Consumer Complaints about Debt Collection:
Analysis of Unpublished Data from the FTC

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By

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ABOUT THE NATIONAL CONSUMER LAW CENTER

Since 1969, the nonprofit National Consumer Law Center® (NCLC®) has used its expertise in consumer law and energy policy to work for consumer justice and economic security for low-income and other disadvantaged people, including older adults, in the United States. NCLC's expertise includes policy analysis and advocacy; consumer law and energy publications; litigation; expert witness services; and training and advice for advocates. NCLC works with nonprofit and legal services organizations, private attorneys, policymakers, and federal and state government and courts across the nation to stop exploitive practices, help financially stressed families build and retain wealth, and advance economic fairness. **www.nclc.org**

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Every year the Federal Trade Commission (FTC) collects consumer complaints through its Consumer Sentinel Network (CSN). In 2017, there were 620,800 complaints about debt collection – making it the most common type of consumer complaint compiled in the FTC's CSN Data Book. Yet, relatively little data about these debt collection complaints is published.

Complaints can help regulators understand what types of problems consumers are experiencing with debt collectors and identify actors who may be violating the law. They can also identify the states and regions where consumers report more abusive debt collection practices and help researchers identify factors that lead to these problems. Additionally, with the Consumer Financial Protection Bureau's (CFPB) ongoing debt collection rulemaking, CSN complaint data offers another opportunity to learn about consumer experiences with debt collection.

This National Consumer Law Center report analyzes complaints about debt collection practices collected by the FTC for 2017. It contains some information that has never been published, which was obtained through Freedom of Information Act (FOIA) requests.

Key Findings

- Consumers make hundreds of thousands of complaints about debt collection practices every year.

- Since 2015, debt collection complaints have been the most common type of consumer complaint reported in the CSN Data Book. From 2008 to 2014, it was the second most common type of complaint.

- Seven out of the ten states with the highest per capita number of debt collection complaints in 2017 are in the South, one is in the mid-Atlantic, one is in the Midwest, and one is in the West.

- Eight out of the ten states with the highest per capita number of debt collection complaints in 2017 had a higher percentage of residents with debts in collection reported on their credit reports than the 33% share for the nation as a whole.

- In 2017, top categories of reported law violations included "Calls After Getting 'Stop Calling' Notice" (227,917 complaints), "Calls Repeatedly" (210,238 complaints), "Makes

False Representation about Debt" (192,704 complaints), "Fails to Identify as Debt Collector" (84,364), "Tells Someone Else About Consumer's Debt" (39,760 complaints), and "Falsely Threatens Illegal or Unintended Act" (31,519 complaints).

- Nationally, the three companies receiving the most debt collection complaints were Enhanced Recovery Associates, Portfolio Recovery Associates, and Credit One Bank – each receiving more than 10,000 consumer complaints in 2017.

Recommendations

The FTC should do more to make the debt collection complaint data that it collects annually in the CSN widely available by:

- Publishing all debt collection complaints and

- Reporting more information about debt collection complaints.

The FTC should also take steps to improve collection of CSN debt collection complaint data by:

- Standardizing data collection;

- Facilitating complaints via apps;

- Facilitating complaints by consumers with limited English proficiency; and

- Conducting outreach in communities that are underreporting.

The FTC and others should use the CSN debt collection complaint data to guide continued enforcement and strengthen consumer protections against abusive debt collection.

Additional Resources

This report is accompanied by national, state, and District of Columbia fact sheets summarizing the data.

BACKGROUND

Consumer Debt is Pervasive and Complaints about Debt Collectors are Numerous

Contact with a debt collector is a common experience for Americans. In 2017, 71 million Americans – nearly one in three adults in the United States - had a debt in collection reported on their credit reports.[1] It is estimated that the collection industry contacts Americans more than a billion times a year.[2] Encore Capital Group, one of the many debt buyers operating in the United States, claims that 20% of American consumers either owe it money currently or have owed it money in the past.[3]

Abusive debt collection practices have been a problem for decades. Debt collection has been consistently near the top – and usually at the top – of complaints at the Federal Trade Commission (FTC) and now at the Consumer Financial Protection Bureau (CFPB).[4] Violations of the federal Fair Debt Collection Practices Act (FDCPA), signed into law in 1977, remain routine. For example, in the CFPB's 2017 survey of consumer experiences with debt collection, respondents indicated that they had experienced a variety of debt collection problems.[5] Of respondents who had been contacted about a debt:

- 53% "indicated that the debt was not theirs, was owed by a family member, or was for the wrong amount";

- 63% "said they were contacted too often";

- 36% were called after 9 p.m. or before 8 a.m.; and

- 27% were threatened.[6]

The Demographics of Debt Collection

The experience of consumers with debts in collection varies based on race and ethnicity, ability to speak English, age, and military service, among other factors.

Race and Ethnicity[7]

An interactive map created by the Urban Institute in 2017 highlighted that in predominantly nonwhite zip codes, the share of individuals with one or more debts in collection reported on their credit reports is higher than in predominantly white zip codes. (See Chart 1.)

Studies have found racial and ethnic disparities in who is contacted about a debt,[8] in the filing of collection lawsuits,[9] the quality of claims filed in those lawsuits,[10] the likelihood of obtaining default judgments,[11] the risk of judgment,[12] the likelihood of being subject to garnishment proceedings;[13] and who is able to successfully discharge debt in bankruptcy.[14]

CHART 1
Percentage of People in the U.S. with Debt in Collections
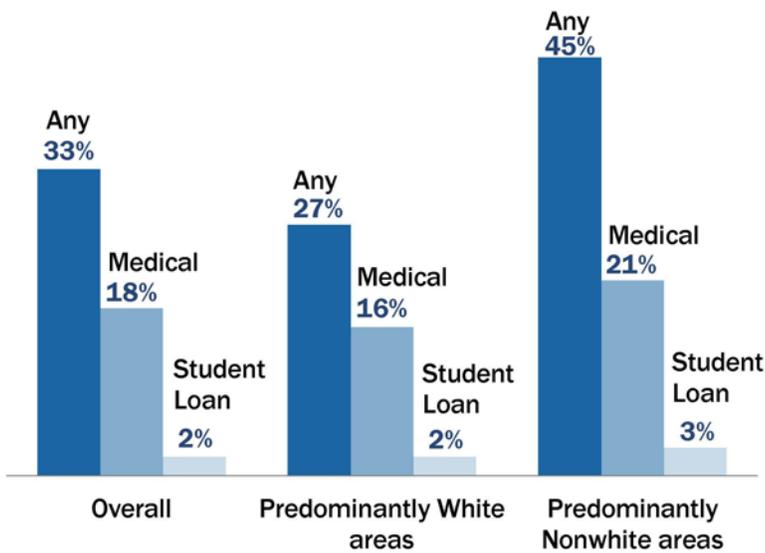
Source: Urban Institute, Debt in America: An Interactive Map (Dec. 6, 2017).

Research by the FTC analyzing who files complaints found that people living in areas with a 50% or larger black population have a higher rate of debt collection complaints as compared to people living in areas where the black population is less than 5%.[15] In contrast, the rate for debt collection complaints was lower in communities with a 75% or larger Hispanic population as compared to communities with a Hispanic population of 5% or less.[16]

Ability to Speak English[17]

Among consumers who do not speak English, or who have limited English proficiency (LEP) different challenges exist. Borrowers facing delinquency and default too often face an English-only system, creating additional barriers to responding to debt collection efforts, overcoming financial distress, and filing complaints regarding debt collection abuses.

