

Mr. M is an eighty-two (82) year old U.S. citizen who supports himself solely through Social Security and Supplemental Security payments of less than \$800 a month.

The law prohibits debt collectors from attempting to seize these support payments. This did not stop United Collection Bureau, Inc. from contacting Mr. M last May and claiming that he had to pay over \$3,000 for a debt that it said was more than seven (7) years old. The company made these assertions after it had reviewed Mr. M's record and knew that he had a clean credit history. When Mr. M, who speaks only Spanish, telephoned United Collection about the purported debt, he was threatened with deportation to the country where he was born.

Now, Mr. M is fighting back. Represented by Manhattan Legal Services and Dewey & LeBoeuf LLP, Mr. M has filed an action in federal court against United Collection for violating the Fair Debt Collection Practices Act, the New York Consumer Protection Act, and for making fraudulent misrepresentations. In recent years, over seventy (70) lawsuits have been brought against United Collection for coercive and unfair debt collection practices against people like Mr. M.

Long established public policies protect forms of government assistance such as Social Security and Supplemental Security Income from collection by debt collectors in order to prevent elderly, disabled and low-income individuals from falling further into poverty. Under the Fair Debt Collection Practices Act and the New York Consumer Protection Act, third-party debt collectors are prohibited from employing unfair and oppressive collection tactics. The Federal Trade Commission ("FTC") nevertheless records more complaints against debt collectors than any other industry – more than 69,000 were reported last year alone. In the last year and a half, the FTC has obtained a series of injunctions to prevent a large debt collector from securing payments from consumers based on fictitious debts.

According to Chaumtoli Huq of Manhattan Legal Services, "too frequently people with low or no-income, or who are Limited English Proficient, such as Mr. M, are exploited by those in a perceived position of power. Having experienced the worst, they often fold under the pressure, believing it to be the best alternative – regardless of their actual liability or the illegality of the threats." Added Brian A. Burns of Dewey & LeBoeuf, "because many elderly consumers like Mr. M lack information about their rights, they are susceptible to abusive threats by debt collectors and feel compelled to make payments, even if the claimed 'debt' never existed in the first place." Manhattan Legal Services and Dewey & LeBoeuf LLP are committed to ending the coercive tactics of debt collectors in contravention of law.

ABOUT MANHATTAN LEGAL SERVICES

Manhattan Legal Services is part of the Legal Services NYC network of not-for-profit legal services programs that provide high quality free legal assistance in civil matters to low-income New Yorkers in the areas that matter most to our clients and their communities: family, housing, benefits, consumer, health, employment, economic development, and education law. The Manhattan Legal Services attorneys representing Mr. M in this lawsuit are Chaumtoli Huq, Director of Litigation, and Dan Pepitone, Staff Attorney.

ABOUT LEGAL SERVICES NYC

Legal Services NYC is a coordinated network of programs throughout New York City that offers free civil legal services to people who have nowhere else to turn. With almost 200 attorneys working out of nineteen offices in all five boroughs, Legal Services NYC provides free help on cases involving housing, family, domestic violence, public benefits, income tax, employment, education, consumer rights and economic development. Legal Services NYC programs include Bedford-Stuyvesant Community Legal Services, Brooklyn Legal Services Corporation A, Legal Services NYC-Bronx, Legal Services NYC- Brooklyn Branch, Staten Island Legal Services, the Legal Services NYC Legal Support Unit, Queens Legal Services, South Brooklyn Legal Services and Manhattan Legal Services. Funding for the Legal Services NYC programs comes from the Legal Services Corporation, grants from the city, the state and federal agencies, private foundations, United Way of New York City, the New York State Interest on Lawyers Account Fund and private donations.

Attorneys from Dewey & LeBoeuf LLP are John M. Nonna, Brian A. Burns, and Autumn C. Katz.