



It is the goal of Unified Collection Network, LLC (UCN) to offer our clients access to our collection agency members who exemplify professionalism, knowledge, and skill in their area of expertise. It is for this reason, that we require our network members, and any collection representative under their employ, who will directly or indirectly work accounts provided through UCN to take our FDCPA test.

A 100% is required in order to keep your seat license active. You may take the test as many times as necessary to get this score, and you may look up your answers through a variety of resources, but you must pass this test to carry on.

The questions may seem easy. They are very basic, common sense questions for this industry. In the True (T) and False (F) section, if a statement is partially false, then consider the entire statement false.

Although UCN is not a collection agency, and each individual agency is liable for their own actions, UCN considers FDCPA Compliance Issues a matter of considerable importance, as violations may adversely affect the clients who place business through our network, which, in turn, will adversely affect each and every agency owner who belongs to this network. All phone calls are recorded, and any evidence that proves clear, obvious, intentional violations of the FDCPA will be dealt with as immediate discharge from UCN network of agencies.

Please acknowledge that you are completely aware of this by signing and dating below, and then continue to the next page to complete the attached test.

Agency _____

Date _____

Owner _____

Collection Representative

Taking this test (if different from page 1) _____

Note: this test assumes that you are a debt collector, not a licensed attorney.

Most answers are going to be True or False, but there are some multiple choice answers. If you have a question, feel free to ask in order to get the answer correct.

1. _____ You may imply that you are an attorney, as long as you don't actually state that you are an attorney.
2. _____ You are not required to send an initial demand notice with the 30 day validation notice if you make contact with a debtor who does not dispute the debt.
3. _____ It is an FDCPA violation to cause a telephone to ring or engage a person in telephone conversation repeatedly or continuously with the intent to annoy the person at that number.
4. _____ In order to save money on postage, you may send debtors communications on post cards, as long as "Personal and Confidential" is stamped somewhere on the card.
5. _____ In the event that a debtor has multiple accounts on file, the debt collector is solely responsible for making the decision as to which of the debtor's accounts gets paid first, based on the amount of the debt, and the length of time the account has been delinquent, regardless of the debtor's requests on the matter.
6. _____ Post-dated checks cannot be solicited, suggested, requested, or demanded in the state of Massachusetts.
7. _____ In the event that a debtor uses profane language, you should thoroughly document the debtor's exact words in the notes in order to be more thorough.
8. _____ In the event that a debtor uses profane language, you should give it back to them just as good as they are giving it, but only if they use profane language first.
9. _____ For the more difficult debtors, it is ok for debt collectors to identify themselves as a government official of some kind in order to gain control of the conversation and create a sense of urgency.
10. _____ In some situations, it is acceptable to threaten action that you do not intend to take, if it will get a debtor to pay the debt.
11. _____ It is necessary to send a "Notice of Intent to Deposit" letter in writing or contact a debtor by phone as a reminder within five (5) days of depositing their post-dated check, in the event that the check in question is dated at least five (5) or more days into the future.

12. _____ The mini-miranda MUST be recited on all communications with a debtor.
13. _____ You may ignore debtor requests to halt payments that they have previously authorized if they refuse to make new arrangements.
14. _____ You may call a debtor at the debtor's place of employment in the state of Florida prior to obtaining a judgment.
15. _____ Wage attachment is option in every state once a judgment has been obtained.
16. _____ A debt collector must verify that they are speaking with the proper party before discussing the debt with the party.
17. _____ If asked by a third party while leaving a message, a debt collector must identify his (or her) name and company name.
18. _____ You may disclose the existence of the debt that you are collecting to the debtor's parents if they provide proof that they are the debtor's parents.
19. _____ It is not acceptable to publish or threaten to publish a list of debtors on any forum if the debtor refuses to pay.
20. _____ If a debtor hangs up on you, you should continue to call them back right away until they pick up and discuss a remedy to the account to your satisfaction.

