

# **Glossary of Common Debt Collection Terms**

English

September 2020

**Glosè ki gen  
ekspresyon yo itilize  
souvan nan zafè  
rekiperasyon dèt**

Kreyòl ayisyen  
(Haitian Creole)

Septanm 2020

## About the Glossary

To help consumers during the debt collection process, the Department of Consumer and Worker Protection (DCWP)\* created this glossary, which includes commonly used terms in debt collection communications plus references (laws, agencies) important for consumers to know. Bilingual glossaries in the top 10 languages spoken by New Yorkers with limited English proficiency are available at [nyc.gov/dca](https://nyc.gov/dca)

### Note:

- *Italicized words* in descriptions are also defined in the glossary.
- Unless stated otherwise, all descriptions reflect New York City laws and rules.
- This glossary is not intended as legal advice.

\*DCWP is the Agency's new name. In all references, DCWP also means DCA (Department of Consumer Affairs), the Agency's old name. The Agency is in the process of implementing the legal name change in public information. In the meantime, DCWP and DCA are the same City Agency.

## Konsènan glosè a

Pou ede konsomatè yo pandan pwosesis rekiperasyon dèt la, Depatman Pwoteksyon Konsomatè ak Travayè (DCWP) \* te kreye glosè sa a, ki gen ladanl tèm ke yo souvan itilize nan kominikasyon sou rekiperasyon dèt plis referans (lwa, ajans) ki enpòtan pou konsomatè yo konnen. Glosè bileng nan 10 lang moun nan Vil New York yo plis pale epi ki pa pale Anglè byen disponib sou [nyc.gov/dca](https://nyc.gov/dca)

### Remak:

- *Mo ki an italik* yo ki nan deskripsyon yo defini tou nan glosè a.
- Sòf si yo endike sa otreman, tout deskripsyon yo baze sou lwa ak règleman Vil New York.
- Glosè sa a pa yon avi jiridik.

\*DCWP se nouvo non Ajans lan. Nan tout referans yo, DCWP vle di tou DCA (Depatman Afè Konsomatè), ansyen non Ajans lan. Ajans lan nan pwosesis pou mete anplas chanjman non legal nan enfòmasyon piblik la. Antretan, DCWP ak DCA se menm Ajans Vil la.

## Glossary / Glosè

### A

#### Abusive language

Swear words (or curse words) or any words that insult or offend.

A *debt collector* may not use abusive language when attempting to collect a *debt*. This includes in writing or when speaking to consumers.

#### Langaj abizif

Betiz (oswa mo sal) oswa nenpòt mo ki itilize pou joure oswa ofanse.

Yon ajan rekiperasyon (pèseptè) pa dwe itilize yon langaj abizif lè li ap eseye fè yon rekiperasyon de yon dèt. Kit se alekri oswa nan pale ak konsomatè yo.

#### Account

A record or file of a *debt*.

A *debt collector* often refers to an account when claiming a consumer owes money.

#### Kont

Yon dosye oswa yon fichye de yon dèt.

Yon ajan rekiperasyon referel souvan a yon kont lè li pretann ke yon konsomatè dwe lajan.

#### Accrued interest

The amount of *interest* (cost to borrow money or purchase goods and services on credit) added to a *debt*, which increases the amount of money a borrower owes.

Consumers have a right to request an *itemization of a debt* showing accrued interest and to *dispute a debt*.

#### Enterè akimile

Kantite *enterè* (kantite kòb sa koute pou prete lajan oswa achte machandiz ak sèvis kredi) ajoute ak yon dèt, ki ogmante kantite lajan moun ki prete a dwe.

Konsomatè yo gen dwa pou mande yon *jistikatif ki detaye sou yon dèt* ki montre enterè ki akimile yo epi yo gen dwa pou yo konteste yon dèt.

#### Arrears

An unpaid and overdue *debt*.

#### Aryere

Yon dèt ki poko peye e ki anreta.

### B

#### Bankruptcy discharge

A court order that means a consumer does not have to pay a *debt* and a *creditor* or *collector* may no longer attempt to collect the debt.

#### Liberasyon fayit

Yon òdonans tribinal ki vle di yon konsomatè pa gen *rekiperasyon* gendwa pou peye yon dèt epi yon *kreyansye* oswa yon *ajan pa ka* eseye fè rekiperasyon dèt la ankò.

### Better Business Bureau (BBB)

A private nonprofit organization that promotes ethical marketplace practices.

In addition to filing a complaint with DCWP, consumers can file a complaint about a *debt collector* with BBB.

#### DCWP:

Call 311 or visit [nyc.gov/dca](http://nyc.gov/dca)

#### BBB:

Visit [bbb.org](http://bbb.org) and click “File a Complaint.”

### Biwo Etik Komèsyal (BBB)

Yon òganizasyon prive ki pa pou fè pwofi ki ankouraje pratik etik sou mache a.

Anplis de depoze yon plent bò kote DCWP, konsomatè yo ka depoze yon plent pou yon ajan rekiperasyon bò kote BBB a.

#### DCWP:

Rele nan 311 oswa ale nan [nyc.gov/dca](http://nyc.gov/dca)

#### BBB:

Al gade nan [bbb.org](http://bbb.org) epi klike sou “File a Complaint” (Depoze yon Plent).

## C

### Cease communication letter

A letter a consumer may send to a *debt collector* demanding that the collector stop any further contact with the consumer about an *account*. A consumer may send the letter at any time in the *collection* process.

Instructions and a template Cease Debt Collection Communication Letter are available at [nyc.gov/dca](http://nyc.gov/dca)

### Charge off

Any amount that a *creditor* no longer expects to be repaid and writes off as a bad debt for accounting purposes even though the debt is still owed.

