



# Fairway Collection Notes

FAIRWAY COLLECTIONS

*Recovery, Reputation, Relationships*

SERVING WASHINGTON & OREGON

Volume 9, Issue 8

September, 2011

## A contact primer: who, when, and why?

Fairway's clients frequently ask us why we haven't spoken to certain parties regarding accounts. Often the reason is, as much as we'd like to contact that person, Federal and state law forbid it. The following is a review of who, when, and how often we can speak to a consumer, as defined by the Fair Debt Collection Practices Act and the Washington Collection Act:

- For our purposes here a consumer is a person who is financially responsible for a consumer debt. Business debts are not covered by the FDCPA, nor are corporations. Co-signers are included in this definition.
- We may only discuss the existence of a debt with the consumer or the consumer's spouse. If the consumer is a minor we may speak to the consumer's parents. If the consumer is represented by an attorney we may only communicate with the attorney.
- The consumer has the right to ask Fairway to cease communicating with them regarding a debt. When we receive a "cease" request the collector may communicate once to let the consumer know that we have received the request and to describe what steps we may take in collecting the debt, usually a review for legal action. No further phone calls or written notices may be made on the account.
- Fairway may not disclose the existence or nature of a debt to any other third parties. We may contact third parties to seek "location information:" the consumer's address, phone number, and place of employment. Our collector may only contact an individual third party once, unless they believe the information they were given was wrong or incomplete. In order to protect the consumer's privacy we do not identify ourselves unless the third party asks for the caller's identity.
- The FTC recently proposed new rules for the FDCPA that clarify our communication with a deceased consumer's estate. We may only discuss the debt with the estate's legal representative, usually the executor or attorney. Fairway is allowed to file a claim with the estate. We may not contact family members directly unless they are financially responsible for the debt owed.
- We may not communicate with a consumer in a fashion that risks third party disclosure. Therefore we cannot send notices on postcards or place our company name on the outside of envelopes.
- Risk of third party disclosure also limits our use of fax, e-mail, text messages, and voice-mail. We attempt to gain the consumer's express permission to use these means of communication.
- We cannot communicate in a fashion that incurs a charge...no collect calls.

You may readily see how these rules restrict our collection activities on your behalf. Fairway prides itself on maintaining compliance, while using positive techniques to maximize collections. As always, give us a call at 1-800-404-5887 if you have questions about collection law or about your accounts.

**Are you pleased with our professional debt collection services? We appreciate you sharing the Fairway experience with other businesses.** Referrals that mention your name will earn you a \$25 gift certificate from a restaurant near you! Limitations apply; ask for details.

# Fairway Collections

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Suite 101  
Centralia, WA 98531

(800) 404-5887 toll-free  
(360) 330-5887 Centralia  
(360) 425-1611 Longview  
(360) 330-5787 or (800) 493-1852 fax

## *Why Fairway Collections?*

We recognize you have many choices in debt collection agencies and we appreciate the faith you place in us. Fairway is committed to always treating your customer firmly but with the respect that you expect and that they deserve. We promise to always behave ethically and legally with our clients, our staff, and your customers. The **Fairway Difference** is our constant search for industry best practices, coupled with our desire to put those practices to work on your behalf. Put us to the test; if you are not satisfied, call Leila at 1-800-404-5887.

### Important E-mail addresses

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### Bonus Collection Ideas

**We've been studying social media lately, hoping to become more social, or at least find new ways to communicate with our favorite people...our clients. Would you like Fairway Collection Notes delivered by Facebook or Twitter? Let us know via e-mail, at [editor@fairwaycollects.com](mailto:editor@fairwaycollects.com).**

**Meanwhile, remember you can always view our newsletter at the Fairway website, [www.fairwaycollects.com](http://www.fairwaycollects.com)!**

## The September edition of *News You Can Use*

- The vine maple along I-5 makes the editor believe summer is almost over. Nuts. Fortunately, September is usually a great month! How will you use this weather bonus time?
- We enjoyed dueling headlines on MSNBC today...according to a study watching an hour of TV reduces your life expectancy by 22 minutes, while another study suggests that 15 minutes of moderate exercise every day can extend your life expectancy by up to 3 years. The former study blames the effect on a lack of activity. Choices can be difficult...maybe I ought to go for a walk tonight.
- Meanwhile, how do you recharge your batteries in the middle of the work day? Do you take a short walk? Or drink an extra cup of coffee? The Wall Street Journal says the walk works best, especially if the walk incorporates enjoying nature. A stroll down Main Street, not so much. Traffic taxes the same parts of your brain that office tasks exhaust, while birds and trees give your brain a break.
- Fall brings the start of school and of college...here's hoping you have those #2 pencils sharpened. Having spent much money on textbooks we are amazed at new trends: electronic textbooks on the Kindle or Nook and textbook rentals. Either would have been great back in the day!
- Fall leaves, high school football and marching bands, and that first evening that makes you look for a sweater and a bowl of soup...hope you have a great month!

### They said it

I am not afraid of storms, for I am learning how to sail my ship. Louisa May Alcott

It's amazing that the amount of news that happens in the world every day always just exactly fits the newspaper. Jerry Seinfeld

The highest manifestation of life consists in this: that a being governs its own actions. A thing which is always subject to the direction of another is somewhat of a dead thing. Thomas Aquinas

The best time to plant an oak tree was twenty-five years ago. The second best time is today. James Carville