

Dean Richard Alderman was cited in an article in the Columbus Dispatch regarding the actions of a collection agency.

Debt Adviser

Collector can't harass you, but you still owe the money

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By [Steve Bucci](#)

The Columbus Dispatch

Dear Debt Adviser: A collection agency is harassing me over a 10-year-old debt that is no longer on my credit report. The original creditor wrote off the debt many years ago and has not contacted me for several years. I informed the collector that this is a 10-year-old debt and I will *not* pay them one cent. The representative informed me that the harassing robot calls will not stop until I pay them. Does the collector have the legal authority to harass me via these robot calls? If not, how do I make them stop harassing me?

-- Eric

Dear Eric: I'm not going to ask why you have a debt older than my cat. But I will say that in my experience, unfinished financial business and unpaid debts have at least nine lives and keep coming up at the worst times until they are finally taken care of.

The quick answer to your first question is "no." No collector has the right to harass you. They do have the right, however, to try to collect the debt and to do it vigorously. Just because the debt is 10 years old doesn't change the fact that you owe it. However, you have the right, provided by the Fair Debt Collection Practices Act, to request the collector to stop contacting you regarding the debt. Once you make that request, it would be illegal for them to continue to contact you.

I asked my friend at the [University of Houston Law Center, Richard Alderman](#), who also is involved with the People's Lawyer Web site, for his take on the legal issues in your question and this is his response: "Your question raises several interesting issues. Even though this is an old debt, you still owe the money. It may be too late to sue and the debt no longer appears on your credit report, but that has not extinguished your obligation to pay."

I suggest that you check your state's statute of limitations to see whether the debt is too old to take before a judge. Every state has its own statutory limits. Some are as short as a few years while others can be as long as 15 years and even longer if the creditor previously obtained a judgment. So, while you might not be sued for this debt, collectors can still write, call and pursue other remedies as allowed by law.

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