

Job losses and reduced hours from the coronavirus pandemic have hit families hard, with [millions struggling to pay their bills](#) and [communities of color hit hardest](#). Millions of consumers will face increased collection efforts and collection lawsuits in the months ahead. Lawsuits risk exposing consumers to coronavirus when hearings are held in person and can create [access challenges when held remotely](#) – potentially leading to higher rates of default judgments. Creditors will be able to use these judgments to empty an individual's bank account or seize a portion of wages. Existing state laws are [inadequate to protect consumers from being pushed into poverty](#) by these collection methods.

The Consumer Financial Protection Bureau (CFPB) should issue the following emergency guidance to creditors, debt buyers, debt collectors, and their agents (“collectors”) to prevent abusive debt collection during the pandemic:

- **Protect income and assets needed to pay for basic living expenses.** Collectors should:
 - Not initiate or renew wage or bank account garnishment or levies on other income;
 - Stay all pending garnishment proceedings immediately to the fullest extent permitted by relevant laws; and
 - End any garnishment of stimulus payments, unemployment, or other public benefits.
- **Avoid unnecessary court proceedings:** Collectors should:
 - Delay filing collection lawsuits where these can be postponed without prejudice;
 - Stop seeking, serving, or threatening to serve civil arrest warrants; and
 - Consent to remote or telephonic proceedings, when proceedings are unavoidable, whenever consented to by the consumer.
- **Ensure equal access to hardship programs.** Collectors should:
 - Provide information about hardship programs in every communication with consumers; and
 - Ensure that all consumers who qualify for hardship relief programs are provided such relief without discretion by individual collector employees to deny access to such programs.
- **Eliminate unnecessary in-person contact.** Collectors should cease any in-person collection attempts at consumers' homes and workplaces.
- **Protect consumers from harassment.** Collectors should:
 - Limit collection communications to no more than one conversation per week per consumer; and
 - Allow consumers to discontinue a particular type of communication (e.g. all phone calls) through oral or written requests.
- **Require notice before credit reporting.** Collectors should provide consumers with notice about alleged debts before “parking” them on a consumer's credit report.

For more information, please contact National Consumer Law Center attorney April Kuehnhoff (akuehnhoff@nclc.org).