

Nearly Fifty Debt Collector Calls in Two Weeks a Legitimate FDCPA Practice

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A debt collector seeking to collect on a GAP credit card debt placed 49 telephone calls over the course of 18 days. The cardholder filed suit, arguing the calls constituted harassment under the Fair Debt Collection Practices Act (FDCPA). Specifically, the cardholder stated that he had to stop what he was doing every time the phone rang, which not only disrupted and distracted him from his daily activities, but also caused frustration and anxiety.

A California federal court disagreed, finding the call frequency did not constitute harassment under the FDCPA because the debt collector waited at least 90 minutes between each call, did not contact the cardholder more than five times in a single day, and never left any voicemails. The court concluded the volume of calls resulted from the collector's inability to reach the cardholder, and that the number of attempts were legitimate and reasonable in light of the collector's unsuccessful efforts to reach the cardholder. [Download a copy of the decision](#) issued in *Hinderstein v. Advanced Call Center Technologies, et al.*, Case No. CV-15-10017-DTB (C.D.Cal. Feb. 27, 2017)

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