The CFPB's survey of consumer experiences with debt collection showed that only 79% of consumers contacted about a debt in collection were able to communicate in their preferred

language.[18] The joint FTC-CFPB Debt Collection and the Latino Community Roundtable in October 2014 identified debt collection challenges in LEP communities, such as reports that LEP debtors tend to be less likely to challenge any representations made by a debt collector.[19] CFPB[20] and FTC[21] enforcement actions have highlighted abusive debt collection practices targeting LEP consumers.

Age[22]

Among families headed by older Americans, the percentage who are in debt has increased in recent years.[23] In addition to an increase in the percentage of older adults who are in debt, the amount of indebtedness has also increased.[24]

Consumers aged 62 or older file a significant number of complaints about debt collection with the CFPB.[25] In the CFPB's survey:

- 59% of those aged 62 or older who were contacted about a debt cited an issue with a debt in collection,

- 40% disputed a debt, and

- 20% had been sued on a debt.[26]

For older adults seeking assistance from legal hotlines, collection-related matters were the second most common type of case in 2017.[27]

Military Service[28]

Consumer debt has a negative impact on the careers of military servicemembers and some collectors attempt to use this information to coerce payments from servicemembers.[29] Abusive collection tactics include:

- contacting the servicemember's chain of command,

- threatening punishment under the military's justice system,

- threatening reductions in rank, and

- threatening revocation of security clearance.[30]

Approximately two out of every five complaints filed by servicemembers with the CFPB were about debt collection, and servicemembers were more likely to complain about debt collection than all consumers filing complaints at the CFPB.[31] Debt collection was the fifth most common type of complaint reported by military consumers in the 2017 CSN Data Book.[32]

The FTC Collects Data about Debt Collection Complaints but Publishes Little Information about the Data

In 1997, the FTC launched the Consumer Sentinel Network (CSN) as a method to collect and store consumer complaints.[33] The annual CSN Data Book reports data on the type and volume of consumer complaints compiled by the FTC.[34] By 2008, the CSN expanded its annual report to include complaint data not only related to fraud and identity theft, but also regarding other consumer finance issues, including debt collection.[35]

The CSN includes data not only collected directly by the FTC but also from various contributors and partners.[36] This includes state and federal agencies such as State Attorneys General and the CFPB as well as private actors such as the Council of Better Business Bureau and PrivacyStar,[37] a cell phone app that identifies callers and can be used to block callers or report them to the FTC.[38] PrivacyStar has been the top data contributor since 2014, followed by the Better Business Bureau and the CFPB.[39] This large-scale data collection effort by the FTC allows the agency to provide a comprehensive look into which issues are affecting consumers.

> Since the FTC began to release debt collection complaint data in the 2008 CSN Data Book, debt collection has consistently remained a top complaint category. It has been the number one consumer complaint for the last three years.
>
> Source: Annual Consumer Sentinel Network Data Book reports.

Since the FTC began to release debt collection complaint data in the 2008 CSN Data Book, debt collection has consistently remained a top complaint category. It has been the number one consumer complaint for the last three years.[40]

However, despite being a top complaint category, the only information that the CSN Data Book provides about the hundreds of thousands of debt collection complaints that it compiles is the total number of debt collection complaints reported, the division of complaints between third party and original debt collectors, and the number of military complaints that are about debt collection. Nor has the FTC posted the complaints online so that other researchers could analyze them. In contrast, the CFPB currently posts redacted versions of the complaints consumers make to it.

DEBT COLLECTION COMPLAINT DATA

About the Data

When the 2017 CSN Data Book again provided limited analysis of the hundreds of thousands of debt collection complaints that it had compiled for 2017, the National Consumer Law Center (NCLC) submitted a Freedom of Information Act (FOIA) request to the FTC.

Unless otherwise noted, data was produced by the FTC in response to a FOIA request submitted by NCLC. The FTC did not produce the actual complaints, but instead reported compilations in response to NCLC's request. For example, it provided the number of complaints per state, the types of law violations for each state, and the number of complaints per category. It also produced the names of the top recipients of debt collection complaints nationally and in each state.

As previously discussed, the complaints compiled in the CSN Data Book were submitted by a variety of different sources. These sources used different data collection methods. Consumers were able to report one or more categories of law violations when they made debt collection complaints.[41]

This report is accompanied by national, state, and District of Columbia fact sheets summarizing the data.

Debt Collection Was the Most Common Type of Complaint Collected by the CSN in 2017

National Data

In 2017, more than one out of every five[42] consumer complaints compiled by the FTC's CSN Data Book was about debt collection – a total of 620,800 complaints.[43] That represents 191 complaints per 100,000 people in the United States.

Data from past CSN Data Books shows a consistent increase in the number of debt collection complaints between 2008 and 2016, followed by a decline in the total number of complaints of more than 25 percent in 2017. (See Table 1 on page 9.)

TABLE 1

Number of Debt Collection Complaints Reported in the CSN Data Book from 2008 – 2017 with Number and Percent Originating at FTC or CFPB

YEAR	COMPLAINTS REPORTED IN CSN DATA BOOK*	REPORTED TO THE FTC**	PERCENT FROM THE FTC	REPORTED TO THE CFPB***	PERCENT FROM THE CFPB
2008	104,642	104,661	100%	--	--
2009	119,549	119,364	100%	--	--
2010	144,159	140,036	97%	--	--
2011	180,928	142,743	79%	--	--
2012	199,721	125,136	63%	--	--
2013	204,644	73,211	36%	30,300	15%
2014	280,998	--	--	88,300	31%
2015	897,655	--	--	85,200	9%
2016	859,090	--	--	88,000	10%
2017	608,535	--	--	84,500	14%

Sources and notes:

* Data comes from annual Consumer Sentinel Network Data Book reports. This table reflects the numbers as reported in the annual report for each year, not as subsequently revised in future reports. (*See* Endnote 43.)

** Data about the total number of debt collection complaints reported to the FTC for 2008-2010 are from the FTC's annual Fair Debt Collection Practices Act reports for 2009-2011, which are available at www.ftc.gov/policy/reports. Data about FTC debt collection complaints for 2011-2013 is from the CFPB's annual Fair Debt Collection Practices Act reports from 2012-2014.

*** The approximate numbers of debt collection complaints reported to the CFPB are from its annual Fair Debt Collection Practices Act reports.

The source of complaints has expanded beyond the federal government over the years. In 2008 and 2009, all or virtually all debt collection complaints reported in the CSN Data Books were ones that consumers had filed directly with the FTC. By 2012, the year before the CFPB began collecting debt collection complaints, the percentage of debt collection complaints that came to the FTC directly had fallen to 63%, with 37% of complaints coming from other sources such as state agencies and Better Business Bureaus. In 2017, approximately 14% originated with the CFPB, and the rest were submitted by other sources.

Aside from the first, partial year that the CFPB collected complaints in 2013, the number of debt collection complaints filed with the CFPB has varied only marginally, from a low of 84,500 to a high of 88,300. These relatively small changes do not explain the changes in total debt collection complaints reported by the CSN Data Book.