A charge off appears on a consumer’s *credit report*.

### Collection

The process of seeking money claimed to be owed.

*Debt collectors* must obey federal, State, and New York City laws and rules about what they can and cannot do in the collection process.

### Collection fees

A fee (or charge) that a *debt collector* adds to the amount it attempts to collect from a consumer. The fee must be authorized by an agreement or permitted by law.

Consumers have a right to request an *itemization of a debt* showing any collection fees and to *dispute a debt*.

### Lèt pou sispann kominikasyon

Yon lèt yon konsomatè ka voye bay yon ajan rekiperasyon pou mande pou li sispann tout kontak ak konsomatè a konsènan yon *kont*. Yon konsomatè ka voye lèt la nenpòt ki lè nan pwosesis *rekiperasyon* an.

Enstriksyon ak yon modèl Lèt Pou Sispann Kolèk Dèt yo disponib sou [nyc.gov/dca](http://nyc.gov/dca)

### Radyasyon

Nenpòt kantite lajan ke yon *kreyansye* pa atann ke yo remèt li ankò epi li elimine epi li konsidere kòm yon dèt yo pa ka fè rekiperasyon pou li pou rezon kontabilite menm si yo toujou dwel.

Yon amòtisman parèt sou rapò kredi konsomatè a.

### Rekiperasyon

Pwosesis chache lajan ke yo pretann yon moun dwe.

Ajan rekiperasyon yo dwe obeyi lwa ak règleman federal, eta, ak vil New York sou sa yo kapab epi yo pa ka fè nan pwosesis rekiperasyon an.

### Frè rekiperasyon

Yon frè (oswa yon kantite kòb) ke yon ajan rekiperasyon ajoute sou kantite lajan li eseye kolekte nan men yon konsomatè. Frè a dwe otorize pa yon akò oswa otorize pa lalwa.

Konsomatè yo gen dwa pou mande yon *jistikatif ki detaye sou yon dèt* ki montre frè rekiperasyon yo epi yo gen dwa pou yo konteste yon dèt.

<b>Collector (See Debt collector)</b>	<b>Pèseptè (Gade Ajan rekiperasyon)</b>
<p><b>Communication disclosures</b> In all letters and conversations with consumers, <i>debt collectors</i> must disclose:</p> <ul style="list-style-type: none"> <li>• a call-back number to a phone that is answered by a natural person;</li> <li>• the name of the debt collector;</li> <li>• the <i>original creditor</i> of the debt;</li> <li>• the name of the person to call back; and</li> <li>• the amount of the <i>debt</i> at the time of the communication.</li> </ul> <p>In all letters to consumers, debt collectors must include their <i>DCWP license number</i>. An example is 1234567-DCA.</p>	<p><b>Divilgasyon Kominikasyon</b> Nan tout lèt ak konvèsasyon ak konsomatè yo, ajan rekiperasyon yo dwe bay:</p> <ul style="list-style-type: none"> <li>• yon nimewo pou rele nan yon telefòn ke yon moun kapab reponn;</li> <li>• non ajan rekiperasyon an;</li> <li>• <i>premye kreyansye</i> dèt la;</li> <li>• non moun pou tounen rele a;</li> <li>• kantite lajan dèt la nan moman kominikasyon an.</li> </ul> <p>Nan tout lèt ki adrese a konsomatè yo, ajan rekiperasyon yo dwe mete <i>nimewo lisans DCWP</i> yo. Yon egzanp se 1234567-DCA.</p>
<p><b>Consumer Financial Protection Bureau (CFPB)</b> A U.S. government agency that enforces federal consumer financial laws and protects consumers in the financial marketplace.</p> <p>In addition to filing a complaint with DCWP, consumers can file a complaint about a <i>debt collector</i> with CFPB.</p> <p><b>DCWP:</b> Call 311 or visit <a href="http://nyc.gov/dca">nyc.gov/dca</a></p> <p><b>CFPB:</b> Visit <a href="http://consumerfinance.gov">consumerfinance.gov</a> and click “Submit a Complaint.”</p>	<p><b>Biwo Pwoteksyon Finansyè Konsomatè (Consumer Financial Protection Bureau, CFPB)</b> Yon ajans gouvènman ameriken ki aplike lwa federal sou finans konsomatè yo epi pwoteje konsomatè yo nan mache finansye a.</p> <p>Anplis depoze yon plent bò kote DCWP, konsomatè yo kapab depoze yon plent kont yon ajan rekiperasyon bò kote CFPB.</p> <p><b>DCWP:</b> Rele nan 311 oswa al gade nan <a href="http://nyc.gov/dca">nyc.gov/dca</a></p> <p><b>CFPB:</b> Vizite <a href="http://consumerfinance.gov">consumerfinance.gov</a> epi klike sou “Submit a Complaint” (Depoze yon Plent).</p>
<p><b>Consumer Reporting Agencies (CRA)</b> (See <b>Credit Bureaus</b>)</p>	<p><b>Ajans kap bay Rapò Sou Konsomatè yo (CRA)</b> (Gade <b>Biwo Kredi yo</b>)</p>
<p><b>Contact and call frequency restrictions</b> A <i>debt collector</i> may contact a consumer at most two times in a seven-day period and only between 8:00 a.m. and 9:00 p.m. Eastern Standard Time (EST).</p> <p>Debt collectors may not contact consumers at work if the collector is aware that a consumer’s employer does not allow such contact.</p>	<p><b>Restriksyon sou frekans apèl ak kontak yo</b> Yon <i>ajan rekiperasyon</i> kapab kontakte yon konsomatè de fwa pou pi plis nan yon peryòd sèt jou epi sèlman ant 8:00 a.m. ak 9:00 p.m. Lè nòmal lès (EST).</p> <p>Ajan rekiperasyon yo pa ka kontakte konsomatè yo nan travay yo si yo konnen ke patwon konsomatè a pa otorize kontak sa yo.</p>
<p><b>Contest a debt (See Dispute a debt)</b></p>	<p><b>Konteste yon dèt (Gade Konteste yon dèt)</b></p>

**Credit**

The ability of a consumer to borrow money with the promise to repay it, plus any interest and fees, at a later date. As examples, credit includes loans and credit cards.