MULTIPLE ANSWER SECTION

21. There are six (6) states where state law requires the mini-miranda on each and every call. Name them:

_____	_____
_____	_____
_____	_____

22. _____ According TO Title VIII, the debt collector can communicate with the following person(s) regarding the debt in question. More than one answer may apply:

- A. The joint cardholder
- B. The babysitter
- C. The debtor's spouse
- D. The debtor's legal counsel
- E. The debtor's parent

- F. The debtor's siblings
 - G. A neighbor of the debtor
23. _____ Which of the following are true under the FDCPA?
- A. A debt collector can, from time to time, call a debtor prior to 8am or after 9pm in the debtor's time zone when the debt collector is having difficulties reaching the debtor during the course of normal hours.
 - B. The debt collector must not engage in any conduct that would be considered an implied threat of violence.
 - C. Upon receipt of a cease communication letter, it is permissible for a debt collector to contact the debtor one final time to advise them of the next course of action on the account.
 - D. All of the above are true
24. _____ It is not uncommon for a debtor's legal representative to fail to respond to repeated messages for call back. According to the American Collector's Assoc (ACA), what is the appropriate number of days that a collector should wait for a return call after leaving a message with the attorney?
- A. 14 days
 - B. 21 days
 - C. 30 days
 - D. 45 days
 - E. 3 days
25. _____ When calling a debtor at their residence, debt collectors may only leave a message on voicemail or answering machines that contain:
- A. The debt collector's name, the name of the agency, the purpose of the call, a call-back number, and the hours of operation
 - B. The collection agency names and a call-back number
 - C. The purpose of the call, the name of the creditor, and a call-back number
 - D. The collector's name, call-back number, and a request to return a call
 - E. All of the above apply
 - F. None of the above apply
26. _____ If a debtor or a third party requests that communication be stopped at the debtor's place of employment
- A. A debt collector does not have to honor such a request unless the request is made in writing.
 - B. The third party's request does not need to be honored, but the debtor's request does.
 - C. The debtor's request does not need to be honored, but the third party's request does.

- D. A collector must immediately cease communication at that number regardless of whether or not the request is verbal or written.
27. _____ Section 805 (d) of Title VIII refers to the application of the Mini-Miranda that must be recited on each contact with a debtor. Which of the following reflects the correct way to state the Mini-Miranda?
- A. “Mr. Debtor, this is Joe Collector for AAA Recovery. This is an attempt to collect a debt. Any information obtained will be used for that purpose.”
 - B. “Mr. Debtor, I am calling regarding your \$3200.00 Providian Nation Bank Visa Card that is due in full today. My Name is Joseph Collector.”
 - C. “My name if Joe Collector, and I’m with AAA Recovery. I’m trying to reach Mr. Debtor regarding a payment that is due on his account.”
 - D. “This is Joe Collector calling. This is your legal warning that I’m suing you today if you don’t work this out right now.”
- 28 _____ Of the following statements, which are true under the FDCPA and State Laws regarding spousal communication. More than one answer may apply.
- A. In the state of Alaska, only a collection manager can speak with the debtor’s spouse.
 - B. If the spouse signed the credit agreement as a joint account holder, or if the spouse resides in a community property state, the collector can pursue the spouse for payment on the debt.
 - C. A collector should always assume that the spouse is obligated to pay the debt.
 - D. The collector can communicate with a spouse about a debt in most states, however, the collector should not assume that the spouse is obligated to pay the debt.
29. _____ Section 805 (3B) and 805 (3D) refer to how a debt collector is to handle communication with the debtor. A debt collector:
- A. must verify that they are speaking with the debtor, identify himself/herself, the creditor for whom the collector is calling, and state the purpose of the call.
 - B. Must identify the debtor by their first and last name, and demand that the debtor verify their place of employment, and whether or not they own property.
 - C. Must verify that they called the number correctly and then ask to speak with the debtor’s spouse
 - D. May offer a prize for winning a contest in order to get debtors to identify themselves.
- 30 _____ When communicating with anyone other than the debtor for the purpose of acquiring location information about the debtor, the debt collector can:

