

Without Consent, Navient's Student Debt Collection Robocalls Keep Coming

More than [30 billion robocalls](#) were dialed to U.S. consumers in 2017, many of which were calls placed to cellphones for the purpose of servicing a student loan. The Telephone Consumer Protection Act (TCPA) gives student borrowers a say in who can call their cellphone, requiring student loan servicers like Navient and Nelnet to obtain consent before using an automated dialing system (autodialer) to dial a cellphone number. But sometimes student loan servicers don't honor borrowers' rights and they keep calling long after consent is revoked, and they are told to stop. The following cases are representative of the [more than 4,000 lawsuits](#) filed in 2017 addressing violations of consumers' rights under the TCPA.



Disabled and unable to pay, Navient didn't slow efforts to collect. After Michelle Robertson of Florida acquired a Certified Nursing Assistant certificate, she fell ill and began collecting disability. Unable to work, Ms. Robertson could only make periodic payments on her private student loans. Navient called her more than 150 times, often just hours after speaking to her. She told Navient to stop calling, but the loan servicer called 522 other times. Ms. Robinson filed a lawsuit to stop the calls and both parties settled in mediation. *Robertson v. Navient Solutions, LLC, Case No. 8:17-cv-01077 (M.D. Fla. Jul. 10, 2018)*.

Leah, not Laurie. Navient called Leah Stein of Texas and her parents dozens of times seeking to collect on student loans owed by "Laurie Stein." Ms. Stein and her parents told Navient it was calling the wrong people and asked that the calls stop, but they continued. The Steins filed a lawsuit against Navient that was settled. *Stein et al v. Navient Solutions, LLC et al, Case No. 1:17-cv-00907 (W.D. Tex. Oct. 4, 2018)*.

Even friends of borrowers aren't safe from Navient's robocall harassment. Navient called Willie McCaskill of Florida 1,500 times over a year, but Mr. McCaskill didn't have any student loans. The wrong number calls were for a friend and they continued after Mr. McCaskill told Navient it had the wrong number and it did not have his consent to call him. Mr. McCaskill's lawsuit against Navient is pending. *McCaskill v. Navient Solutions, Inc., Case No. 8:15-cv-01559 (M.D. Fla. Apr. 14, 2016)*.



Making payments and revoking consent isn't enough to stop Navient's robocalls. After setting up a payment plan to get caught up on his student loans, Paul Demuth of Pennsylvania continued to receive robocalls and automated text messages from Navient. After notifying Navient that he had taken measures to pay the debt and revoked his consent to receive additional calls, Navient still called Mr. Demuth on his cellphone more than 300 additional times. Mr. Demuth filed a lawsuit against Navient and he was awarded \$300,000 in arbitration.

Kimmel & Silverman PC, "[Harmarville, PA Man Wins \\$293,297.05 Judgment Against Navient Solutions For Excessive Robocalls](#)," (June 27, 2017)

The TCPA gives student borrowers the right to tell loan servicers to stop making unwanted robocalls, but they aren't listening, even when they have the wrong number. The FCC must maintain a broad autodialer definition and strong consumer protections to reign in Navient's abusive collections.