**Kredi**

Kapasite yon konsomatè pou prete lajan avèk pwomès pou remèt li, plis nenpòt enterè ak frè, nan yon dat ki vin apre. Kòm egzanp, kredi gen ladanl prè ak kat kredi.

**Credit Bureaus**

(also *Credit Reporting Agencies*,  
*Consumer Reporting Agencies*)

Private companies that collect and share consumer credit information and make it available on *credit reports*.

The main credit bureaus in the U.S. are Equifax, Experian, and TransUnion.

Consumers can dispute incorrect information on their credit report, including if they have been a victim of identity theft.

**Biwo Kredi**

(egalman *Ajans kap bay Rapò sou Kredi*, *Ajans kap bay Rapò sou Konsomatè*)

Konpayi prive ki kolekte ak pataje enfòmasyon sou kredi konsomatè yo epi mete li disponib sou *rapò sou kredi yo*.

Prensipal biwo kredi yo nan peyi Etazini se Equifax, Experian, ak TransUnion.

Konsomatè yo ka konteste enfòmasyon ki pa kòrèk nan rapò kredi yo, menm jan tou si yo te viktim vòl idantite.

**Credit Report**

A record of a consumer's credit history, as reported by creditors and other sources, including:

- employment;
- addresses;
- credit inquiries;
- credit cards and loans;
- *accounts*;
- liens;
- *wage garnishments*; and
- other data.

Consumers can request free credit reports at [AnnualCreditReport.com](https://www.annualcreditreport.com). Due to COVID-19, consumers can get free online reports more frequently than once a year. Monitor the website for updates.

**Rapò Kredi**

Yon dosye sou istorik kredi yon konsomatè, jan kreyansye yo ak lòt sous yo te rapòte li, gen ladanl:

- travay;
- adrès;
- demand kredi;
- kat kredi ak prè;
- kont;
- privilèj;
- prelevman sou salè; ak
- lòt done.

Konsomatè yo ka mande rapò kredi gratis nan [AnnualCreditReport.com](https://www.annualcreditreport.com). Akòz de COVID-19 la, konsomatè yo ka jwenn rapò sou entènèt gratis pi souvan pase yon fwa chak ane. Siveye sit entènèt la pou dènye enfòmasyon yo.

**Credit Reporting Agencies**

(See **Credit Bureaus**)

**Ajans kap bay Rapò sou Kredi**

(Gade **Biwo Kredi yo**)

**Creditor**

(also *Original Creditor*)

A person, company, or entity to whom the *debt* is claimed to be owed. The original creditor is the person or business that provided the original service, product, or credit that is the source of a debt collection attempt.

A creditor may collect debt on its own or use third-party *debt collectors* to attempt to collect a debt.

**Kreyansye**

(egalman *Premye Kreyansye a*)

Yon moun, yon konpayi, oswa yon antite ke yo pretann yo gen yon *dèt* anvè li. Premye kreyansye a se moun oswa biznis ki te bay premye sèvis, pwodwi, oswa kredi ki alorijin yon tantativ rekiperasyon dèt.

Yon kreyansye ka fè rekiperasyon yon dèt li menm oswa itilize *ajan rekiperasyon* pou eseye fè rekiperasyon yon dèt.

**Current balance**

(also *Outstanding balance*)

The total amount claimed to be owed.

Consumers have a right to request an *itemization of a debt* that shows the current or outstanding balance.

**Balans aktyèl**

(egalman *balans ki rete ke yo dwe*)

Montan total ke yo reklame ke yo dwe

Konsomatè yo gen dwa pou mande yon *jistifikatif ki detaye sou yon dèt* ki montre balans aktyèl la oswa balans ke yo poko peye.

**D****DCWP license number**

A number assigned by DCWP to a licensed *debt collector*. An example is 1234567-DCA.

Debt collectors must include their DCWP license number on all written communications.

**Nimewo lisans DCWP**

Yon nimewo ke DCWP bay yon ajan rekiperasyon ki gen lisans. Yon egzanp se 1234567-DCA.

Ajan rekiperasyon yo dwe mete nimewo lisans DCWP yo nan tout komunikasyon ki fèt alekri.

**Debt**

The money a consumer owes, or is alleged to owe, a *creditor*.

Consumer debt is debt related to personal, family, or household purposes.

Consumers have a right to request an *itemization of a debt* and to *dispute a debt*.

**Dèt**

Lajan yon konsomatè dwe, oswa swadizan dwe yon kreyansye.

Dèt konsomasyon se dèt ki gen rapò ak zafè pèsònèl, fanmi, oswa kay la.

Konsomatè yo gen dwa pou mande yon *jistifikatif ki detaye sou yon dèt* epi *konteste yon dèt*.

**Debt collector**

(also *Collector, Debt Collection Agency*)

A private company or person—including a debt collection attorney or law firm—that attempts to collect personal or household debt from New York City residents. The debt collector may:

- own the debt (purchased from a *creditor*) and collect for itself; OR
- be hired by a creditor or other company to assist in collecting the debt.

Both in-State and out-of-State debt collectors must have an active DCWP license and obey New York City laws and rules. To verify if a debt collector is licensed, consumers can:

- Visit [nyc.gov/dca](http://nyc.gov/dca) and click “Search for a DCA Licensee” in the For Consumers & Workers module.
- Contact 311 (212-NEW-YORK outside NYC) and say “Business Background Check.”