- A. tell a third party that the debtor has won a contest in order to get them to return a call
 - B. Tell the third party that the debtor has inherited money, and you need to reach the debtor in order to get the appropriate paperwork signed.
 - C. Make repeated calls to this third party until they get cough up some contact information for the debtor.
 - D. Identify himself/herself and state that he/she is confirming or correcting location information concerning the debtor, and only if expressly requested, identify his/her employer.
31. _____ Third-party communication is necessary when the debtor's whereabouts are unknown. According to the FDCPA, "location information" is defined as:
- A. The debtor's social security number
 - B. The debtor's residence, social security number, and home phone number
 - C. The debtor's place of residence, place of employments, and home phone number
 - D. The debtor's place of employment, work number, and date of birth.
32. _____ Title VIII refers specifically to how a collection agency must deal with a debtor who is represented by an attorney. Multiple answers may apply.
- A. The debt collector may continue to communicate with the debtor in writing
 - B. The debt collector must cease all collection activity for 30 days, then can continue calling or dunning the debtor if the debtor's attorney does not contact the debt collector during that time period.
 - C. The debt collector must communicate only with the attorney, if they have the attorney's contact information
 - D. The debt collector must cease all communication with the debtor.
33. _____ A nosey third party demands that a debt collector state the reason for the call before they will relay a message to the debtor, or states "the debtor is not going to call you back unless you tell me the reason for the call." The debt collector should:
- A. Advise this third party that the call is in regards to a personal business matter.
 - B. Tell this third party that the debtor owes a significant amount of money to your client and you need to speak with the debtor immediately.
 - C. Tell the third party that the debtor has applied for a job with your company and you need to speak with him today or the position will be filled.
 - D. Advise the third party that you will simply have the Sheriff deliver your message to the debtor.

34. _____ If a collector knowingly violates the FDCPA, the collector can be personally fined by:
- A. up to \$1,000.00
 - B. being forbidden to work in the industry again
 - C. being jailed for the offense
 - D. None of the above
35. _____ When would calling a debtor immediately after the debtor has hung up on a collector, be considered a form of harassment under the FDCPA?
- A. At any time, phone attempts in this manner would be considered harassment
 - B. It is not considered harassment to call a debtor right back after the debtor has purposely hung up
 - C. Like speeding in a car, only if you're caught is it considered a violation
 - D. If the collector calls back using a different phone, it is ok to call back right away.
 - E. You can call a debtor at any point and as many times as you wish, as long as it is between 8am and 9pm in their time zone, regardless of whether or not the debtor has hung up on you.
36. _____ Title VIII defines the term "harassment" as:
- A. abusive behavior toward the debtor only
 - B. six specific practices that are prohibited according to the FDCPA
 - C. continually interrupting the debtor as they are trying to speak
 - D. calling the debtor's family and neighbors and discussing the debt
37. _____ Who is empowered to enforce Title VIII?
- A. The Internal Revenue Service
 - B. The Federal Reserve
 - C. The Federal Trade Commission
 - D. Each individual agency must self-police with the aide of a compliance officer
38. _____ Title VIII regulations would not apply in the event that:
- A. The state laws are more strict than the FDCPA
 - B. The state has not ratified the FDCPA
 - C. The state laws are more lenient than the FDCPA
 - D. None of the above apply
39. _____ According to the FDCPA, which of the following apply to a written refusal to pay a debt. More than one answer may apply.

- A. The debt collector can notify the debtor that the debt collector or creditor intends to invoke special remedies, if the creditor normally invokes such remedies.
- B. The debt collector can contact the debtor by phone and request the balance now be paid in full
- C. The debt collector can contact the debtor to advise that the collector's efforts are being terminated
- D. The debt collector can contact the debtor to specifically ask why they are not going to pay and try to convince them that they are taking the wrong path in getting this matter resolved.

40. _____ In the state of Massachusetts, how many times can a debt collector attempt to contact a debtor in a one week period (including messages left)?