CHART 2
Number of CSN Data Book Debt Collection Complaints and Total CSN Data Book Complaints Submitted by PrivacyStar

Number of Debt Collection Complaints

Total Complaints Submitted by PrivacyStar (Includes Non-Debt Collection Complaints)

Source: Data comes from annual Consumer Sentinel Network Data Book reports. This table reflects the numbers as reported in the annual report for each year, not as subsequently revised in future reports. (See Endnote 43.) (See Chart 1 on page 5.)
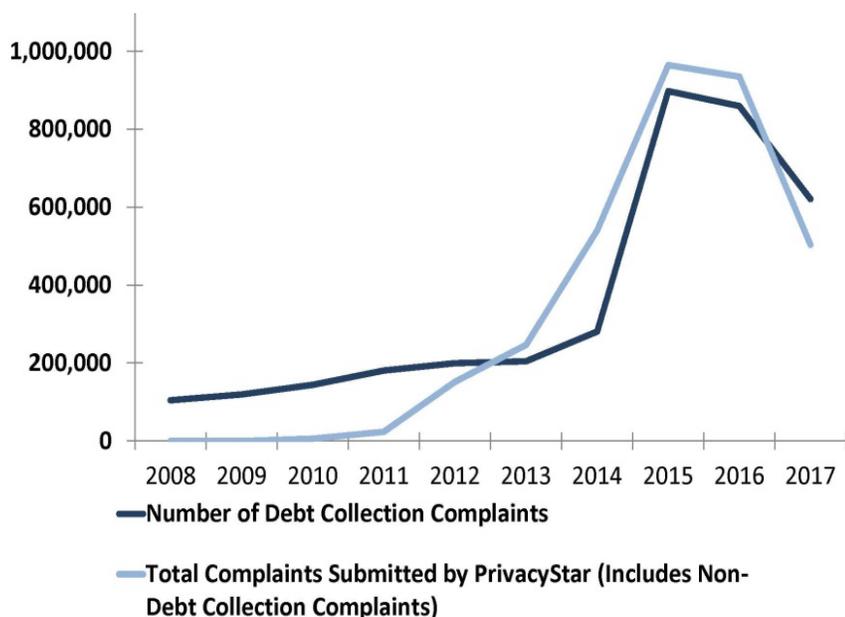
The rise and recent fall of CSN debt collection complaints does, however, closely track the rise and fall of complaints submitted by PrivacyStar, a cell phone app that identifies callers and can be used to block callers or report them to the FTC.[44] (See Chart 2). In 2016, the FTC noted that "debt collection complaints rose to the top spot among complaint categories . . . due in large part to a surge in complaints contributed by a data contributor who collects complaints via a mobile app. This change caused a spike in complaints related to unwanted debt collection mobile phone calls."[45] Similarly, in 2018, the FTC explained that "[t]he high number of debt collection

reports was due in part to reports submitted by a data contributor who collects complaints via a mobile app."[46] While the FTC does not name PrivacyStar as the mobile app contributor, it does not list any other mobile app contributors.

While the CSN data does not reveal how many of the debt collection complaints came from PrivacyStar, the total number of complaints submitted by PrivacyStar on all topics declined significantly in 2017—at a rate that closely matches the drop in CSN debt collection complaints. It is not clear why the number of complaints submitted via PrivacyStar declined from 2016 to 2017. However, one possibility is that PrivacyStar lost market share over that time period due the availability of more alternative call blocking apps. The Cellular Telecommunications Industry Association states that "app platforms have seen a 495% increase in the number of available call blocking apps between October 2016 and March 2018."[47]

Given the estimated 71 million adults with one or more debts in collection[48] and the fact that a national survey by the CFPB found that a large percentage of consumers reported abusive debt collection practices,[49] the number of debt collection complaints collected by the FTC likely significantly underrepresents the actual number of complaints. Indeed, the FTC has previously noted that most consumers only complain to the debt collector or the underlying creditor.[50] Other reasons for underreporting complaints about debt collection may include: lack of knowledge of consumer rights in debt collection; not knowing where or how to file a complaint; barriers to filing complaints such as limited access to the internet or limited English proficiency;[51] and a belief that filing a complaint will not improve the consumer's own situation or make a difference for others.

State Data

The total number of debt collection complaints per state ranged from 100 in Vermont to nearly 100,000 in Florida. Florida was also the state with the highest number of complaints per capita (476 per 100,000 residents) while Puerto Rico had the lowest number (5 per 100,000 residents). See Appendix A and state fact sheets for information about other states and the District of Columbia.

Analyzing the complaint data for the top ten states from a regional perspective shows that seven out of the ten states with the highest per capita number of debt collection complaints are in the South, one is in the mid-Atlantic, one is in the Midwest, and one is in the West. (See Table 2 on page 12.)

Table 2 also includes a column reflecting the rate of indebtedness as reported by the Urban Institute. Eight out of the top ten states had a higher percentage of residents with debts in collection reported on their credit reports than the 33% share for the nation as a whole. However, this relationship is not consistent throughout the data. For example, some states with high rates of indebtedness, such as Kentucky and West Virginia, had lower-than-average complaint volumes. (See Appendix A.)

TABLE 2
Ten Jurisdictions with the Highest Number of Complaints Per Capita in 2017

STATE	COMPLAINTS PER 100,000 PEOPLE*	RANK	SHARE WITH DEBT IN COLLECTIONS**
Florida	476	1	38%
District of Columbia	409	2	33%
Georgia	408	3	40%
Michigan	371	4	33%
Texas	343	5	44%
Alabama	245	6	40%
Nevada	223	7	41%
South Carolina	207	8	43%
Tennessee	206	9	39%
Louisiana	199	10	46%

Sources:

*Data about the number of CSN debt collection complaints reported in 2017 for all 50 states, Puerto Rico, and Washington D.C. was produced to NCLC by the FTC on May 29, 2018 in response to a FOIA request. Complaints per 100,000 people were calculated using 2017 population data from the U.S. Census Bureau and the number of debt collection complaints.

**Urban Institute, Debt in America: An Interactive Map (Dec. 6, 2017).

In addition to the rate of indebtedness, other factors may contribute to the dramatic difference in the rate of debt collection complaints per capita between different states. For example, some states may not contribute debt collection complaints that they receive to the CSN Data Book, artificially decreasing complaint totals for that state. The strength of state laws and their