**Ajan rekiperasyon**

(egalman *Pèseptè, Ajans Rekiperasyon Dèt*)

Yon konpayi prive oswa yon moun – san pa bliye yon avoka oswa kabinè avoka ki la pou fè rekiperasyon dèt- ki eseye fè rekiperasyon dèt pèsònèl oswa familyal moun kap viv nan Vil New York. Ajan rekiperasyon kapab:

- posede dèt la (ke li achte nan men yon *kreyansye*) epi fè rekiperasyon an kolekte pou dèt sa; OSWA
- yon kreyansye oswa lòt konpayi kapab anplwaye li pou ede yo nan fè rekiperasyon dèt la.

Ajan rekiperasyon nan Eta yo ak andeyò Eta a dwe gen yon lisans DCWP aktif epi obeyi lalwa ak règleman Vil New York yo. Pou verifye si yon ajan rekiperasyon gen lisans, konsomatè yo ka:

- Al gade nan [nyc.gov/dca](http://nyc.gov/dca) epi klike sou “Search for a DCA Licensee” nan modil Pou Konsomatè ak Travayè yo.
- Kontakte 311 (212-NEW-YORK andeyò Vil New York) epi di “Business Background Check.”

### Debt settlement or payment plan

An agreement by the *debt collector* to accept from the consumer an amount less than the originally claimed balance either as a payment in full or as scheduled partial payments.

The debt collector must send the consumer, within five business days, a letter confirming the agreement which must include:

- name and address of the consumer;
- date the agreement was made;
- name of the *original creditor*;
- amount due and the due date of each payment;
- name of the debt collector;
- name of the debt collector employee, or employee's supervisor, who reached the agreement;
- address where the consumer should mail payments; and
- any other terms or conditions of the agreement.

### Règleman Dèt la oswa plan pèman

Yon akò ki soti kot *ajan rekiperasyon* an pou li aksepte nan men konsomatè a yon kantite lajan ki pi piti ke balans ke li tap reklame okòmansman an swa kòm yon pèman an plen oswa kòm pèman pasyèl.

Ajan rekiperasyon an dwe voye bay konsomatè a, nan lespas senk jou ouvrab, yon lèt ki konfime akò a ki dwe gen ladan:

- non ak adrès konsomatè a;
- dat akò a te fèt;
- non *premye kreyansye a*;
- kantite lajan ki dwe ak dat yo dwe peye pou chak pèman;
- non ajan rekiperasyon an;
- non anplwaye ki responsab rekiperasyon an, oswa non sipèvizè anplwaye a, ki aksepte akò a;
- adrès kote konsomatè a ta dwe voye pèman yo; ak
- nenpòt lòt modalite oswa kondisyon nan akò a.

### Debtor

A consumer who owes or is claimed to owe money to a *creditor*.

### Debitè

Yon konsomatè ki dwe oswa kisanse dwe yon kreyansye lajan.

### Default

(also *Defaulting on a debt*)

Failure to meet the repayment obligations on a *debt*.

A default can occur when a consumer:

- is unable to make timely payments;
- misses payments; or
- avoids or stops making payments.

### Defo

(egalman *Defo sou yon dèt*)

Si w pa respekte obligasyon pou ranbousman yon dèt.

Yon defo ka rive lè yon konsomatè:

- pa kapab fè pèman alè;
- Pa fè pèman; oswa
- evite oswa sispann fè pèman yo.

### Default Judgment

A court decision against a consumer who fails to answer or defend a lawsuit brought by a *creditor* or its *debt collector*.

A default judgment is different than *default* or *defaulting on a debt*.

A consumer may seek to have a default judgment vacated (removed) by making a request to the court after the default judgment is entered.

### Jijman pa Defo

Yon desizyon tribinal kont yon konsomatè ki pa arive reponn oswa defann yon pwosè ke yon kreyansye oswa ajan rekiperasyon li te entante.

Yon jijman pa defo diferan de yon *defo oswa de yon defo sou yon dèt*.

Yon konsomatè ka chèche fè anile (retire) yon jijman pa defo lè li fè tribinal la yon demand apre yo fin rann jijman pa defo a.

### Defaulting on a debt (See Default)

### Defo sou yon dèt (Gade Defo)



### **Delinquent debt**

An *account* on which a payment is past due.

A *creditor* may report the past due account to a *credit bureau*.

If an account becomes sufficiently delinquent, the consumer may be in *default* and a creditor may *charge off* the account.

### **Dispute a debt**

(also *Contest a debt*)

Consumers who do not recognize a *debt* or do not agree that they owe the amount of debt claimed may contest all or part of the debt verbally and/or in writing.

Under federal, State, and New York City laws, in disputing a debt, consumers have a right to:

- say they do not recognize the debt or owe the debt as claimed;
- request the name and address of the *original creditor* if different from the current one; and
- request that the *debt collector* provide information to show that the debt belongs to the consumer and/or that the amount is correct. (See *verification of a debt*.)

### **Dèt an soufrans**

Yon kont ki gen dou li yon peman ki poko fèt.

Yon kreyansye ka deklare yon an soufrans nan yon *biwo kredi*.

Si yon kont vin ase an soufrans, konsomatè a ka an defo epi yon kreyansye ka debite kont lan.

### **Konteste yon dèt**

(egalman *Konteste yon dèt*)

Konsomatè ki pa rekonèt yon *dèt* oswa ki pa dakò ke yo dwe kantite lajan dèt ke yo reklame yo ka konteste tout oswa yon pati nan dèt la vèbalman ak / oswa alekri.

