

Collection Agencies ("Agencies") are businesses hired to collect debts.

Does the Collection Agency have to follow any rules when contacting me?

Yes. There are rules in the *Collection Agencies Act*. Some of these rules are:

- Agencies must send you a letter explaining the debt they are collecting
- After first speaking with you, Agencies can only contact you about the same debt 3 more times in a 7 day period
- They may send you mail in addition to the 3 contacts
- Contact must be during certain hours: Monday to Saturday between 7 a.m. – 9 p.m. or on Sunday between 1 p.m. – 5 p.m., and not on public holidays
- Agencies cannot use "threatening, profane, intimidating or coercive language"

- Agencies may contact:
 - Anyone, if you consent
 - Another person to locate you
 - Any person who has guaranteed your debt
 - Your employer to confirm employment information or with your written consent
 - Your employer about a wage assignment arising from a court decision

What if the Collection Agency is breaking the rules?

You can write a complaint to the Agency. Send a registered letter to the Agency and keep a copy. If the problem continues, you may file a complaint with the Ontario Ministry of Consumer Services <http://www.ontario.ca/consumers/filing-consumer-complaint>.

What if I agree with the debt the Collection agency says I owe?

You can arrange to repay the debt. If you cannot repay the debt right away, explain your situation to the Agency and try to negotiate a repayment plan. If you reach an agreement, send a letter to the Agency confirming this. Keep a copy. Only repay a debt to the Agency in a way that gives proof of payment. Never give personal information to the Agency (e.g bank account information).

What if I disagree with the debt the collection agency says I owe?

Explain that you disagree with the debt to the Agency. Send a registered letter to the Agency stating you disagree with the debt, the reasons why you disagree and that you want the matter to go to court. The Agency must stop contacting you after you have given this notice.

Can I be sued?

An unpaid debt can end up in court. If your creditor (the person to whom you owe money) wins at court, the court will issue an order. An order from the court allows your creditor to take action to seize your assets or garnish your wages. Social Assistance payments (for example, Ontario Works and Ontario Disability Support Program) cannot be garnished.

Where can I get help if I have too much debt or credit problems?

Contact your local not-for-profit credit counselling agency for assistance with your finances and debt issues. K3C Credit Counselling provides assistance throughout Hastings, Prince Edward and Lennox & Addington Counties. See www.k3ccreditcounselling.org for more information.

- **Belleville Office** - 235 Bridge Street East, Belleville ON 613-966-3556
- **Napanee Office** - 16 - 113 Richmond Boulevard, Napanee ON 613-549-7850 (Call for an appointment)

More information can be found at:

- Ontario Ministry of Consumer Services: <https://www.sse.gov.on.ca/mcs/en/Pages/default.aspx>
- Your Legal Rights: <http://yourlegalrights.on.ca/legal-topic/consumer-law>

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