enforcement may influence the number of collection complaints. Consumers may also be more likely to submit a complaint if state or local complaint recipients are more accessible, respond to complaints, or provide dispute resolution services.[52] Other factors could include the existence of a particularly aggressive local creditor or collector.
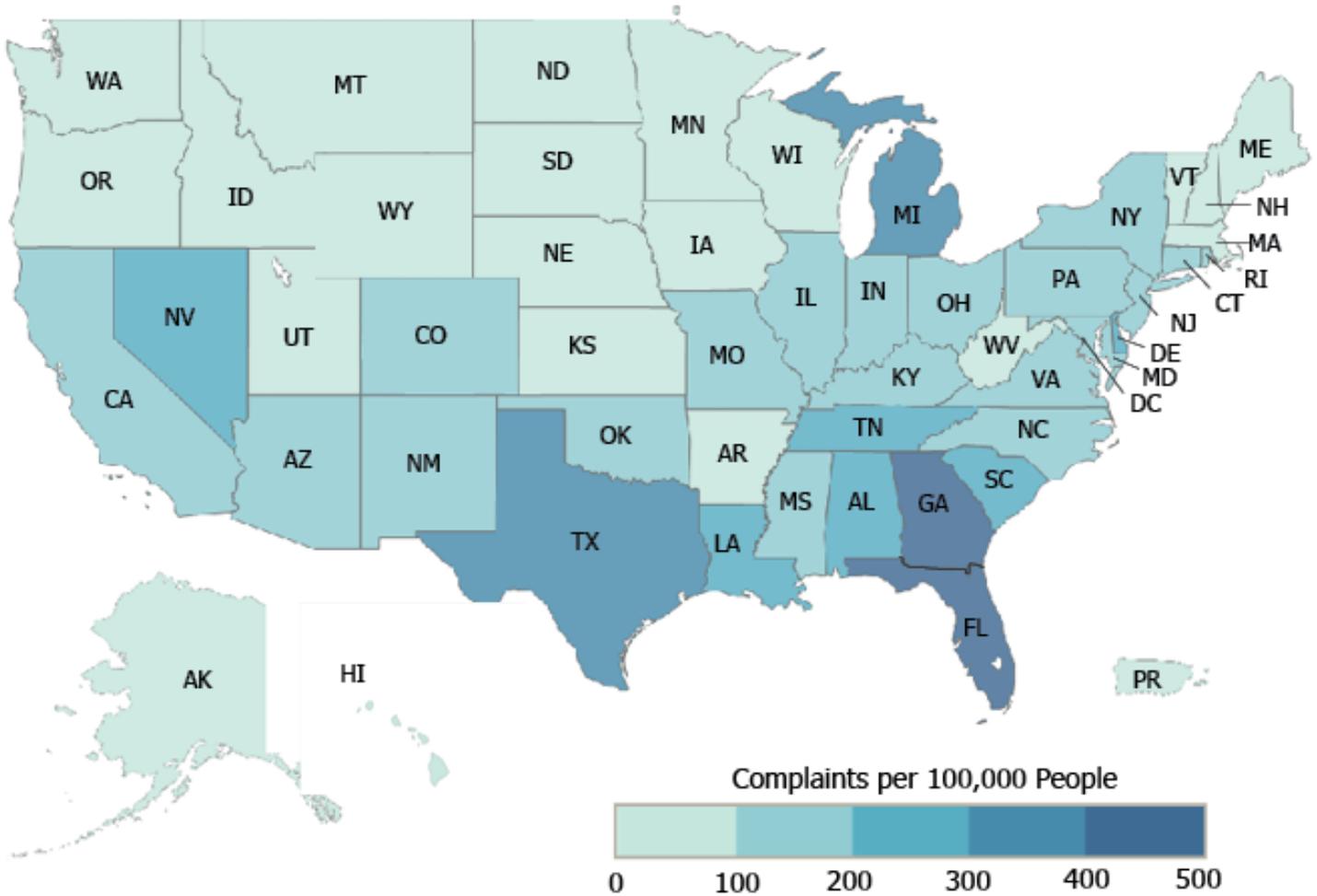

Complaints per 100,000 People

Source: Data about the number of CSN debt collection complaints reported in 2017 for all 50 states, Puerto Rico, and Washington D.C. was produced to NCLC by the FTC on May 29, 2018 in response to a FOIA request. Complaints per 100,000 people were calculated using 2017 population data from the U.S. Census Bureau and the number of debt collection complaints.

Abusive Communications Practices and False Representations were the Most Frequent Law Violations Reported

National Data

Many of the debt collection complaints compiled by the FTC include reported violations of core protections of the Fair Debt Collection Practices Act (FDCPA). Enacted in 1977, the FDCPA is the key federal protection against unfair, deceptive, and abusive debt collection. Among other things, the FDCPA prohibits collectors from contacting consumers who state in writing that they want communications to cease.[53] It prohibits collectors from making repeated calls with the intent to annoy, abuse, or harass the called party.[54] It broadly prohibits false, deceptive, or misleading collection tactics;[55] requires collectors to identify themselves as debt collectors;[56] and prohibits collectors from telling third parties about a debtor's debt.[57] Many of these prohibitions are also paralleled in state debt collection practices statutes.

More than one-third of consumers reported that the collector "Calls After Getting 'Stop Calling' Notice" (227,917) and "Calls Repeatedly" (210,238). Additionally, nearly one-third of consumers reported that the collector "Makes False Representation about Debt" (192,704). (See Table 3 on page 15.)

Data about the type of law violations reported by consumers is relevant to understanding consumer experiences with debt collection, which, in turn, is critical for the ongoing debt collection rulemaking process at the CFPB. For example, the data captured by the CSN highlights consumer frustration with excessive phone calls and with collectors' refusal to stop calling. The CFPB should address consumer concerns by limiting the number of phone calls to no more than one live conversation per week and requiring debt collectors to comply with oral requests to stop calling. More detailed recommendations are available at NCLC's debt collection rulemaking webpage.

TABLE 3
Law Violations Identified in Debt Collection Complaints[58]

TYPE OF LAW VIOLATION	PERCENT OF COMPLAINTS**	NUMBER OF COMPLAINTS
Calls After Getting 'Stop Calling' Notice	37%	227,917
Calls Repeatedly	34%	210,238
Makes False Representation about Debt	31%	192,704
Fails to Identify as Debt Collector	14%	84,364
Tells Someone Else About Consumer's Debt	6%	39,760
Falsely Threatens Illegal or Unintended Act	5%	31,519
Other	1%	3,638

Sources: Data about the number and types of law violations reported in 2017 to the CSN for debt collection complaints for all 50 states, Puerto Rico, and Washington D.C. was produced to the NCLC by the FTC on May 29, 2018 in response to a FOIA request. NCLC calculated the national totals.
** Percentages add up to more than 100 because at least some consumers could report multiple categories of law violations. This category shows the percent of debt collection that listed particular law violations (e.g. 227,917 / 620,800 * 100 = 37%). National and state fact sheets, calculate percentages of the total number of law violations.

State Data

When broken down by state, the pattern of reported violations is similar to the nationwide data. The top law violation reported in 39 states was "Calls After Getting 'Stop Calling' Notice," seven states reported "Makes False Representation about Debt" as the top violation, and five states reported "Calls Repeatedly" as the top law violation. (See state fact sheets for information about top law violations reported in individual states.)

Some Companies Received Thousands of Debt Collection Complaints

Nationally, the three companies receiving the most debt collection complaints were Enhanced Recovery Associates, Portfolio Recovery Associates, and Credit One Bank – each receiving more than 10,000 consumer complaints in 2017. Table 4 on page 16 shows the top 10 complaint recipients and Appendix B is a list of the top 50 complaint recipients in 2017.