Daprè lwa federal, eta, ak vil New York, lè yap konteste yon dèt, konsomatè yo gen dwa pou:

- di yo pa rekonèt dèt la oswa yo dwe dèt la jan yo reklame li a;
- mande non ak adrès *premye kreyansye* a si li diferan de kreyansye aktyèl la; ak
- mande *ajan rekiperasyon* an bay enfòmasyon ki montre ke dèt la se pou konsomatè a ak / oswa ke kantite lajan dèt la kòrèk. (Gade *verifikasyon yon dèt*.)

## **E**

### **Exempt funds**

Money that may not be taken by most *creditors* or *debt collectors* to satisfy a *judgment*.

Consumers may choose to use exempt funds to pay a *debt*, but a creditor or debt collector cannot freeze or forcibly take these funds from consumers' bank accounts to pay a judgment.

### **Lajan egzonere**

Lajan ke pifò kreditè oswa ajan rekiperasyon pa ka pran pou satisfè yon jijman.

Konsomatè yo ka chwazi pou yo itilize lajan ki egzonere pou peye yon dèt, men yon kreyansye oswa yon ajan rekiperasyon pa ka jele oswa retire pa lafòs lajan sa yo sou kont labank konsomatè yo pou peye yon jijman.

### **Exempt Income Protection Act (EIPA)**

New York State law that automatically protects a certain amount of money in a consumer's bank account from being frozen or taken by *debt collectors*.

Under the EIPA, if any funds in a consumer's bank account are frozen, the bank must provide the consumer with certain forms, called Exemption Claim Forms. The consumer may use these forms to claim that the frozen funds are exempt.

The following funds (in alphabetical order) are typically exempt from being frozen or garnished:

- Black lung benefits
- Child support payments
- Public assistance (for example, Temporary Assistance for Needy Families)
- Public or private pensions
- Railroad Retirement Board benefits
- Social Security, including retirement, survivors, and Disability benefits
- Spousal support or maintenance
- Supplemental Security Income
- Unemployment Insurance
- Veterans Affairs benefits
- Workers' compensation

### **Lwa sou Pwoteksyon Revni Egzonere (EIPA)**

Lwa Eta New York ki otomatikman pwoteje yon sèten kantite lajan sou kont labank yon konsomatè pou ajan rekiperasyon yo pa jele oswa pran.

Selon EIPA a, si yo jele nenpòt ki kantite lajan sou kont labank yon konsomatè, bank la dwe bay konsomatè sèten fòmilè, ki rele fòm Demand Egzanpsyon. Konsomatè a ka itilize fòm sa yo pou reklame ke lajan yo jele yo egzonere.

Jeneralman, fon sa yo (nan lòd alfabetik) yo pa jele yo ni sezi yo

- Avantaj poumon Nwa (Black lung benefits)
- Pèman pansyon alimantè pou timoun
- Asistans piblik (pa egzanp, Asistans Tanporè pou Fanmi ki nan bezwen)
- Pansyon piblik oswa prive
- Avantaj Komisyon Konsèy pou pran retrèt (Railroad Retirement Board benefits)
- Sekirite Sosyal, ki gen ladan retrèt, sivivan, ak avantaj envalidite
- Pansyon alimantè oswa antretyen mari oswa madanm
- Revni Sekirite Sipleman
- Asirans Chomaj
- Avantaj Afè Veteran yo
- Konpansasyon travayè yo

## **F**

### **Fair and Accurate Credit Transaction Act (FACTA)**

Federal law that allows consumers to request and obtain a free *credit report* once every 12 months from each of the three nationwide consumer *credit bureaus*.

*Note:* Due to COVID-19, consumers can visit [AnnualCreditReport.com](https://www.annualcreditreport.com) to get free online reports more frequently than once a year. Monitor the website for updates.

### **Lwa sou Tranzaksyon Kredi Jis epi Egzat (FACTA)**

Lwa federal ki pèmèt konsomatè yo mande epi jwenn yon rapò kredi gratis yon fwa chak 12 mwa nan chak nan twa biwo kredi konsomatè nan tout peyi a.

*Remak:* Akoz de COVID-19 la, konsomatè yo ka al gade nan [AnnualCreditReport.com](https://www.annualcreditreport.com) pou yo jwenn rapò sou entènèt gratis pi souvan ke yon fwa chak ane. Siveye sit entènèt la pou dènye enfòmasyon yo.

### **Fair Credit Reporting Act (FCRA)**

Federal law that promotes the accuracy, fairness, and privacy of information in the files of *consumer reporting agencies* and gives consumers the right to see their own *credit reports* and to dispute errors.

### **Lwa sou Rapò sou Kredi ki Jis (FCRA)**

Lwa federal ki ankouraje egzaktitud, ekite, ak konfidansyalite enfòmasyon ki nan dosye ajans kap bay rapò konsomatè yo epi ki bay konsomatè yo dwa pou yo konsilte pwòp rapò kredi yo epi pou yo konteste erè.

## Fair Debt Collection Practices Act (FDCPA)

Federal law governing *collection* activity by *debt collectors* that:

- prohibits abusive practices in the collection of consumer debts;
- prohibits unfair and deceptive debt collection practices; and
- gives consumers the right to *dispute a debt* and get a *validation notice* to ensure the accuracy of an alleged debt.

The Act also:

- creates guidelines for how debt collectors may conduct business;
- defines consumer rights when dealing with debt collectors; and
- includes penalties and remedies for violations of the Act.

## Lwa sou Pratik Ekitab Rekiperasyon Dèt yo (FDCPA)

Lwa federal ki gouvène aktivite rekiperasyon ki fèt pa ajan rekiperasyon yo ki:

- entèdi pratik abizif nan rekiperasyon dèt konsomatè yo;
- entèdi pratik rekiperasyon dèt enjis ak mansanjè; ak
- bay konsomatè yo dwa pou yo *konteste yon dèt* epi pou yo jwenn yon *avi validasyon* pou asire egzaktitid yon swadizan dèt.

