

Complete Guide to Credit and Collection Law, 2011-2012 Edition

SUMMARY OF CONTENTS

- | | |
|--|--|
| Chapter 1: An Explanation of Legal Terminology in a Collection Case | Chapter 13: Fair Credit Reporting Act |
| Chapter 2: Letters and Telephone Calls | Chapter 14: What to Do When You Are Served |
| Chapter 3: Legal Concepts of Business | Chapter 15: Fair Debt Collection Practices Act |
| Chapter 4: Legal Remedies for Business Creditors | Chapter 16: Truth in Lending—Regulation Z |
| Chapter 5: Legal Issues of Consumers | Chapter 17: E-Commerce Technology |
| Chapter 6: Bankruptcy | Chapter 18: Equal Credit Opportunity Act |
| Chapter 7: Law Firms and Collection Agencies | Chapter 19: Skiptracing |
| Chapter 8: Checks, Notes, and Guarantees | Chapter 20: The Consumer Financial Protection Act |
| Chapter 9: Privacy | |
| Chapter 10: Secured Lending: Real Estate—Mortgages | |
| Chapter 11: Secured Lending—Personal Property | |
| Chapter 12: Repossession of Vehicles | |

Purchaser information: *Complete Guide to Credit and Collection Law, 2011-2012 Edition*. 9780735510081, \$195. One volume. Perfectbound. Updated annually. Annual update costs: 2010-2011—\$182, 2009-2010—\$170. Any new edition or supplement issued within three months of purchase of the main edition will be sent free of charge.

Complete Guide to Credit and Collection Law, 2011-2012 Edition also contains a large collection of valuable appendices, including:

STATE

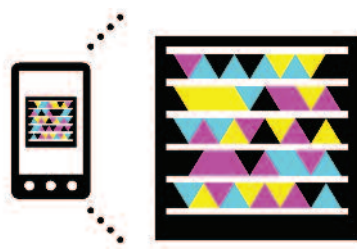
- Article 2 of the Uniform Commercial Code as Adopted in California
- Letters of Credit—Illinois
- Statute of Fraud—California UCC Sections 2201-2210
- Documents of Title—New York—Uniform Commercial Code: Article 7
- Uniform Fraudulent Transfer Act—Florida
- Seller's Remedy on Discovery of Buyer's Insolvency—New York
- Garage Keeper's Lien—Massachusetts
- Assignment for Benefit of Creditors—Tennessee
- Mechanic's Lien Law—Texas
- Foreclosing on a Mezzanine Loan Under UCC Article 9 prepared by Peter E. Fisch, Steven Simkin and S.H. Spencer Compton, New York, New York
- Homestead Exemption—Florida
- New Jersey Collection Agency Law
- Accord and Satisfaction (Section 42A-3-311)—Connecticut
- Dishonored Check (Section 5-328)—New York
- Revised Article 9 of the Uniform Commercial Code—California
- Uniform Electronic Transaction Act—California

FEDERAL

- An article entitled "Payment Transaction Fees" provided by ACA International
- Guidelines to Making Home Affordable from the U.S. Department of the Treasury, March 4, 2009
- Commercial Arbitration Rules of the American Arbitration Association
- Commercial Collection—State Survey of Laws Governing Commercial Collection
- Modifying or Correcting an Arbitration Award
- Vacating Arbitration Award
- Debt Elimination Scam
- Identity Theft Federal Statutes
- Fraudulent Account Statement
- Credit Practices Amendment (16 CFR Part 444)
- Statutes of Limitation
- Proof of Claim Form
- Instructions for Proof of Claim Form
- Relevant Excerpts of Bankruptcy Code
- Reaffirmation Agreement
- Guaranty
- Amendment to Regulation E
- Deposit Account Control Agreement and General Terms—American Bar Association
- Gramm-Leach-Bliley Act—Selected Provisions
- Real Estate Settlement Procedures Act—(24 CFR Part 3500)—Final Rule—Department of Housing and Urban Development
- Preventing Mortgage Foreclosures and Enhancing Mortgage Credit
- Regulation M—Consumer Leasing
- Consumer Lease Disclosures
- Fair Credit Reporting Act (15 U.S.C. §§1681-1681v) as Amended by the Fair and Accurate Credit Transactions Act of 2003 (Public Law No. 108-159)
- Security Breach Notification
- Fair Debt Collection Practices Act
- FTC Staff Commentary—Fair Debt Collection Practices Act
- Special State Text Requirements for Collection Notices
- Class Action Fairness Act of 2005
- Consumer Economic Protection Act of 2009
- Truth in Lending Act (TILA)
- Regulation Z Truth in Lending
- Fair Credit Billing Act
- Electronic Signatures in Global and National Commerce Act
- Part 202—Equal Credit Opportunity Act (Regulation B)
- Title 15—Commerce and Trade—Amendment—Discrimination

