COLLECTION AGENCIES
ARE AFTER ME—WHAT SHOULD I DO?

Unfortunately, at some point in your life, you may find yourself in a difficult situation and have trouble meeting your financial obligations. In such a case, it is advisable to make arrangements with your creditors to avoid having them hire a collection agency to collect the sums owed.

Collection agencies are governed by the *Act respecting the collection of certain debts*[1] and must respect consumers. They are not permitted to threaten, harass or intimidate consumers.

Before communicating with you verbally, a collection agent must first send you a written notice of payment. He may then call you between 8:00 a.m. and 8:00 p.m. He cannot disturb you on legal holidays or Sundays. When he calls you, the collection agent must identify himself and give the name of the collection agency. He must also provide the permit number and tell you the amount of the debt and the name of the creditor.

The law allows you to **require a collection agent to communicate with you only in writing.** All you have to do is send him a written notice asking him to proceed in this manner. The notice is valid for three (3) months and may be renewed by sending a new notice.

Unless you have given your express authorization, a collection agent may communicate with you at work only once, and only if the agent does not know your address or personal telephone number or if he has unsuccessfully attempted to reach you at home.

Lastly, it may be appropriate to consult a lawyer to remind the collection agent about your rights.

Text prepared by Me Nathalie Aubin, Lawyer at the Alma legal aid office

*   **The information set out in this document is not a legal interpretation.**

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[1] R.S.Q., c. R-2.2.