Lwa a tou:

- kreye direktiv sou fason pou ajan rekiperasyon yo kapab Mennen aktivite yo;
- defini dwa konsomatè yo lè yo ap fè fas ak ajan rekiperasyon yo; ak
- gen ladanl sanksyon ak rekou si ta gen vyolasyon Lwa a.

## Fake debt (See Phantom debt)

## Fo dèt (Gade Dèt Fantom)

### Federal Trade Commission (FTC)

A federal government agency that enforces consumer protection and U.S. antitrust laws.

In addition to filing a complaint with DCWP, consumers can file a complaint about a *debt collector* with the FTC.

#### DCWP:

Call 311 or visit [nyc.gov/dca](https://nyc.gov/dca)

#### FTC:

Visit [ftc.gov/complaint](https://ftc.gov/complaint) or call toll-free 1-877-FTC-HELP (1-877-382-4357).

### Komisyon Komès Federal [Federal Trade Commission (FTC)]:

Yon ajans gouvènman federal ki aplike pwoteksyon konsomatè ak lwa antimonopòl ameriken.

Anplis de depoze yon plent bò kote DCWP, konsomatè yo ka depoze yon plent pou yo ajan rekiperasyon bò kote FTC la.

#### DCWP:

Rele nan 311 oswa ale nan [nyc.gov/dca](https://nyc.gov/dca)

#### FTC:

Vizite [ftc.gov/complaint](https://ftc.gov/complaint) oubyen rele gratis nan 1-877-FTC-HELP (1-877-382-4357).

## G

### Garnishment / Income Execution

The act of requiring a *debtor's* employer to withhold a portion of the debtor's wages to pay a *creditor* that has obtained a court order. Unless otherwise authorized by law, a *debt collector* must obtain a court order or *judgment* to carry out a garnishment or income execution.

### Sezi / Egzekisyon Revni

Se lè yo egzije patwon yon debitè kenbe yon pòsyon nan salè debitè a pou peye yon kreyansye ki te jwenn yon òdonans tribinal la. Sòf si lalwa otorize otremman, yon ajan rekiperasyon dwe jwenn yon òdonans tribinal oswa *jijman* pou pran kòb sou sale yon moun oswa fè sa ki rele ekzekisyon revni.

## H

### Harassment

The use of pressure, annoyance, intimidation, or abuse in the attempted collection of a *debt*.

*Debt collectors* may not harass consumers. Examples of illegal conduct are:

- using or threatening to use violence to harm a person, their reputation, or their property;
- threatening someone with a criminal warrant;
- using obscene, profane, or *abusive language*; and
- causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously.

### Pèsekisyon

Sèvi ak presyon, kontraryete, entimidasyon, oswa abi nan tantativ rekiperasyon yon dèt.

Ajan rekiperasyon yo pa dwe fè pèsekisyon sou konsomatè yo. Men kèk egzanp sou kondwit ilegal:

- itilize oswa menase pou itilize vyolans pou fè yon moun mal, pou nwi repitasyon li, oswa sa li posede;
- menase yon moun avèk yon manda kriminèl;
- sèvi ak yon move langaj, yon langaj pwofan, oswa abizif; ak
- Plede rele nan telefòn oswa angaje nenpòt moun nan yon konvèsasyon telefòn repete oswa kontinyèlman.

### Interest

The cost of borrowing money or buying goods or services on *credit*. It is typically calculated as a percentage of the amount due.

### Enterè

Kantite kòb sa koute pou prete lajan oswa achte machandiz oswa sèvis a *kredi*. Jeneralman yo kalkile li kòm yon pousantaj de kantite lajan ke moun nan dwe a.

### Itemization of a debt

A list or breakdown that must include:

- amount of the debt when the *original creditor* sent it to collection;
- amount of any *accrued interest*;
- amount of any other *collection fees* and charges; and
- any payments made by the consumer.

A *debt collector* must give consumers an itemization of each debt upon request.

### Jistifikatif detaye de yon dèt

Yon lis oswa yon vantilasyon ki dwe gen ladan:

- kantite lajan dèt la lè premye kreyansye a te voye li nan rekiperasyon an;
- kantite lajan pou enterè ki akimile;
- kantite lajan pou nenpòt lòt *frè rekiperasyon* ak chaj; ak
- nenpòt peman ke konsomatè a fè.

Yon ajan rekiperasyon dwe bay konsomatè yo yon jistifikatif ki detaye sou chak dèt lè yo mande sa.

## J

### Judgment

An order issued by a court stating the outcome of a lawsuit.

### Jijman

Yon òdonans ki soti nan yon tribinal ki endike rezilta yon pwosè.

**L****Limited English Proficient (LEP)**

A term that refers to individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

**Kapasite limite nan Anglè (LEP)**

Yon tèm ke yo itilize pou moun ki pa pale Anglè kòm lang prensipal yo epi ki gen yon kapasite limite pou li, pale, ekri, oswa konprann Anglè.

**M****Mini-Miranda Warning**

A statement that *debt collectors* must use at the beginning of any communication with a consumer, both in letters and calls. The warning lets consumers know that anything they say and any information they give may be used to collect the *debt*, including in court.

Most debt collectors record *collection* calls.

**Avètisman Mini-Miranda**

Yon deklarasyon ke ajan rekiperasyon yo dwe itilize nan kòmansman nenpòt kominikasyon ak yon konsomatè, alafwa nan lèt ak nan apèl. Avètisman an pèmèt konsomatè yo konnen ke nenpòt bagay yo di ak nenpòt enfòmasyon yo bay ka itilize pou fè rekiperasyon *dèt* la, nan tribinal la egalman.