Of the ten companies listed in Table 4, at least four have been the subject of FTC or CFPB enforcement actions in the past decade.[59] Additionally, all of these companies have been defendants in multiple cases for violations of the Telephone Consumer Protection Act (TCPA), indicating that these collectors are likely using autodialers (devices for placing large volumes of calls) to call consumers.[60]

TABLE 4
Top 10 Companies Named in Debt Collection Complaints in 2017

RANK	COMPANY NAME	COMPLAINTS
1	Enhanced Recovery Corporation / Enhanced Resources Center / ERC*	16,839
2	Portfolio Recovery Associates	12,237
3	Credit One Bank	11,750
4	Diversified Consultants	7,618
5	Comenity Bank	7,086
6	I. C. System, Inc.	7,051
7	Receivables Performance Management	6,804
8	Transworld Systems Inc.	6,122
9	Allied Interstate, LLC	5,797
10	Midland Credit Management	4,814

Source: Data produced to NCLC by the FTC on July 23, 2018 in response to a Freedom of Information Act request.
* Enhanced Recovery Corporation also does business as Enhanced Resource Centers and ERC. ERC, "Who is ERC?" The number of complaints in Table 4 is the sum of complaints for all three names, which are reported separately in Appendix B.

CSN data reported the company as "Unknown" in nearly 200,000 complaints in 2017. While some consumers may not have reported the company name even when they knew it, this data suggests that some actors are failing to comply with basic FDCPA identification requirements.[61] Indeed, Table 3 shows that "fails to identify as a debt collector" was the fourth most reported law violation in 2017.

Since 2008, the CSN has reported on the division of debt collection complaints using two sub-categories – creditor debt collection[62] and third party debt collection.[63] CSN data shows that the number of complaints about creditor debt collection was almost the same in 2017 as it was in 2008 while complaints against third party debt collectors increased more than 700% over the same period. (See Table 5.)

TABLE 5
FTC's Division of Consumer Sentinel Network Data Book Debt Collection Complaints between Third Party and Creditor Collections

YEAR	CREDITOR DEBT COLLECTIONS	THIRD PARTY DEBT COLLECTIONS
2008	26,598	78,838
2009	32,182	88,263
2010	32,825	112,255
2011	26,750	155,640
2012	23,197	178,009
2013	13,227	192,211
2014	1,343	279,674
2015	2,511	895,158
2016	2,146	856,952
2017	26,164	582,889

Source: Data comes from annual Consumer Sentinel Network Data Book reports. This table reflects the numbers as reported in the annual report for each year, not as subsequently revised in future reports.

For information about the top recipients of complaints in each state, see the state fact sheets.

RECOMMENDATIONS

The FTC should do more to make the debt collection complaint data that it collects annually in the CSN widely available.

- **Publish All Debt Collection Complaints.** The FTC should publish debt collection complaints received through the CSN. These should include consumer narratives, redacted as necessary to protect consumer privacy, and zip codes, and use a platform modeled on the current CFPB Complaint Database. This would make the data public to researchers and advocates outside of the government so that people could conduct their own analysis of the complaint data.
- **Report More Information about Debt Collection Complaints.** The FTC should also report more analysis of the debt collection data, either through the CSN Data Book or through a separate annual report focused on debt collection data. The additional analysis of the debt collection complaints should include:
  - the number of debt collection complaints per state;
  - the state rankings for debt collection complaints based on the number of complaints per capita;
  - the most common types of law violations alleged, including consideration of the types of law violations reported by older adults and military consumers;
  - the names of companies receiving the most complaints;
  - the metropolitan areas and regions where debt collection complaints are most common;
  - the number and breakdown of debt collection complaints by military consumers, including a breakdown by status, branch, and rank;
  - the number and breakdown of debt collection complaints by age (or age range) of the person who submitted the complaint;
  - an investigation of which communities submit a disproportionate number of debt collection complaints, including discussion of any evidence of racial disparities;
  - the number and breakdown of debt collection complaints that are identified as robocalls; and
  - historical analysis of how the above data points have changed over time.

The FTC should also take steps to improve collection of CSN debt collection complaint data.

- **Standardize Data Collection.** If different data sources collect different categories of complaint information, the FTC should promote standardization in data collection by

working with data sources to identify the categories of debt collection data that should be collected and adopting a list of standard categories for consumers to report.

- **Facilitate Complaints Via Apps.** Given the number of complaints submitted by PrivacyStar, the FTC should encourage other app developers to include FTC reporting as a function (using standard data collection categories). The FTC should also develop its own open source app for complaints that others could use as a model. Additionally, the FTC should also work with existing data contributors to ensure that their web forms are optimized for submissions of complaints via mobile phone.

- **Facilitate Complaints by Consumers with Limited English Proficiency**. The FTC should work with its data sources to encourage translating online complaint forms or apps into multiple languages.

- **Conduct Outreach in Communities that Are Underreporting.** The FTC should use its analysis of which communities are underreporting debt collection complaints to gather consumer complaints through listening sessions, meetings with local community members, and other methods designed to gather consumer complaints directly as well as better understand and address any barriers to filing complaints.

The FTC and others should use the CSN debt collection complaint data to guide enforcement and strengthen consumer protections against abusive debt collection.

- **Continue to Focus on Enforcement**. Given the large number of complaints about debt collection, the FTC – together with the CFPB and state enforcement agencies – should continue to prioritize enforcement actions against abusive debt collectors. The FTC and the CFPB should also work with the Federal Communications Commission (FCC) to enforce the TCPA, consumers' primary protection against unwanted robocalls to their cell phones, against collectors violating the TCPA.

- **Continue to Strengthen Consumer Protections.** The CFPB should adopt strong debt collection regulations, including a limit of no more than one live phone conversation per week and a requirement that debt collectors comply with oral requests to stop calling. States should continue to strengthen laws and procedures designed to curb abusive debt collection practices. The FCC should ensure that the TCPA remains a viable tool for addressing unwanted robocalls from debt collectors.

APPENDIX A
NUMBER OF DEBT COLLECTION COMPLAINTS
IN 2017 BY JURISDICTION

JURISDICTION	COMPLAINTS*	COMPLAINTS PER 100,000 PEOPLE**	RANK: COMPLAINTS PER CAPITA	SHARE WITH DEBT IN COLLECTIONS***
Alabama	11,959	245	6	40%
Alaska	165	22	49	32%
Arizona	9,429	134	22	36%
Arkansas	2,896	96	31	39%
California	69,615	176	14	29%
Colorado	5,671	101	30	29%
Connecticut	4,112	115	27	27%
Delaware	1,893	197	11	36%
District of Columbia	2,837	409	2	33%
Florida	99,897	476	1	38%
Georgia	42,532	408	3	40%
Hawaii	425	30	45	23%
Idaho	1,217	71	36	27%
Illinois	14,239	111	28	31%
Indiana	8,348	125	25	34%
Iowa	813	26	47	24%
Kansas	2,660	91	33	30%
Kentucky	5,138	115	26	40%
Louisiana	9,324	199	10	46%
Maine	1,100	82	35	29%
Maryland	10,500	173	15	32%
Massachusetts	6,304	92	32	23%
Michigan	36,998	371	4	33%
Minnesota	3,362	60	41	17%
Mississippi	4,138	139	19	40%
Missouri	10,599	173	16	35%
Montana	351	33	42	25%
Nebraska	597	31	44	20%
Nevada	6,687	223	7	41%
New Hampshire	950	71	37	22%
New Jersey	12,051	134	23	28%
New Mexico	3,373	162	17	40%
New York	20,614	104	29	25%

APPENDIX A (Continued)

JURISDICTION	COMPLAINTS*	COMPLAINTS PER 100,000 PEOPLE**	RANK: COMPLAINTS PER CAPITA	SHARE WITH DEBT IN COLLECTIONS***
North Carolina	13,366	130	24	39%
North Dakota	163	22	50	19%
Ohio	21,070	181	13	33%
Oklahoma	5,291	135	21	40%
Oregon	2,890	70	39	26%
Pennsylvania	19,026	149	18	30%
Puerto Rico	165	5	52	n/a
Rhode Island	1,953	184	12	28%
South Carolina	10,392	207	8	43%
South Dakota	230	26	46	18%
Tennessee	13,813	206	9	39%
Texas	97,225	343	5	44%
Utah	1,969	63	40	25%
Vermont	100	16	51	22%
Virginia	11,535	136	20	29%
Washington	6,133	83	34	23%
West Virginia	457	25	48	42%
Wisconsin	4,046	70	38	24%
Wyoming	182	31	43	27%
United States	620,800	191	Not applicable	33%

Sources:

 *Data about the number of Consumer Sentinel Network debt collection complaints reported in 2017 for all 50 states, Puerto Rico, and Washington D.C. was produced to NCLC by the FTC on May 29, 2018 in response to a FOIA request.

