

Arrested by Your Debt?

Your business may have been undercapitalized from its inception but YOUR conviction in your product and the opportunities in your market made the potential reward worth the risk. Operating costs exceeded expectations and sales volume never met projections. The weak economy does nothing to help. No credit. No open trade lines. You are unable to pay yourself. Making payroll is a challenge every week. You are on payment plans with vital suppliers and COD purchasing terms. Collection calls come in routinely. And now a lawsuit has been filed. What can you do to get free?



Do You Know?

Your business is not protected by the FDCPA

The Fair Debt and Collections Practices Act was established in 1978 for the intended purpose of protecting consumer debtors from harassment, embarrassment and the fear and pain associated with unsavory and threatening collection tactics.

The FDCPA however, was not established to shield or protect commercial debtors and businesses in any way. The FDCPA prevents debt collectors from making routine collection attempts in the early morning and late at night. It prevents repeated and incessant efforts to reach people and strictly prohibits foul language and threatening representations. Additionally, the FDCPA does not allow anyone to make known you owe a debt that has gone unpaid.

The problem for a business is this set of consumer protection laws does not apply to commercial entities and businesses. Creditors and collectors alike may attempt to embarrass businesses owners or destroy trade lines by making news of the unpaid debt known to seemingly uninvolved parties. Threats of litigation may be made shamelessly and employees fielding collection calls may become alarmed and distracted from job related duties.

Debt Lawyer Could Face 25 Years

One of Michigan's largest debt-collection lawyers could face more than 25 years behind bars and fines of \$77,000 for filing allegedly fraudulent court documents and affidavits, a Lincoln Park district judge ruled Thursday, drawing nodding approval from a portion of the courtroom gallery.

Judge David Bajorek rejected defense arguments in a pretrial hearing, saying that attorney Howard Alan Katz could be sentenced up to 30 days in jail and fined \$250 for each of the 308 counts of criminal contempt if he is convicted. Katz faces a jury trial Sept. 29 before Bajorek.

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