Pifò ajan rekiperasyon yo anrejistre apèl *rekiperasyon* yo.

**Misrepresentation**

The use of false, deceptive, or misleading practices in debt collection.

*Debt collectors* may not make misrepresentations to consumers, including:

- falsely representing or implying that the debt collector is an attorney, legal office, government agency, marshal, or sheriff;
- falsely representing or implying that the consumer committed a crime, or that nonpayment of any debt will result in the consumer's arrest or imprisonment or the seizure, *garnishment*, attachment, or sale of the consumer's property or wages unless the action is lawful and the debt collector or *creditor* intends to pursue it; or
- reporting, or threatening to report, inaccurate credit information to a *credit bureau*.

**Fo Deklarasyon**

Itilizasyon pratik ki fo, mansanjè, oswa pou twonpe nan yon rekiperasyon *dèt*.

*Ajan rekiperasyon* yo pa ka fè fo deklarasyon bay konsomatè yo, tankou:

- fo reprezantasyon oswa fè konprann ke ajan rekiperasyon an se yon avoka, yon biwo jiridik, yon ajans leta, yon marechal, oswa yon cherif;
- fo reprezantasyon oswa fè konprann ke konsomatè a komèt yon krim, oswa peman ki pa fèt yo pral lakòz arestasyon konsomatè a oswa anprizonman oswa sezi la, prelevman sou salè, sezi, oswa vann byen konsomatè a oswa pran salè li sof si aksyon an legal epi ajan rekiperasyon an oubyen kreyansye a gen entansyon pou swiv li; oswa
- rapòte, oswa menase fè rapò bay yon biwo kredi sou enfòmasyon kredi ki pa kòrèk.

**O****Original Creditor (See Creditor)****Premye kreyansye a (Gade Kreyansye)****Outstanding Balance (See Current Balance)****Balans ki poko peye (Gade Balans aktyèl)**

**Payday Loans**

A high-interest loan borrowed against a consumer's next paycheck.

Payday loans are illegal in New York.

**Prè sou salè**

Yon prè ak yon enterè ki wo ke y ap genyen pou yo pran sou pwochen chèk yon konsomatè a.

Prè sou salè yo ilegal nan New York.

**Phantom debt** (also *Fake debt*)

*Debt* that is entirely made up and that a consumer does not owe.

Phantom debt schemes have typically involved individuals or businesses that use fictitious names that imply they are lawyers or affiliated with a law firm. The schemers threaten serious consequences if consumers don't pay, including:

- being sued;
- being arrested at work;
- having a bank account closed;
- having wages *garnished*; or
- being forced to appear in court.

The schemers generally do not hold DCWP licenses.

Consumers have a right to request *verification of a debt* from *debt collectors*.

**Dèt fantom** (egalman *Fo dèt*)

Dèt ke yo envante antyèman e ke yon konsomatè pa dwe.

Jeneralman, dèt fantom nan se yon magouy ki enplike moun oswa biznis ki sèvi ak non fiktif ki fè konprann ke yo se avoka oswa ke yo afilye ak yon kabinè avoka. Magouyè sa yo menase konsekans ki grav si konsomatè yo pa peye, pami konsekans sa yo nou jwenn:

- yo ka pouswiv konsomatè yo an jistis;
- yo ka arete yo nan travay yo;
- gen yon fèmèn kont labank yo;
- gen pran yon pati nan salè yo; oswa
- yo ka fòse yo parèt nan tribinal la.

Magouyè yo jeneralman pa genyen lisans DCWP.

Konsomatè yo gen dwa pou mande ajan rekiperasyon yo pou fè *verifikasyon yon dèt*.

**Principal**

The initial amount of the *debt* or the amount that remains unpaid by a consumer. It does not include *collection fees* and *interest*.

**Prensipal**

Montan inisyal *dèt* la oswa kantite lajan ke konsomatè a rete pou peye. Li pa frè *rekiperasyon* ak *enterè* ladanl.

## S

### Statute of Limitations

(also *Time-barred debt*)

A certain time after which a *debt collector* may no longer sue a consumer to collect a *debt*.

Debt collectors may not attempt to collect an old debt whose statute of limitations passed unless they tell consumers:

- the legal time limit (statute of limitations) to sue to collect the debt has expired;
- consumers do not have to admit to owing the debt, promise to pay the debt, or give up rights regarding the statute of limitations;
- if sued, consumers may defend the case by informing the court that the statute of limitations has expired to prevent the *creditor* from obtaining a *judgment*; and
- any payment consumers make on an old debt will restart the creditor's right to sue.

### Delè Preskripsyon

(egalman *Dèt ki preskri*)

Yon kantite tan ki pase epi apre tan sa yon ajan rekiperasyon pa gen dwa ankò rele nan leta yon konsomatè pou fè rekiperasyon yon dèt.

Ajan rekiperasyon yo pa ka eseye fè rekiperasyon yon ansyen dèt ke delè preskripsyon an depase, sof si yo di konsomatè yo sa:

- delè legal la (delè preskripsyon) pou rele nan leta pou fè rekiperasyon yon dèt ekspire;
- konsomatè yo pa oblije admèt yo dwe dèt la, pou yo pwomèt pou yo peye dèt la, oswa pou renonse ak dwa konsènan delè preskripsyon an;
- si yo rele yo lajistis, konsomatè yo ka defann ka a nan enfòmè tribinal la ke delè preskripsyon an ekspire pou anpeche kreyansye a jwenn yon jijman; ak
- tout pèman ke konsomatè a fè sou yon ansyen dèt ap rebay kreyansye a dwa pou rele nan leta.