 **Complaints per 100,000 people were calculated using 2017 population data from the U.S. Census Bureau and the number of debt collection complaints.

 ***Urban Institute, Debt in America: An Interactive Map (Dec. 6, 2017).

APPENDIX B
COMPANIES WITH THE MOST
DEBT COLLECTION COMPLAINTS IN 2017

RANK	COMPANY NAME	COMPLAINTS
1	Enhanced Recovery Corporation	13,354
2	Portfolio Recovery Associates	12,237
3	Credit One Bank	11,750
4	Diversified Consultants	7,618
5	Comenity Bank	7,086
6	I. C. System, Inc.	7,051
7	Receivables Performance Management	6,804
8	Transworld Systems Inc.	6,122
9	Allied Interstate, LLC	5,797
10	Midland Credit Management	4,814
11	Convergent Outsourcing, Inc.	4,282
12	Capital One Bank	3,939
13	Medicredit	3,641
14	Credit Collection Services	3,587
15	Navient Corporation	3,402
16	Chase Bank	3,335
17	Credit Acceptance	2,961
18	Citibank	2,780
19	Credit Management Services	2,646
20	ACE Cash Express	2,585
21	Fingerhut	2,565
22	Synchrony Bank	2,448
23	Quicken Loans	2,375
24	The CCS Companies	2,142
25	Wells Fargo Bank	2,080
26	Enhanced Resource Centers	1,977
27	EOS CCA	1,975
28	Afni Inc.	1,967
29	Southwest Credit Systems LP	1,843
30	Central Credit Services, LLC	1,832
31	EGS Financial Care, Inc.	1,788
32	National Credit Adjusters	1,718
33	Wal-Mart	1,592
34	Conns Home Plus	1,541
35	ERC	1,508

RANK	COMPANY NAME	COMPLAINTS
36	Progressive Leasing	1,500
37	Hunter Warfield	1,484
38	Credence Resource Management, LLC	1,458
39	Aargon Agency, Inc.	1,375
40	Enterprise Recovery Systems, Inc.	1,303
41	PayPal Holdings, Inc.	1,289
42	CBE Group Inc.	1,273
43	Commonwealth Financial Systems, Inc.	1,266
44	Santander Bank	1,254
45	Rent-A-Center	1,220
46	Ad Astra Recovery Service Inc.	1,170
47	Contract Callers Inc.	1,153
48	American Medical Collection	1,150
49	CashNetUSA	1,075
50	MyRentToOwn	1,048

Source: Data produced to NCLC by the FTC on July 23, 2018 in response to a Freedom of Information Act request.

ENDNOTES

[1] Hannah Hassani and Signe-Mary McKernan, 71 million US adults have debt in collections (Urban Institute, July 19, 2018) available at: www.urban.org/urban-wire/71-million-us-adults-have-debt-collections.

[2] Robert Hunt, "Understanding the Model: The Life Cycle of a Debt," presented at FTC-CFPB Roundtable "Life of a Debt: Data Integrity in Debt Collection", 10 (June 6, 2013) available at: www.ftc.gov/sites/default/files/documents/public_events/life-debt-data-integrity-debt-collection/understandingthemodel.pdf.

[3] Chris Albin-Lackey, *Rubber Stamp Justice: US Courts, Debt Buying Corporations, and the Poor*, 11 (Human Rights Watch, Jan. 2016) available at: www.hrw.org/report/2016/01/20/rubber-stamp-justice/us-courts-debt-buying-corporations-and-poor#.

[4] See, e.g., Consumer Fin. Protection Bur., *Annual Report 2018: Fair Debt Collection Practices Act*, 1 (Mar. 2018) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/cfpb_fdcpa_annual-report-congress_03-2018.pdf. FTC data is discussed, *infra*.

[5] Consumer Fin. Protection Bur., *Consumer Experiences with Debt Collection: Findings from the CFPB's Survey of Consumer Views on Debt* (Jan. 2017) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/201701_cfpb_Debt-Collection-Survey-Report.pdf.

[6] *Id.* at 5, 46.

[7] For more information, see National Consumer Law Center, *Fair Debt Collection*, 1.3.1.5 (9th ed. 2018) available at: library.nclc.org/fdc/01030105.

[8] Consumer Fin. Protection Bur., *Consumer Experiences with Debt Collection: Findings from the CFPB's Survey of Consumer Views on Debt* 17-18 (Jan. 2017) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/201701_cfpb_Debt-Collection-Survey-Report.pdf (44% of non-white respondents were contacted about a debt in collection, compared to 29% of white respondents and 39% of Hispanic respondents were contacted about a debt in collection, compared to 31% of non-Hispanic respondents).

[9] Peter A. Holland, *Junk Justice: A Statistical Analysis of 4,400 Lawsuits Filed by Debt Buyers*, 26 Loyola L. Rev. 179, 218 (Mar. 2014) (reporting that "[d]ebt buyers sued disproportionately in jurisdictions with larger concentrations of poor people and racial minorities. For example, Prince George's County has only 15% of the [sic] Maryland's population, yet 23% of all debt buyer complaints were filed against Prince George's County residents."); Richard M. Hynes, *Broke but Not Bankrupt: Consumer Debt Collection in State Courts*, 60 Fla. L. Rev. 1, 3 (2008) (concluding that "civil litigation is disproportionately concentrated in cities and counties with lower median income and homeownership rates; higher incidences of poverty and crime; and higher concentrations of relatively young and minority residents").

[10] The Legal Aid Society, et al., *Debt Deception: How Debt Buyers Abuse the Legal System to Prey on Lower-Income New Yorkers*, 1-2 (May 2010) available at: mobilizationforjustice.org/wp-content/uploads/reports/DEBT-DECEPTION.pdf (reporting that, in a sample of 451 legal hotline calls, 66% of debt collection cases against black and Latino clients were "clearly meritless," as compared to 35% of all cases).