GO MOBILE!

View the Free Webinar on "How to Control Defense Litigation Costs Under FDCPA" via your smartphone



GETTING STARTED:

- Download Microsoft's Tag Reader on your web-enabled smartphone at www.gettag.mobi.
- Once the free app is up and running, aim your smartphone's camera at the box above.
- Snap it to access a free webinar on "How to Control Defense Litigation Costs Under FDCPA"
- Or go online to <https://wolterskluwerlbinfo.com/LP=337>

BONUS!

New Appendices Include:

- An article on drafting extra protection for your factoring deals
- An article discussing whether recent decisions finding successor liability send companies back to Chapter 11 for asset sales
- Telephone Consumer Protection Act
- Truth Caller ID Act 2009

Call for your 30-Days Risk-Free copy today!

1-800-638-8437

(Refer to Priority Code: NE56)

Raise Collection Rates. Reduce Costs. Remain in Compliance.

Turn the law to your advantage—recover what's rightfully yours!

Over 2,000 pages of strategies & remedies and over 1,000 citations!

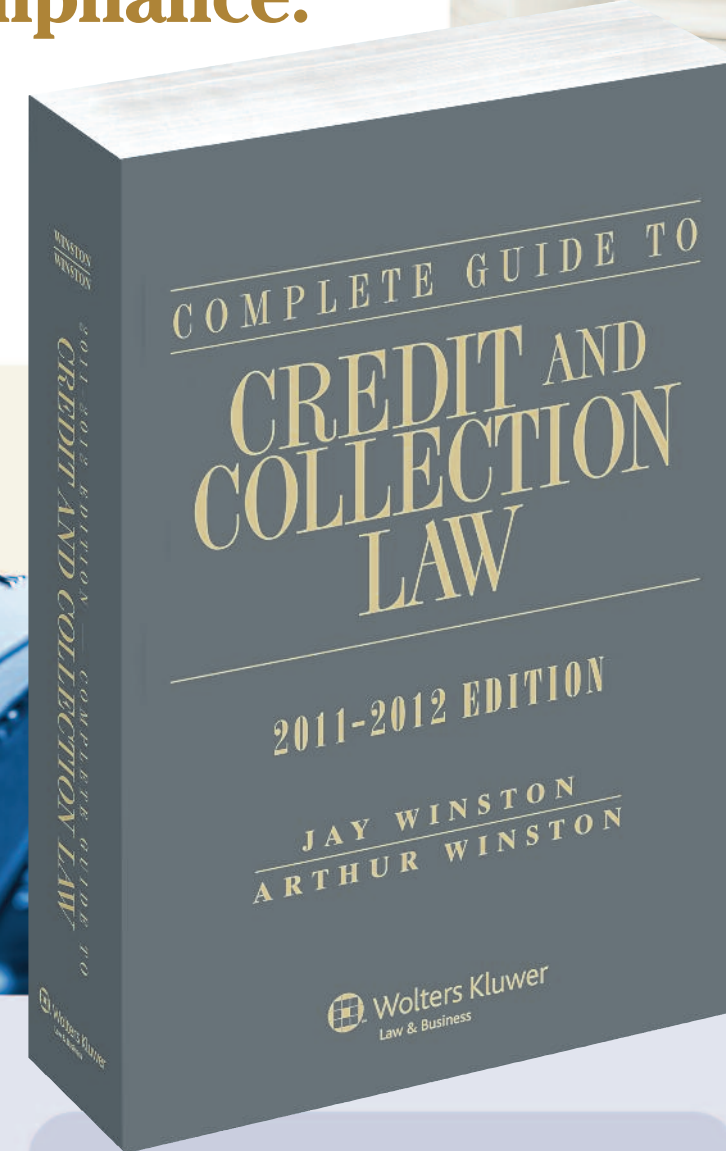


Rely on the trusted resource that has sold more than 40,000 copies.

