

Dealing with Debt Collectors





Debt collectors

Debt Collectors work to collect debts on the behalf of business and government. Debt collectors include organisations that are collecting debt on behalf of organisations money is owed to after a service has been set up or organisations that have bought the debt from another organisation and will retain all money collected. Irrespective of the type of debt collector, you have protections under consumer law and privacy codes. For individuals experiencing identity theft, debt collection notices may be the first sign that an identity has been misused to obtain a line of credit.



Debt Collection and Your Rights






Generally speaking, under Australian and New Zealand debt collectors cannot:

-  Use physical force, or coercion.
-  Harass you unreasonably for payment.
-  Mislead or deceive you.
-  Take unfair advantage of any vulnerability, disability, or other similar circumstances that may affect you.

This applies to yourself, your spouse, your family, or others who may be connected to you. If a debt collector mistreats you, you can make a formal complaint the relevant authority (Aust is ACCC and NZ is Consumer Protection).

Being Contacted About a Debt Collector

If the debt is legal and reasonable, a debt collector should only contact you when it is necessary to do so. Reasons may include:

-  Making demands for payment.
-  Making arrangements for payments.
-  Discussing why a repayment plan has not been fulfilled.
-  Reviewing a repayment plan.
-  Inspecting or recovering mortgaged goods.



Visits to your home will only ever happen if there is no other way the debt collector can contact you, or if you ask or agree to a home visit. If poor conduct occurs that results in assaults or threats of violence, then the collector should be reported to immediately.






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Debt Collectors and Identity Theft

Seven steps are key when you suspect a debt collection is a sign that your identity has been misused by someone to obtain credit in your name without repayment:

-  Lodge a dispute with the debt collector and confirm in writing the name and nature of the original credit provider (such as the telecommunications carrier or bank).
-  Lodge a complaint with the original credit provider and request that the debt be investigated, including what specific

-  It is important to consider requesting that your credit report also be corrected by the credit provider and that they provide written confirmation of this and a relevant case number.
-  Request credit reports from the three major credit reporting agencies (see our [Credit Reporting Agencies Fact Sheet](#)) to keep track of your finances, as there is a chance that other misuse may have occurred.
-  Consider requesting credit bans to stop future misuse of your credit. For more information see our [Credit Bans Fact Sheet](#).
-  [Contact IDCARE](#) to discuss your options and develop a tailored response plan.
-  Consider reporting the matter to your local police or to [ACORN](#).

Other Fact Sheets

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|  Credit Reporting Agencies |  Engaging Organisations |  Devices and Technology |
|  Scam Prevention and Education |  Social Media |  Your Rights |

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