

## INSTRUCTIONS FOR IDENTITY THEFT LETTER

**\*\*\*Do not send this with Dispute Letter\*\*\***

Thank you for contacting Washington Debt Law. Dealing with Identity Theft is challenging. As a complementary service, we have composed the below letter that you can send to any collection agency, law firm, or attorney who attempts to collect a debt that you did not create.

### Actions to accomplish prior to sending letter

1. Go to our Website for additional resources: <http://wadebtlaw.com/identity-theft/>
2. Follow Triage steps to make sure the identity theft is resolved and continual breach is not occurring
3. Make a Police Report
  - a. This is necessary to qualify as an identity theft victim under RCW 19.182 as well as to show your sincere belief that you are a victim for the purposes of testimony. Most creditors will request it.
  - b. Police are sometimes reluctant to take these type of reports as they are non-emergency and their resources are stretched very thin. Try to report online or in writing. If you must call, go in person or to the non-emergency phone line. Be sure to get your police report number.
  - c. Make reports both in your area but also in the area where any Identity thief may be located
4. Make a Federal Trade Commission (FTC) Report
  - a. This serves the same purpose as the police report and is used in the dispute process
5. Try to gather all statements that you can and determine when the breach occurred
  - a. Be prepared to state when the identity theft began (if determinable)
  - b. Try to identify which charges may be yours and which would belong to the thief
6. Dispute with each of your creditors
7. Dispute on your credit report
8. If a collection agency or attorney contacts you
  - a. Keep a log/journal of all contacts. Write down time/date/name of each person you talk with and notes on what was said. Use pen/paper if possible for authenticity.
  - b. Explain your dispute and ask about their procedures to dispute.
  - c. Request an email, fax, and address to which you can send a formal dispute
  - d. Contact us via phone or email, it is a free consultation or update

### Sending the letter

1. Print a copy of this letter, fill out all information, sign/date, and save a copy physically and electronically.
2. Send a formal written copy via certified mail. Return receipt is not necessary, the cheaper version where the post master verifies delivery is fine. Save receipt of payment and green slip. Note your tracking #.
3. If you have a fax number, send a copy to the fax number
4. If you have an email, email a copy
5. If you have an attorney name or bar number, send it to them personally

### Following up with us if the collection action continues

1. If the creditor does anything further to collect, let us know immediately, and we will look at filing a suit for violation of the Fair Debt Collection Practices Act, Fair Credit Reporting Act, RCW 19.16, RCW 19.86, RCW 19.182, and other relevant statutes.
2. If the creditor resolves this without our intervention, we are glad we were able to help!

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## IDENTITY THEFT DISPUTE LETTER

Alleged Creditor Name:	
Alleged Account Number:	
Alleged Debtor's Name:	
My Full Legal Name	
My Address:	
My Contact Phone Number:	

Dear Creditor,

I am contacting you regarding the above named account that you are attempting to collect upon. I have been a victim of identity theft. See attached copies of my report to authorities on this matter.

- a) Police Report
- b) FTC Report

I am disputing that I created this debt and am formally requesting that you investigate this matter prior to proceeding with litigation and collection. Additionally, I am requesting that you treat this letter as:

- Formal request for **validation of Debt** under the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et set. and RCW 19.16
- Formal dispute and **request for investigation** under the Fair Credit Reporting Act, 15 U.S.C 1681 et.seq. and RCW 19.182

Additionally I am requesting that in the instance a lawsuit has been filed or before one has been filed, that the attorney of record who filed/s the lawsuit **investigate the facts** alleged in the complaint as required by **FRCP 11** and **CR 11** within any appropriate safe harbor timeframes authorized by law.

I am additionally requesting the following information to be provided to me voluntarily outside of the discovery process so that I do not have to incur attorney fees or request them if I am deemed to be a prevailing party if this litigation proceeds forwards:

- A copy of any relevant contract that you believe that I signed
- Copies of all statements upon the account that you believe that I am liable upon

In return, I would like to voluntarily work with you to provide information to show I am not liable upon this debt. I am willing to provide any and all of the following information to you to aid in your internal investigation:

- A copy of my signature
- The last four of my social, driver's license, and any other identification that you require
- Other reasonably necessary personal information that you may request

Please only contact me in writing or via phone at the information provided above. Do not contact my work or any third party regarding. Please cease all collection activity and litigation until you have fully investigated this matter.

Printed Name:	
Signature:	
Date of Signature:	