### Substantiation of a debt

(See **Verification of a debt**)

### Jistikasyon yon dèt

(Gade **Verifikasyon yon dèt**)

## T

### Time-barred debt (See **Statute of Limitations**)

#### Tradeline

A term for a credit *account* on a consumer's *credit report*. There is a separate tradeline each time a consumer is approved for *credit*. Tradelines include, but are not limited to:

- credit limit;
- current balance;
- payment history; and
- lender names and addresses.

### Dèt ki preskri (Gade **Delè preskripsyon**)

#### Tradeline

Yon tèm pou yon *kont* kredi nan rapò kredi yon konsomatè. Gen yon tradeline separe chak fwa yo apwouve yon konsomatè pou yon *kredi*. Tradelines gen ladan, men yo pa limite a sa sèlman:

- limit kredi;
- balans aktyèl;
- istorik pèman; ak
- non ak adrès kreyansye yo.

### Validation Notice

A letter a *debt collector* must give consumers within five days after first contacting them that contains general information about the *debt* and consumer rights.

This notice must tell consumers they have a right to *dispute a debt* and to request *verification of a debt* from the debt collector. Other required disclosures include:

- the amount of the debt;
- the name of the current *creditor*;
- a statement that, upon consumer request and within 30 days, the debt collector will provide the name and address of the *original creditor*;
- the address where consumers should mail a letter to dispute a debt;
- the debt collector's *DCWP license number*;
- the name of the debt collector as it appears on the DCWP license;
- a call-back number to a phone that is answered by a natural person;
- the name of the person to call back;
- if the consumer may obtain from the debt collector any communications in a language other than English;
- a statement that this glossary of common debt collection terms is available in multiple languages on the DCWP website [nyc.gov/dca](http://nyc.gov/dca).

### Verification of a debt

(also *Substantiation of a debt*)

A consumer has a right to request that the *debt collector* provide documentation to show that the *debt* belongs to the consumer and/or that the amount is correct.

In response to a consumer's request for verification of the debt, the debt collector must do the following:

- Provide written documentation from the *creditor*—not the creditor's debt collector—confirming the debt. An example is a copy of a final statement (bill) by the *original creditor* showing the amount owed.
- Stop all *collection* activity and consumer contact until the verification is provided.

### Avi Validasyon

Yon lèt ke yon *ajan rekiperasyon* dwe bay konsomatè yo nan senk (5) jou apre premye fwa yo kontakte yo ki gen enfòmasyon jeneral sou *dèt* la ak dwa konsomatè yo.

Avi sa a dwe di konsomatè yo gen dwa pou yo *konteste yon dèt* epi pou mande *verifikasyon yon dèt* bò kote ajan rekiperasyon an. Lòt enfòmasyon ki obligatwa yo gen ladan yo:

- montan dèt la;
- non kreyansye aktyèl la;
- yon deklarasyon ki di ke, sou demand konsomatè a ak nan lespas 30 jou, ajan rekiperasyon an ap bay non an ak adrès *premye kreyansye a*;
- adrès kote konsomatè yo ta dwe voye pa lapòs yon lèt pou konteste yon dèt;
- *nimewo lisans DCWP* ajan rekiperasyon an;
- non ajan rekiperasyon an jan li parèt sou lisans DCWP a;
- yon nimewo pou rele nan yon telefòn ke yon moun kapab reponn;
- non moun pou yo tounen rele a;
- si konsomatè a ka kominike ak ajan rekiperasyon an nan yon lòt lang ki pa Anglè;
- yon deklarasyon ki di ke glosè sa a ki gen ekspresyon yo abitye itilize nan sa ki gen pou wè ak *dèt* disponib nan plizyè lang sou sit entènèt DCWP [nyc.gov/dca](http://nyc.gov/dca).

### Verifikasyon yon dèt

(egalman *Jistifikasyon yon dèt*)

Yon konsomatè gen dwa pou mande pou ajan rekiperasyon an bay dokiman pou montre ke *dèt* la se pou konsomatè a ak / oswa pou montre ke montan an kòrèk.

An repons a demand yon konsomatè pou verifikasyon dèt la, ajan rekiperasyon an dwe fè bagay sa yo:

- Bay dokiman ekri ki soti bò kote *kreyansye a*-ki pa soti bò kote ajan rekiperasyon kreyansye a-ki konfime dèt la. Yon egzannp se yon kopi yon deklarasyon final (bòdwo) *premye kreyansye a* ki montre kantite lajan ki dwe a.
- Sispann tout aktivite *rekiperasyon* epi sispann kontakte konsomatè a jiskaske yo bay verifikasyon an.



**Zombie debt**

*Debt* that is very old and no longer owed but that a *debt collector* suddenly seeks to collect.

Zombie debt may include:

- debt already settled;
- debt from a *bankruptcy discharge*;
- *time-barred debt*,
- debt that no longer shows up on a consumer's *credit report*; and
- debt never owed.

Consumers have a right to *dispute a debt* and request that the debt collector provide *verification of a debt*.

**Dèt zonbi**

*Dèt* ki fin ansyen anpil epi ke yo pa dwe ankò, men ke yon *ajan rekiperasyon* toudenkou ap chèche fè rekiperasyon pou li.

Dèt zonbi ka gen ladanl:

- dèt ke yo deja peye;
- dèt soti nan yon *liberasyon fayit*;
- *dèt ki preskri*;
- dèt ki pa parèt ankò sou rapò kredi yon konsomatè; epi
- dèt ke yo pat janm dwe.

Konsomatè yo gen dwa konteste yon dèt epi mande pou ajan rekiperasyon an bay *verifikasyon sou yon dèt*.