

KEWANEE CREDIT BUREAU

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DEEP REGRETS & CONGRATULATIONS

After 12 years with the Kewanee Credit Bureau, Diane Schiltz is leaving. Her last day was July 28th. She will become the Ass't. Manager at American General Finance. We wish her the best of luck.

PLACING MULTIPLE ACCOUNTS WITH SEVERAL COLLECTION AGENCIES

Sec 807(2)(A) of the Fair Debt Collection Practices Act prohibits a debt collector from misrepresenting the character, amount or legal status of a debt. For example, a collector who fails to give a consumer credit for a payment received, or who adds an illegal or unauthorized charge, would violate this section.

If two or more agencies (or creditor and collection agency) simultaneously work an account, the debtor's payments would likely be credited in one office and not the other. As a result, the collection agency which continued to attempt to collect the original amount could be charged with misrepresenting the amount of the debt and harassing the debtor under section 806.

According to Basil J Mezines, ACA General Counsel, both the collection agency and the credit grantor could be sued for double placements. "Although creditors are specifically exempted from the FDCPA, they may be held liable for the activities under section 5 of the Federal Trade Commission Act." Mezines said. (ACA Collector, July 95)

As you can see, it is very important that you immediately report payments that you receive on legal and collection accounts. Your collection agency and attorney need the information.

JUDGMENT REVIVAL

1st National Bank in Toledo v Adkins 1995 (Ill App. 4 dist)...has held that a judgment may be revived within a 20 year period.

Facts: The plaintiff obtained a judgment...in March of 1987...In May of 1994 the plaintiff filed a petition to revive the prior judgment.

Held: A party may not enforce a judgment after the expiration of seven years from the time the judgment was rendered unless the judgment is subsequently revived. A judgment may be revived after the seven year period as long as the revival action is initiated within twenty years from the date the judgment was originally rendered. However the judgment creditor's lien may lose its priority if not renewed at the time it expires. (The Illinois Fund Concept, Vol 19, June 1995)

CHARGE IT

Visa and MasterCard charge volume jumped 26% in the first quarter, driven by explosive growth in Asia and the USA, the card associations reported. In the USA, Visa charges grew 33% to \$78.2 billion--biggest jump in 11 years.

MasterCard's US charges rose 22% to \$43.9 billion. The growth doesn't necessarily mean consumers are spending more, they could just be using cash less.

Although the economy slowed, consumers piled on debt in April. The Fed Reserve says consumer credit-household debt not secured by real estate-rose \$11 billion, a 14.1% annual rate. That's less than March's \$14.1 billion increase, but still strong, and far above Wall Street expectations. Revolving credit, which includes credit cards, rose at a 21.8% rate, or \$6.5 billion, slower than the 23% rate in March. Growth in auto loans was little changed- a 9.1% rate of growth in April vs 9% in March

KEWANEE CREDIT BUREAU HOURS

Monday - Friday 9:00am to 4:30pm

Diane Ebens, Office Manager
Larry Nelson, Pres.