[11] See, e.g., Mary Spector and Ann Baddour, "Collection Texas-Style: An Analysis of Consumer Collection Practices in and out of the Courts," 67 Hastings Law Journal 1427, 1458 (June 2016) (finding "a somewhat higher likelihood of default judgments in precincts with a higher non-White population"); Annie Waldman & Paul Kiel, *ProPublica*, "Racial Disparity in Debt Collection Lawsuits: A Study of Three Metro Areas," 22 (Oct. 8, 2015) available at: static.propublica.org/projects/race-and-debt/assets/pdf/ProPublica-garnishments-whitepaper.pdf ("Data from St. Louis indicated that suits against residents of majority black census tracts were more likely to result in default judgments or consent judgments and residents of majority black census tracts were less likely to be represented by an attorney when they were sued.")

[12] Annie Waldman & Paul Kiel, *ProPublica*, "Racial Disparity in Debt Collection Lawsuits: A Study of Three Metro Areas," 1 (Oct. 8, 2015) available at: static.propublica.org/projects/race-and-debt/assets/pdf/ProPublica-garnishments-whitepaper.pdf (analysis of collection actions in St. Louis, Chicago, and Newark found that the risk of judgment was twice as high in majority black census tracts compared to majority white census tracts, holding income constant).

[13] *Id*. (reporting that in St. Louis, holding income constant, defendants living in majority black census tracks were twenty percent more likely to be subject to garnishment proceedings after obtaining a judgment).

[14] Paul Kiel and Hannah Fresques, *ProPublica*, "Data Analysis: Bankruptcy and Race in America," 11 (Sept. 27, 2017) available at: static.propublica.org/projects/bankruptcy-methodology/BankruptcyAndRaceInAmerica.pdf (reporting that a study of national bankruptcy data found that "for debtors living in black areas, the odds of having a case dismissed [failing to achieve a bankruptcy discharge] were about twice as high as those of debtors living in white areas, controlling for the court district where the case was filed, income, and other financial characteristics of the debtor.").

[15] Devesh Raval, Fed. Trade Comm'n, *Which Communities Complain to Policymakers? Evidence from Consumer Sentinel*, 20 (July 2018) available at: www.ftc.gov/system/files/documents/reports/which-communities-complain-policymakers-evidence-consumer-sentinel/working_paper_336.pdf.

[16] *Id*. at 22.

[17] For more information, see National Consumer Law Center, *Fair Debt Collection*, 1.3.1.8 (9ᵗʰ ed. 2018) available at: library.nclc.org/fdc/01030108.

[18] Consumer Fin. Protection Bur., *Consumer Experiences with Debt Collection: Findings from the CFPB's Survey of Consumer Views on Debt*, 46 n.34 (Jan. 2017) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/201701_cfpb_Debt-Collection-Survey-Report.pdf (the CFPB did not release the data for responses to the question "Is English your preferred language?").

[19] FTC Conference, Debt Collection & the Latino Community Roundtable (Oct. 9, 2014) available at: www.ftc.gov/news-events/events-calendar/2014/10/debtcollection-latino-community-roundtable.

[20] Consumer Fin. Protection Bur., Consent Order, In the Matter of American Express Centurion Bank and American Express Bank, FSB (Aug. 23, 2017) (respondents did not make the same collection offers available to customers with Spanish language preferences that they did to consumers who did not express a Spanish language preference).

[21] FTC v. Centro Natural Corp., No. 14-23879-CIV (S.D. Fl. Oct. 20, 2014) ($1.5 million judgment against an abusive debt collection operation that targeted Spanish and English speakers, along with a complete ban on debt collection activity and other injunctive relief); FTC v. Rincon Mgmt. Services, L.L.C., No. 5:11-cv-01623-VAP-SP (C.D. Cal. Mar. 26, 2014) (monetary judgment of over $23 million against an abusive debt collection operation that targeted Spanish and English speakers, along with a complete ban on debt collection activity and other injunctive relief); FTC v. RTB Enterprises, Inc., No. 4:14-cv-01691 (S.D. Tex. June 19, 2014) (monetary judgment of $4 million against abusive Texas-based debt collector that targeted Spanish and English speakers).

[22] For more information, see National Consumer Law Center, *Fair Debt Collection,* 1.3.1.6 (9ᵗʰ ed. 2018) available at: library.nclc.org/fdc/01030106.

[23] Fed. Reserve Bd., 2016 Survey of Consumer Finances Chartbook, 837 *(Sept. 20, 2017)* available at: https://www.federalreserve.gov/econres/files/BulletinCharts.pdf (49.8% of families headed by someone aged 75 or older were in debt in 2016 compared to 21% in 1989. 70.1% of families headed by someone 65–74 were in debt in 2016 compared to 49.6% in 1989).

[24] Meta Brown, Fed. Reserve Bank of N.Y.,*The Graying of American Debt*, 10 *(*Feb. 12, 2016) available at: www.newyorkfed.org/medialibrary/media/newsevents/mediaadvisory/2016/Graying-of-American-Debt-02122016.pdf (reporting that from 2003 to 2015, the amount of real per capita debt at age sixty-five increased over eight-fold (886%) for student loans, 47% for debt secured by a home, and 29% for auto loans, while staying the same for credit card debt).

[25] Consumer Fin. Protection Bur., *Monthly Complaint Report,* Vol. 23, 6 (May 2017) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/201705_cfpb_Monthly_Complaint_Report.pdf (showing 26,452 total complaints about mortgages and 25,561 total complaints about debt collection filed by those 62 or older).

[26] Consumer Fin. Protection Bur., *Consumer Experiences with Debt Collection: Findings from the CFPB's Survey of Consumer Views on Debt*, 25 (Jan. 2017) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/201701_cfpb_Debt-Collection-Survey-Report.pdf .

[27] Center for Elder Rights Advocacy, *Senior Legal Helplines Annual Report 2017*, 8 (Oct. 2018) available at: legalhotlines.org/resource/2017-senior-legal-helplines-annual-report/.

[28] For more information, see National Consumer Law Center, *Fair Debt Collection,* 1.3.1.7 (9th ed. 2018) available at: library.nclc.org/fdc/01030107.

[29] Holly Petraeus, Consumer Fin. Protection Bur., "Are unpaid debts a military career-killer?" (Jan. 9, 2015) available at: www.consumerfinance.gov/about-us/blog/are-unpaid-debts-a-military-career-killer/.

[30] Written Testimony of Holly Petraeus before the Senate Committee on Banking, Housing and Urban Affairs (Jun. 26, 2012) available at: www.consumerfinance.gov/about-us/newsroom/written-testimony-of-holly-petraeus-before-the-senate-committee-on-banking-housing-and-urban-affairs/.

[31] Consumer Fin. Protection Bur., *50 State Snapshot of Servicemember Complaints: A Nationwide Look at Complaints*, 2 (Oct. 2017) available at: https://s3.amazonaws.com/files.consumerfinance.gov/f/documents/cfpb_monthly-complaint-report_50-state-snapshot-servicemembers_102017.pdf (39% of complaints by servicemembers, veterans, and their families are about debt collection, compared to 26% of complaints from non-servicemembers).

[32] Fed. Trade Comm'n, *Consumer Sentinel Network: Data Book 2017*, 18 (Mar. 2018) available at: www.ftc.gov/system/files/documents/reports/consumer-sentinel-network-data-book-2017/consumer_sentinel_data_book_2017.pdf

[33] Fed. Trade Comm'n, *Consumer Sentinel Network: Data Book 2008*, 3 (Feb. 2009), available at: www.ftc.gov/sites/default/files/documents/reports_annual/sentinel-cy-2008/sentinel-cy2008.pdf.

