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NEWS RELEASE

FOR IMMEDIATE RELEASE

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Debt Collectors May Now Contact Consumers by E-mail, Text, and Social Media

Boise, Idaho... The Department of finance is advising Idaho consumers that debt collectors may now use non-traditional avenues to communicate with consumers when attempting to collect a debt. These avenues may include friend requests and private messages on social media channels including Facebook, text messages, and e-mail. This change is part of a new rule under the Fair Debt Collection Practices Act (FDCPA) approved by the Consumer Financial Protection Bureau that went into effect on November 30, 2021. The Rule applies to attempts to communicate, communications, and other conduct by debt collectors occurring on or after that date, regardless of when the underlying debt was incurred. These changes to the FDCPA represent the first updates to the Act in more than 40 years.

Although some consumers may prefer to communicate through more modern channels, others may encounter difficulty distinguishing between a legitimate and a fraudulent or otherwise unauthorized collection attempt. A general understanding of how and when a collection attempt is valid helps build financial stability and protect individual privacy.

The new Rule clarifies the parameters a collector must follow when contacting consumers. Among other conditions, debt collectors initiating contact via social media are required to clearly identify themselves, only send private messages that are not publicly visible or visible to the recipients' social media contacts and offer an opt-out option for receiving further messages when reaching out through social media, email, or texts. A debt collector is restricted to placing seven outbound calls within seven days per account in collection and calls which go to voicemail are considered contact by phone.

To avoid falling victim to a collection scam or engaging with an unlicensed third-party debt collector consumers should take the following precautions:

- ✓ Scrutinize any debt collection communication received.
- ✓ Avoid clicking on unknown links and never disclose private personal or financial information to unknown entities or individuals.
- ✓ Verify a third-party debt collector is licensed to do business in Idaho by visiting the Department webpage finance.idaho.gov. Idahoans solicited by an unlicensed debt collector are encouraged to file a complaint and may do so on the Department website.

- ✓ Be wary of anyone who wants you to repay a debt you do not recognize. Confirm the debt is legitimate and belongs to you by requesting debt validation documents in writing as set forth in the FDCPA 15 USC 1692g.

Consumers can obtain information about financial firms, professionals, or products, as well as view more Department press releases and other information on the Internet at <http://finance.idaho.gov> or by contacting the Department at (208) 332-8000 or Idaho toll-free at 1-888-346-3378.