



STANDARD

TIFICATION

**COMMERCIAL COLLECTION AGENCIES OF AMERICA
AGENCY MEMBER CODE OF ETHICS**

Each member shall:

(1) In general conduct:

- (a) Maintain a high standard of fairness, honesty and courtesy in the conduct of business and avoid any activity which would bring reproach on this profession or this Organization.
- (b) Provide efficient collection service in the territory served; protect the interest of creditors; and give prompt and diligent attention to all claims received for collection.
- (c) Operate under a name which does not imply or suggest that the agency is a branch of or associated with any department of the federal government, a local government or any court. The letterhead of the agency should clearly indicate that the agency is in the collection business.
- (d) Make certain that all personnel are familiar with this Code of Ethics and that they fully comply with it.
- (e) Avoid the unauthorized practice of law.

(2) In relations with creditors:

- (a) Comply with instructions given by creditors in the processing of a claim promptly or give reasons for not doing so and ask for further instructions.
- (b) Maintain a TRUST account separate and apart from the member's operating account which should be titled as "Client" or "Customer" Trust Account.
- (c) Identify clearly and accurately all charges to the creditor. Suit requirements requested by an attorney should be communicated to the creditor as communicated by the attorney.

(d) Service and or administrative charges by the member are separate and apart from commissions and fees earned by a receiving attorney. Service and or administrative charges must be clearly identified and shown separately from court costs and suit fees requested by an attorney. Any advance funds received from a creditor should be sent to the attorney within seven working days of their receipt. A full accounting of any withdrawal fees charged must be provided to the creditor at the time withdrawal fees are assessed.

(e) Remit to creditors as specified by the debtor where a number of claims against the same debtor are being collected.

(f) Within 30 days after the close of a calendar month during which monies are collected for a creditor, account in writing and remit to that Creditor all monies collected and received during the previous month less commissions and service charges or remit to the Creditor under the written remittance agreement the agency has with the creditor if different from the above.

(g) Advance court costs and suit fees on behalf of a creditor only at the creditor's specific request, and bill the creditor for such costs and fees at the same time they are forwarded to an attorney.

(h) Display the official organization logo on the letterhead of all correspondence sent to creditors and where other locations are listed, the identification of branch (full service), sales or collection office must be shown.

(i) Marketing of services must be professional and courteous. Member must not engage in an activity that brings reproach to this industry or organization.

(3) In relations with debtors:

(a) Avoid deceptive practices, statements or materials which would cause debtors to believe they are dealing with someone other than the member. A member when contacting a debtor shall not engage in any subterfuge such as stating they are a private investigator conducting an investigation of the debtor.

(b) Show due consideration for debtor's problems and deal with them according to the merits of their individual cases.

(c) In the event a claim is disputed, obtain from the creditor and provide the debtor with such documents or information necessary to validate the debt.

(d) Avoid any harassment by telephone or personal calls.

(e) If the debtor states that he is represented by an attorney and identifies him or if the agency is contacted by debtor's attorney, then the agency shall deal directly with the attorney. However, should the attorney fail to respond to calls or letters from the agency, then the agency may continue, after a reasonable time, to contact and negotiate with the debtor.

(f) Not represent that, *if* payment is not issued by a specific date, a claim will be placed with an attorney or litigation will be commenced, unless the representation indicates that such action has been authorized by the creditor and such representation is true

(g) Do not under any circumstances, threaten to damage *a* debtor's credit reputation if they do not pay or fail to cooperate by notifying other vendors and financial institutions that deal with the debtor.

(4) In relations with attorneys:

Adhere to the Forwarding Guidelines of Commercial Collection Agencies of America, Inc. attached hereto as Appendix 1, or as they may from time to time be amended, in the absence of any specific agreement to the contrary.

Appendix 1 – Forwarding and Receiving Guidelines

The forwarding guidelines to be adopted by **Commercial Collection Agencies of America** shall be created by the **Forwarding and Receiving Guidelines committee** and are in the completion stage.

