

Due to the nationwide impacts of the coronavirus (COVID-19), it may take us longer than usual to answer your call.

We are still processing complaints and you can check the status of an existing complaint online.



Consumer Financial  
Protection Bureau

(<https://www.consumerfinance.gov/>)

◀ All complaints (.)

# 191108-4534277

CLOSED

✓ Submitted

## STATUS

Submitted to the CFPB on 11/8/2019

## PRODUCT

Debt collection

## ISSUE

Attempts to collect debt not owed

**We received your complaint. Thank you.**

We will review your complaint. Depending on what we find, we will typically:

- Send your complaint to the company for a response; or
- Send your complaint to another state or federal agency, or help you get in touch with your state or local consumer protection office; or
- Let you know if we need more information to continue our work.

## YOUR COMPLAINT

Thank you for your recent contact dated: July 3, 2019. I would be happy to settle any financial obligation I might lawfully owe, as soon as I have received the following documentation from you: 1. Validation of the alleged debt (the actual accounting showing a loss); 2. Verification of your claim against me (either a sworn affidavit or a hand-signed invoice in accordance with The Bills of Exchange Act 1908, Section 23); 3. A copy of the

contract signed by both parties and therefore binding both parties. 4. Please also provide me with a true and certified copy (NOT photocopy) of the Original Note (Credit Agreement), under penalty of perjury and with unlimited liability and confirm that this Note, has never been sold. Please also confirm the name of the individual who is the duly authorized representative from your company, who has carried out due diligence under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 and what actions s/he has taken in relation to this account.

#### ATTACHMENTS

[1st-letter \(2\).docx \(19.7 KB\)](#)

View full complaint 

### Sent to company

#### STATUS

Sent to company on 11/8/2019

We've sent your complaint to the company, and we will let you know when they respond.

Their response should include the steps they took, or will take, to address your complaint.

Companies generally respond in 15 days. In some cases, the company will let you know their response is in progress and provide a final response in 60 days.

### Company responded

#### STATUS

Company responded on 11/18/2019

#### RESPONSE TYPE

Closed with explanation

#### Company's Response

Thank you for bringing your concerns to our attention. Our records reflect that you have two accounts with us. On November 28, 2008, you executed the attached contract for the purchase of a 2008 Toyota Prius (Account Number 0056245131). Following an accident in

which the vehicle was declared a total loss, the account was paid in full in November 2010. We confirmed the tradeline is reporting no negative information and no balance remains on the account. A copy of the contract and payment history is attached for your reference. Our records also reflect that you executed the attached contract on April 17, 2013 for the purchase of a 2013 Toyota RAV4 (Account Number 0056357571). On or about August 13, 2013, we repossessed the vehicle after you failed to cure the default on the account. You did not exercise your right to purchase the vehicle and it was later sold at auction. The price we received at auction was not sufficient to pay our account in full and a \$8,740.44 deficiency remains due. We notified you of the balance on December 17, 2013 via the attached notice. Our records also reflect that in June 2019, Alltran Financial Services forwarded documents to you in response to your request for a validation of debt for Account Number 0056357571. It is important to understand that we are not a debt collector as defined under the Fair Debt Collection Practices Act (FDCPA). As a result, we are not legally required to validate the debt or provide the other information you have requested. Nevertheless, as a courtesy, we have attached a copy of your contract and your payment history for Account Number 0056357571 which is sufficient to validate your debt. We are not required to provide any of the other documentation referenced in your complaint. Because we are required to report your account accurately, we are not able to accommodate your request to remove the tradeline from your credit profile. However, we have notified the CRAs that you dispute the manner in which we are reporting the tradeline. It is also our understanding that you may have a 100 word statement added to your credit profile explaining the circumstances that led to the adverse reporting. Please contact the credit reporting bureaus for assistance in placing the statement on your profile should you choose to do so. As a courtesy, the contact information for the CRAs is provided below. Equifax Credit Info Services P.O. Box 740256 Atlanta, GA 30374 \*\*\*\*\* Trans Union Corporation P.O. Box 2000 2 Baldwin Place Chester, PA 19022 \*\*\*\*\* Experian P.O. Box 2104 Allen, TX 75013 \*\*\*\*\* Innovis Customer Service P.O. Box 1689 Pittsburgh, PA 15230-1689. Please contact us at 800-826-9467 to make payment arrangements for the balance remaining on your account or for assistance with any other questions you may have. Thank you.

## ATTACHMENTS

[Mattke CFPB Response Attachments 11.18.19.pdf \(720.1 KB\)](#)



Feedback provided

### STATUS

Feedback provided on 11/18/2019

### Your feedback

### THE COMPANY'S RESPONSE ADDRESSED ALL OF MY ISSUES

No

**ADDITIONAL COMMENTS**

The company is obligated to fulfill my requests and remove negative tradeline otherwise it's an FDCPA and FCRA violation. A lawsuit will ensue within 60 days if the negative tradeline aren't removed as they are past the legal limit for reporting.

**I UNDERSTAND THE COMPANY'S RESPONSE TO MY COMPLAINT**

No

**THE COMPANY DID WHAT THEY SAID THEY WOULD DO WITH MY COMPLAINT**

No

**ADDITIONAL COMMENTS**

The company is obligated to fulfill my requests and remove negative tradeline otherwise it's an FDCPA and FCRA violation. A lawsuit will ensue within 60 days if the negative tradeline aren't removed as they are past the legal limit for reporting.

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**What happens now?**

The complaint process is complete and your complaint is now closed.

We have taken the following additional actions on your complaint:

- We added your complaint to the [CFPB's Consumer Complaint Database \(http://www.consumerfinance.gov/data-research/consumer-complaints\)](http://www.consumerfinance.gov/data-research/consumer-complaints).
- Your feedback, and feedback from others, helps us understand how companies are addressing concerns raised by consumers in their complaints. We will also share your feedback with the company.
- We have also shared your complaint with the Federal Trade Commission, which will add your complaint to its database for state and federal law enforcement agencies.

We appreciate your participation in the complaint process and your feedback on the company's response. Both are important to us and consumers who may have similar issues and concerns.

 **Closed**

The CFPB has closed your complaint.



### ADDITIONAL TOOLS AND RESOURCES

[Debt Collection \(https://www.consumerfinance.gov/consumer-tools/debt-collection/\)](https://www.consumerfinance.gov/consumer-tools/debt-collection/)

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Privacy Act Statement

OMB #3170-0011

Note on user experience

Have a question? ¿Preguntas?  
(855) 411-2372

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 An official website of the United States Government