41. What is the purpose of the FDCPA? _____

42. What does FDCPA stand for?

- F _____
- D _____
- C _____
- P _____
- A _____

43. _____ In the state of Pennsylvania, how many times can you attempt to contact a debtor in a one-week period, which includes leaving a message?

44. How should you handle an account where the debtor tells you that they do not want anymore contact regarding the debt? _____

45. A third party calls your office and states that (s)he has a Power of Attorney for the debtor to handle his/her financial matters. At what point can you disclose information to this party?

46. You discover after disclosing account information that you have been discussing the account with the debtor's father. Both have the same name. At what point do you stop discussing the account with this party? How should you document the account?

47. _____ True or False. A debt collector may tell a debtor that non-payment may result in further action against them.

48. Can a debt collector speak with the debtor's previous spouse, and if so, under what circumstances is it permitted? _____
49. If the debtor is in the military, can a collector discuss the account with the debtor's commanding officer? _____
50. How many calls are debt collectors permitted to make to a debtor's place of employment over a 30 day time period in the state of Massachusetts? _____
51. _____ In the state of Wisconsin, can a debt collector enlist the aid of a third party that does not reside with the debtor in order to request that the debtor contact the collector? (Yes or No)
52. _____ In the state of Minnesota, are collectors permitted to call neighbors on an attempt to leave a message for the debtor, if the debtor has a listed number? (Yes or No)
53. _____ Many debtors fail to make even the very first payment on their account. It can be argued that they never had any intentions of paying, which gives you the right to imply that this is a criminal action and appropriate remedies can be taken against them, and they could even be put in jail for such an offense. (True or False)
54. _____ To simplify matters, sometimes it is easier to just tell debtors that your company owns the debt, instead of trying to explain why you are collecting on behalf of your client. Is this allowable? (Yes or No)
55. _____ Many debtors are concerned about their credit. Can you threaten to place blemishes on their credit report if you do not have the capabilities of doing so, or do not have intentions of doing so? (Yes or No)
56. _____ It is ok to tell a debtor that the true balance is actually higher than it is, if your intentions are to "settle" the account for less than what is actually owed. (True or False)
57. _____ One of the debtors that you have been working with contacts you and tells you not to deposit the check that he authorized previously. You are required by law to adhere to this request. (True or False)
58. _____ You can charge a debtor for forwarding items to them that will validate the debt, but only if you are charged for those items. (True or False)
59. _____ In California, you are required to send a statement that contains the states Rosenthal Fair Debt Collection Practices Act in your first written communication with a debtor. (True or False)
60. _____ Can you discuss the debt with a debtor's spouse in Colorado? (Yes or No)

61. _____ In Iowa, you are limited to one call per month to the consumer's employer to verify employment. You are also limited to one call during any three-month period, with the consumer's employer to obtain the employer's debt counseling services for the consumer. (True or False)

62. _____ In Minnesota, when a consumer has a listed telephone number, the debt collector **CANNOT** enlist the aid of a neighbor or third party to request that the consumer contact the collector, except a person who resides with the consumer or a third party with whom the consumer has authorized the collector to make the call. (True or False)

63. _____ In New York, A debt collector is limited to two calls in a seven-day period. (True or False)

64. _____ In Washington, a debt collector is limited to communication with the consumer or spouse is not more than three times in a single week, and to one call to the debtor's place of employment per week. (True or False).

65. _____ In West Virginia, communication with a spouse is permitted only if the spouse resides with the debtor. (True or False)

66. A debt collector may not be held liable for an FDCPA violation if they can prove what? _____

67. _____ Arizona and Arkansas are two states that require that a debt collector make an attempt to reach a debtor at home before they make an attempt to reach them at their place of employment. (True or False)

68. _____ In Nebraska, a debt collector needs the debtor's consent to disclose or discuss an account with the debtor's spouse.

69. _____ If asked by a third party the reason for the call, the collector can state that it is an emergency.

Finally, there are nine (9) community property states. List them:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____