[34] *Id.*

[35] *Id.* (noting that the 2008 CSN Data Book was the first annual report that analyzed complaints about "credit reports, debt collection, mortgages, and lending").

[36] Fed. Trade Comm'n, *Consumer Sentinel Network: Data Book 2017*, 1 (March 2018) available at: www.ftc.gov/system/files/documents/reports/consumer-sentinel-network-data-book-2017/consumer_sentinel_data_book_2017.pdf.

[37] *Id.* at 85-87

[38] *See* PrivacyStar's website available at: privacystar.com.

[39] *Annual Consumer Sentinel Network Data Book reports* available at www.ftc.gov/enforcement/consumer-sentinel-network/reports.

[40] Debt collection was the second most reported complaint category from 2008-2014. In 2015, debt collection moved to the top complaint category. Annual *Consumer Sentinel Network Data Book reports* available at www.ftc.gov/enforcement/consumer-sentinel-network/reports.

[41] Telephone Interview with Monica E. Vaca, Fed. Trade Comm'n, Bureau of Consumer Protection (June 6, 2018) (noting that consumers can report multiple law violations).

[42] Fed. Trade Comm'n, *Consumer Sentinel Network: Data Book 2017*, 6 (Mar. 2018) available at: www.ftc.gov/system/files/documents/reports/consumer-sentinel-network-data-book-2017/consumer_sentinel_data_book_2017.pdf (noting that 22.74% of complaints were about debt collection).

[43] The FTC received additional complaints between publication of the 2017 Data Book in March 2018 and the production of data in response to NCLC's Freedom of Information Act request in May 2018. See Fed. Trade Comm'n, *Data Guide* (October 2018) available at: public.tableau.com/profile/federal.trade.commission#!/vizhome/Data_Guide_0/Guide ("Numbers will change over time… Some data contributors transfer their complaints to Sentinel after the end of the calendar year, and new data providers often contribute reports from prior years."). As a result, the total number of 2017 complaints is higher here than in the 2017 Data Book (608,535).

[44] *See* PrivacyStar's website available at: privacystar.com.

[45] Fed. Trade Comm'n, "FTC Releases Annual Summary of Consumer Complaints

Debt Collection, Identity Theft, and Imposter Scams Remain Top Categories of Complaints Received by FTC in 2015" (Mar. 1, 2016) available at www.ftc.gov/news-events/press-releases/2016/03/ftc-releases-annual-summary-consumer-complaints.

[46] Fed. Trade Comm'n, "FTC Releases Annual Summary of Complaints Reported by Consumers" (Mar. 1, 2018) available at: www.ftc.gov/news-events/press-releases/2018/03/ftc-releases-annual-summary-complaints-reported-consumers.

[47] Cellular Telecommunications Industry Association, Consumer Resources: How to Stop Robocalls available at: www.ctia.org/consumer-resources/how-to-stop-robocalls.

[48] Hannah Hassani and Signe-Mary McKernan, 71 million US adults have debt in collections (Urban Institute, July 19, 2018) available at: www.urban.org/urban-wire/71-million-us-adults-have-debt-collections.

[49] Consumer Fin. Protection Bur., *Consumer Experiences with Debt Collection: Findings from the CFPB's Survey of Consumer Views on Debt*, 5, 49 (Jan. 2017) available at: s3.amazonaws.com/files.consumerfinance.gov/f/documents/201701_cfpb_Debt-Collection-Survey-Report.pdf.

[50] Fed. Trade Comm'n, *Annual Report 2011: Fair Debt Collection Practices Act*, 2-3 (Mar. 2011) available at: www.ftc.gov/sites/default/files/documents/reports/federal-trade-commission-annual-report-2011-fair-debt-collection-practices-act/110321fairdebtcollectreport.pdf.

[51] Some organizations, such as the CFPB, have capacity to collect complaints in other languages. *See* Consumer Fin. Protection Bur., CFPB in your language, available at: www.consumerfinance.gov/language/ ("Help is available in more than 180 languages when you call (855) 411-2372.").

[52] The CFPB's complaint website, available at: www.consumerfinance.gov/complaint/, notes that "[w]e help consumers connect with financial companies to understand issues, fix errors, and get direct responses about problems. When you submit a complaint we work to get you a response—most companies respond to complaints within 15 days."

Although consumers around the country can file complaints with the CFPB, many may still be more familiar with state or local entities. See Fred O. Williams, "Poll: Few aware of embattled consumer watchdog" (*CreditCards.com* Mar. 1, 2017) available at: www.creditcards.com/credit-card-news/cfpb-consumer-watchdog-poll.php.

[53] 15 U.S.C. § 1692c(c).

[54] 15 U.S.C. § 1692d(5).

[55] 15 U.S.C. § 1692e.

[56] 15 U.S.C. § 1692e(11).

[57] 15 U.S.C. §§ 1692b(2), 1692c(b).

[58] This list excludes the 127,484 violations for "TSR: Making a recorded sales pitch." TSR stands for "Telemarketing Sales Rule." Fed. Trade Comm'n, Consumer Sentinel Codes, (January 2018) available at: www.ftc.gov/system/files/documents/foia_requests/csn_psc-statute-violation_map-27jan2017.xlsx (showing that all "TSR" violations are coded under the "Telemarketing Sales Rule" statute). The Telemarketing Sales Rules does not cover debt collectors. 16 C.F.R. § 310.2(ff). The total also excludes complaints that did not specify a category of law violation or where the law violation was specified as "other" and described in a field that the FTC did not produce in response to NCLC's FOIA request.

[59] Consumer Fin. Protection Bur., Consent Order, In the Matter of Transworld Systems, Inc. (Sept. 18, 2017); Consumer Fin. Protection Bur., Consent Order, In the Matter of Encore Capital Group, Inc., Midland Funding, LLC, Midland Credit Management, Inc. and Asset Acceptance Capital Corp. (Sept. 9, 2015); Consumer Fin. Protection Bur., Consent Order, In the Matter of Portfolio Recovery Associates, LLC (Sept. 9, 2015); United States v. Allied Interstate, Inc. 10-cv-4295 (D. Minn).

[60] In the past six years, 46 out of these top 50 complaint recipients listed in Appendix B have been sued in cases involving autodialers (devices for placing large volumes of calls), indicating that these collectors may be violating the Telephone Consumer Protection Act. Search methodology consisted of a Boolean search on Westlaw within the "dockets" section. For each search, the company was listed as the party and the key search terms were: "T.C.P.A. auto-dial! (47 +3 227) 'Telephone Consumer Protection Act."

[61] 15 U.S.C. §§1692d(6), e(11).

[62] The FTC defines "creditor debt collection" as "[c]omplaints about the debt collection practices of an original creditor. A creditor debt collector is a company that extended credit (be it a loan, credit card, services, etc) and is now attempting to collect on a delinquent account." Fed. Trade Comm'n, Consumer Sentinel Product Code Descriptions (Oct. 2018) available at: www.ftc.gov/system/files/attachments/data-sets/csn_psc_full_descriptions_1018.pdf.

[63] The FTC defines "third party debt collection" as "[c]omplaints about debt collection practices by a third party company. A third party debt collector is someone who regularly collects debts owed to others. This includes collection agencies, lawyers who collect debts on a regular basis, and companies that buy delinquent debts and then try to collect them." *Id.*