

Re: Support for Senate Bill 1595

Dear Chair Taylor, Vice Chair Bonham, and Members of the Committee—

My name is Jamie Pang South, and I am a resident of Clackamas County writing in support of SB 1595 (Family Financial Protection Act of Oregon).

A recent survey of Oregon consumers found that nearly three in ten (27%) had a debt collector attempt to collect payment for a debt that wasn't theirs. In addition, over the last five years, more than 1,300 complaints have been filed with the federal Consumer Financial Protection Bureau by Oregonians related to unfair debt collection practices. More than half of these complaints were related to creditors attempting to collect debt that was not owed or to collect the wrong amount. *I am one of those statistics.*

In 2019, I received a piece of mail from Verizon Wireless informing me that I had been sent to collections for an unpaid bill (in the amount of \$900), and that I would face a civil lawsuit in 30 days if I did not pay my debt. I called the collections agency and discovered that the collection was associated with my address (and that they had assigned the debt to my name), for a debt that was accrued in 2016. However, I did not purchase my home until December 2017- meaning the bill belonged to the previous homeowners. I pointed the collections agent to the publicly-available Zillow property records which would have been a 30 second Google search, but they insisted that I still had to "respond" formally to their letter. I ended up having to submit to the agency a redacted copy of my bank loan closing statement that proved that I did not purchase my home until after that debt was accrued, in order for them to stop pursuing me.

While I am one of the lucky few who avoided civil court, the situation still cost me:

- Over two hours of my time to sit on hold, speak to an agent, and for me to redact appropriate paperwork to submit;
- An additional 30 minutes for me to draft a summary email/memo to the collections agency summarizing why the debt collection was unlawful;
- My PTO hours during a workday.

Perhaps more importantly, as somebody with a J.D. and the privilege of having a flexible work schedule, I recognize that somebody with a less flexible work schedule, less legal knowledge, and less English-speaking knowledge might not have been able to stop this unlawful collection attempt. I have also had to help my ESL parents navigate such false collections attempts.

This is probably why over the past five years, Oregonians have filed [more than 1,300 complaints](#) with the federal Consumer Financial Protection Bureau related to unfair debt collection practices. And borrowers of color experience the most acute impacts, in part because they are disproportionately pursued by creditors.¹

I support SB 1595 because it will:

- Make it a violation of the law to attempt to collect a debt when a collector knew or should have known that the debt did not exist or was for the wrong amount. **The law should protect Oregonians from going through a court process for debts they do not owe.**

¹ <https://www.nclc.org/resources/the-racial-health-and-wealth-gap/>.

- **Extend the time consumers have to file a complaint to three years after the date of injury.**
- Award attorney fees and costs at trial and on appeal when a consumer prevails but **not make them pay for a creditor's attorney** unless they bring a frivolous claim. This is how federal debt collection cases already work.

Oregon must even out the playing field in regards to consumer debt collection practices. And SB 1595 brings sensible and workable updates to Oregon's consumer protection and debt collection statutes. I urge your support of SB 1595. Thank you for the opportunity to submit testimony and your service to Oregon communities.

Sincerely,

Jamie Pang South

Jspang.lclark@gmail.com