



## FAIR DEBT COLLECTION PRACTICES ACT Checklist

|   | Yes                      | No                       |  | Yes                      | No                       |
|---|--------------------------|--------------------------|--|--------------------------|--------------------------|
| 1. Is the institution aware of the circumstances in which the FDCPA applies and, as appropriate, has it established internal procedures and controls to assure compliance with the FDCPA?     | <input type="checkbox"/> | <input type="checkbox"/> | 3. In attempting to collect consumer debts as a "debt collector" under the FDCPA, did the institution: | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Has the institution or its subsidiary acted as a "debt collector" under the FDCPA by either:   |                          |                          | a. communicate with the consumer or any third party in a prohibited manner?                            | <input type="checkbox"/> | <input type="checkbox"/> |
| a. regularly attempting to collect defaulted consumer debts owed to others; or,   | <input type="checkbox"/> | <input type="checkbox"/> | b. adhere to the required debt validation procedure?   | <input type="checkbox"/> | <input type="checkbox"/> |
| b. attempting to collect its own consumer debts in a name other than its own?   | <input type="checkbox"/> | <input type="checkbox"/> | c. use any harassing, abusive, unfair or deceptive practice or means?                                  | <input type="checkbox"/> | <input type="checkbox"/> |
| (If the answers to questions 2a and 2b are "No," the institution or its subsidiary has not acted as a debt collector under the FDCPA and should not complete the remainder of the checklist.) |                          |                          | d. collect any more than authorized by the debt instrument or state law?                               | <input type="checkbox"/> | <input type="checkbox"/> |
|   |                          |                          | e. properly apply any payment received in the case of multiple debts owned by the same consumer?       | <input type="checkbox"/> | <input type="checkbox"/> |
|   |                          |                          | f. bring legal action only in a judicial district permitted under the FDCPA?                           | <input type="checkbox"/> | <input type="checkbox"/> |