

## Judge Grants MSJ For Defendant in FDCPA Case Over Disputed Debt, *AccountsRecovery.net*, ft. Richard Perr

*Richard Perr, co-managing partner of KD's Philadelphia office, was featured in an AccountsRecovery.net newsletter on December 23, 2019.*

WHAT THIS MEANS, FROM RICK PERR OF KAUFMAN DOLOWICH VOLUCK: The FDCPA was never intended to require a debt collector to choose between a dispute lodged by a consumer and the client who verifies that a debt is owed. Rather, the FDCPA mandates that the collection agency mark any trade line furnished by the agency as 'disputed by the consumer' to permit an end-user of that information to undertake its own investigation if it so chooses before issuing credit.

In the instant case, the district court refused to impose any penalty on the collection agency that followed prescribed procedures even though the plaintiff believes its dispute had validity. The agency marked the account disputed and provided plaintiff with the validation requested by the plaintiff. The agency did not have to 'judge' the merits of the dispute when the client contested the dispute.