case number.
- You can use their police report to obtain a Consumer Credit Freeze from the credit reporting companies at no cost. You can also use the report to help clear the damage caused by the theft.

**Step 7: Monitor your bank accounts and credit reports regularly**

It is important that you check your bank accounts and credit reports regularly to identify illegal activity. Early detection is key to minimizing the damage that mistakes and fraudulent activity can have on your credit.

The [federal FACTA law](#) enables you to receive one free credit report per year from each of the three credit reporting agencies. These are in addition to the free reports you can order after you

place a Fraud Alert on your credit file. Order your free credit reports online at [www.annualcreditreport.com](http://www.annualcreditreport.com).

We recommend that you stagger the receipt of your credit reports, ordering one approximately every four months. Order your report from a different agency each time. That way you can review your credit report three times each year. If you see possible fraudulent activity on your credit report, file all of the appropriate reports on this web site.

### **You Might Also Like**

[Consumer Credit Freeze](#)

[How to use a Police Report to help recover from identity theft](#)

[How to use an identity theft affidavit to help recover from identity theft](#)