



***Creditors  
Calling  
Day and Night?***



- Create your own letter to send to creditors
- Send the letters to creditors that call
- Enjoy the (mostly) telephone silence!

You'll find the form letter and instructions on the following pages.

If you'd also like a free consultation to see if bankruptcy would be right for you, go to <http://ca-bankruptcy.com> .

Good luck to you!

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# Letter to send to creditors to get them to stop calling

## Who is this letter for?

The letter below is for California residents to use if you have no special circumstances such as being disabled, a senior citizen (62 or older), having your sole source of income from Social Security benefits or other benefit income, or having no assets except those that cannot be taken by creditors. If some of the above special circumstances apply to you, add to your letter paragraphs taken from the following pages of this document.

## Instructions

Create a letter from this one to send to the creditors and/or collection agencies. Keep a copy of your letter and send it by a means of delivery that gives you proof that the letter was received. Then keep track of every contact they make with you after that: date, time, content, etc. If they leave voice mails, do not delete them. They may violate the law such that you can get money from them for it.

## The letter

[Your name and address]

[Date]

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Re: Account with \_\_\_\_\_ (Original creditor if not sending the letter to them)

Account # \_\_\_\_\_

## Notice to Cease Communications

Dear Sir or Madam:

This is to advise you that pursuant to the California Civil Code Section 1788.17, you are hereby notified to immediately terminate any contact with me, or any members of my family or household, regarding any matter concerning the collection of a debt you allege is owed to your company or to your principal/customer/client, the original creditor noted above.

Sincerely,

[Sign your name]

[Type your name]

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## Additional paragraphs for special circumstances

### General

Add one or more of the following paragraphs to your letter if one or more of the described circumstances apply to you. Follow the instructions and construct a letter that fits you.

### **You are retired, disabled, and/or a senior citizen (age 62 or older)**

Select one of the phrases contained in brackets [] in the paragraph below.

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Please be further advised that I am [retired] [disabled] [a senior citizen] [retired and disabled] [retired and a senior citizen] [disabled and a senior citizen] [retired, disabled, and a senior citizen].

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If you are retired and/or disabled, add this sentence to the paragraph above:

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Any further collection communications will cause me undue stress and anxiety. See Cal. Civil Code § 3345.

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### **You have (1) no income that creditors can reach (only Social Security benefits and other pensions) and (2) you have no assets other than things that creditors cannot reach**

Add the following paragraphs:

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I have no assets or income that can be attached with a judgment and am therefore "judgment proof". You may sue me if you wish, but you will not be able to collect any money from me.

Please consider this letter notice pursuant to *Czap v. Credit Bureau of Santa Clara Valley*, 7 Cal. App. 3d 1 (1070). Any attempt to levy against or garnish assets with knowledge that the assets are exempt from garnishment constitutes abuse of process for which you may be held liable.

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