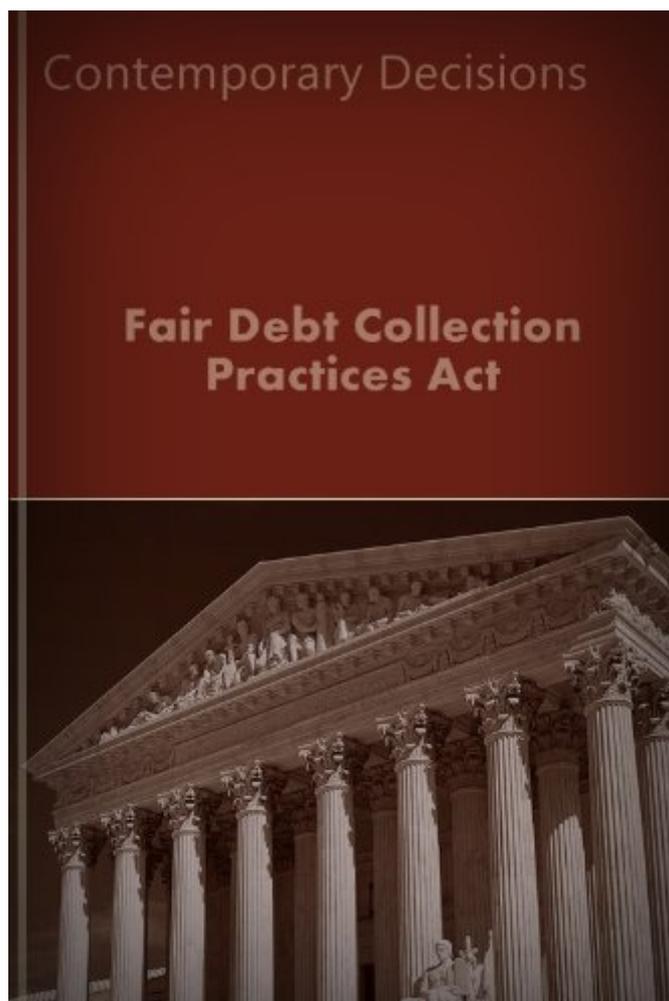


The book was found

Fair Debt Collection Practices Act (Litigator Series)



Synopsis

This casebook contains a selection of 165 Federal Court of Appeals decisions that interpret and apply the provisions of the Fair Debt Collection Practices Act. The selection of decisions spans from 2001 to the date of publication. For each federal district, the cases are listed in the order of frequency of citation. The most cited decisions appear first. The FDCPA bars the use of any false, deceptive, or misleading representation in connection with the collection of any debt. 15 U.S.C. Â§ 1692e. The FDCPA is a strict liability statute; there is no mental state required to violate it. Further, the FDCPA prohibits contacting a debtor who has "notified a debt collector in writing that the consumer refuses to pay a debt. . . ." irrespective of whether the statement is false under state law or otherwise. 15 U.S.C. Â§ 1692c(c). There are three limited exceptions to this prohibition. Those exceptions are: (1) to advise the consumer that the debt collector's further efforts are being terminated; (2) to notify the consumer that the debt collector or creditor may invoke specified remedies which are ordinarily invoked by such debt collector or creditor; or (3) where applicable, to notify the consumer that the debt collector or creditor intends to invoke a specified remedy. *Cruz v. International Collection Corp.*, 673 F. 3d 991 (9th Cir. 2012) A false representation in connection with the collection of a debt is sufficient to violate the FDCPA facially, even where no misleading or deception is claimed. *Bourff v. Rubin Lublin, LLC*, 674 F. 3d 1238 (11th Cir. 2012) [T]he purpose of the FDCPA "is to create a comprehensive statutory framework for the collection of debts owed to the United States government [and to] improve the efficiency and speed in collecting those debts," H.R. Rep. No. 101-736, at 32 (1990), a state law limiting such collection is inconsistent with the purpose of the act and is, therefore, preempted. *United States v. Gianelli*, 543 F.3d 1178, 1183 (9th Cir. 2008); *Federal Trade Commission v. Namer* (5th Cir. 2012)

Book Information

File Size: 2280 KB

Print Length: 1745 pages

Simultaneous Device Usage: Unlimited

Publisher: LandMark Publications (August 2, 2012)

Publication Date: August 2, 2012

Sold by:Â Digital Services LLC

Language: English

ASIN: B008SCOMEM

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Enhanced Typesetting: Not Enabled

Best Sellers Rank: #858,637 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #34

in Kindle Store > Kindle eBooks > Law > Business > Consumer Law #51 in Kindle Store > Kindle eBooks > Law > Procedures & Litigation > Litigation #100 in Books > Law > Business > Consumer Law

[Download to continue reading...](#)

Fair Debt Collection Practices Act (Litigator Series) Debt-Free: How to Get Out of Debt To Your Road Towards Financial Freedom (Get Out of Debt, Budgeting Money, Save Money, Credit Card Debt, Wealth Management, Credit Control, Money Tips) Fair Credit Reporting Act (Litigator Series) Debt-Free: 9 Step System to Get out of Debt Fast and Have Financial Freedom: The Quickest Way to Get out of Debt Forever Defending a Lawsuit by a Junk Debt Buyer (Debt Collection Agency):: How a Florida Mom Beat Asset Acceptance, LLC! Stick It To Sue Happy Debt Collectors: Learn How to Fight Debt Collection Lawsuits and Win Natural Gas Act (Litigator Series) Bad Debt Book 1: Reluctant Gay BDSM (Bad Debt - Reluctant Gay BDSM) Increase Your Credit Score Fast - How To Remove ALL Negative Items From Your Credit Report (Improve FICO Score, Eliminate Debt, Debt Free, Financial Freedom) Debt Consolidation for the Average Joe: Complete Guide to Get Out of Debt and Achieve Financial Freedom Barron's ACT with CD-ROM (Barron's Act (Book & CD-Rom)) The College Panda's ACT Essay: The Battle-tested Guide for ACT Writing ACT LIKE A LADY, THINK LIKE A MAN:By Steve Harvey:Act Like a Lady, Think Like a Man: What Men Really Think About Love, Relationships, Intimacy, and Commitment [Hardcover] 1st Edition Americans with Disabilities Act of 1990, Incorporating the Changes made by the ADA Amendments Act of 2008 The ADA Companion Guide: Understanding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Architectural Barriers Act (ABA) Case Studies in Special Education Law: No Child Left Behind Act and Individuals with Disabilities Education Improvement Act The Essential Guide to the ACT Matrix: A Step-by-Step Approach to Using the ACT Matrix Model in Clinical Practice The Secret World of Debt Collection: Beat Collectors at Their Own Game-A Former Collections Executive Reveals How Defending a Lawsuit by a Junk Debt Buyer (Collection Agency): How a Florida Mom Beat Asset Acceptance, LLC!! The Guerrilla Guide to How To Fight A Debt Collection Lawsuit (The Guerrilla Guides to the Law)

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)