

**\*\*Sample letter to public record\*\***

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Dear Collector,

During a review of our credit report, compiled and issued on xx/xx/xxxx, you have reported an adverse entry on the above referenced account. (xxx)

Specifically, you have reported we have a past due balance of \$xxx.xx with a balance of \$xxx.xx owed on account xxxxxxxxx. This is an error. This account was included and discharged in a Chapter 7 Bankruptcy (Docket #xxxxxxxxx, United States District Court Western District of Florida Date xx/xx). You also report this account was assigned and opened by you on xx/xx. It is quite clear that this is a sufficient time period post the discharge of the bankruptcy, thus, this should have been prevented. This account needs to be removed from our credit report immediately. I urge you to promptly update your credit records and correct your reporting of our credit to Trans Union, Experian and Equifax.

As it stands now the reporting is a clear violation of the Fair Credit Reporting Act. (FCRA) I would also mention that one needs to also insure your employees are receiving and following the proper training in regard to your chosen industry. This statement is in reference to the past nature of your correspondence/communication. The Court has stated the following, which you should be quite familiar with:

The Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692-1692n ("FDCPA" or "Act"), under which this case arises, is premised on the congressional belief that "every individual, whether or not he owes the debt, has a right to be treated in a reasonable and civil manner," Baker v. G.C. Services Corp., 677 F.2d 775, 777 (9th Cir. 1982), citing 123 Cong. Rec. 10241 (1977).

At this time, we solely seek the correct remedy to our credit report. It is in good faith that we will assume your employees in the future will follow the rules of the FCRA/FDCPA with any of your other clients you may have, as they have failed miserably thus far in our case.

We stress that this matter requires your immediate attention as we are currently, due to your reporting inaccuracies, experiencing financial injury. We are in the process of refinancing our home. You have a responsibility to update our account and report this update to the three bureaus as required by the FCRA in the timelines set forth by the FCRA. In addition, now that you have been properly notified of your error in writing, you may not continue to report the information as it is, in fact, an error. Should you not correct this we will pursue the extent of damages incurred by myself and my spouse, the injured parties, as deemed by the courts. (US Court of Appeals, Ninth Circuit, No. 00-15946, Nelson vs. Chase Manhattan) If you need to contact us regarding this account we request all correspondence be sent to the address below and will accept no phone calls from you or your associates. We are also directing you to refrain from any phone calls being made in any matter to anyone regarding this account. All correspondence will be in writing only.

Sincerely,

*John Hancock*

Your Name  
SSN# 123-45-6789