"This is a must read for anyone in the credit and collection area—for credit and collection managers, owners, collection agencies, attorneys, comptrollers, treasurers, debt buyers, banks, credit unions, universities and any business that extends credit to individuals or businesses. An excellent desk reference with a compilation of the actual statutes and decisions that impact the day to day operations—an invaluable tool."

Richard G. Roosen, Managing Partner, Roosen, Varchetti & Olivier, L.L.C.

FREE Webinar! See details inside!



Cited by the 9th Circuit Court of Appeals

Call for your 30-Days Risk-Free copy today!

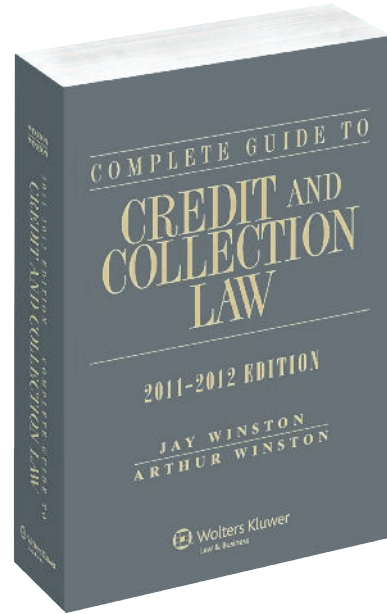
1-800-638-8437

(Refer to Priority Code: NE56)

Wolters Kluwer Law & Business

Increase Your Collections...

When chief financial officers, attorneys and business owners focus on debt collection—both consumer and business debts—their overall concern can be generally summarized in two short sentences: “What can I do legally?” and “Where do I find the answer?” **Complete Guide to Credit and Collection Law, 2011-2012 Edition** is a comprehensive effort to answer these questions.



Recent years have produced as many significant changes in the credit and collection industry as Sarbanes-Oxley produced in Wall Street. Five separate and distinct types of legislation have emerged from Congress, all of which will impact not only on the extension of credit, but also on the collection of debts.

The new **2011-2012 Edition** contains a new chapter on **Consumer Financial Protection Act—Chapter 20**: The Act is part of the Dodd Frank Financial Protection Act and became effective July 21, 2011. No rules have yet been issued. Some of the highlights of the Act are discussed. Also, a new head director of The Consumer Financial Protection Act was appointed. (See Chapter 20).

Only **Complete Guide to Credit and Collection Law, 2011-2012 Edition** will help you raise collection rates and reduce costs, while making certain you always remain in compliance. Updated yearly and packed with useful tips and tools, this thorough guide is recognized as the industry’s most comprehensive reference manual. **Complete Guide to Credit and Collection Law, 2011-2012 Edition** is immediately applicable in real-world situations, providing:

- In-depth analysis of stale, unsigned, bounced, post dated, stop payment, certified and cashiers’ checks
- Annual updates to keep you apprised of new laws, judicial decisions & hot topics
- Clear explanations of the key laws that affect credit and collection
- Easy-to-read summaries/ Plain-English explanations
- Practical credit-risk guidelines—*Practice Tips*
- Appendices containing the actual laws, and case excerpts that you need to make informed business decisions, including: surveys of laws governing commercial collection, Regulation M—consumer leasing, meaningful involvement under FDCPA, and Regulation Z and Revised Article 9 of the UCC.

About the Authors

Jay Winston is a partner of Winston & Winston, P.C. and practices in New York, New Jersey and Connecticut. He is known by his colleagues as an industry resource for information. Jay is a Certified Instructor of the ACA International. Jay’s business background combined with his litigation skills offer a unique combination for his clients. Jay manages a national network of attorneys (WAMN) to service its national and international clientele. Jay writes for several publications under the by-line Worth Reading and regularly speaks at industry conferences on credit and collection issues (commercial, bankruptcy and retail issues.) His Law Review note on paid-in-full checks and U.C.C. 3-311 was reviewed by the National Law Journal.

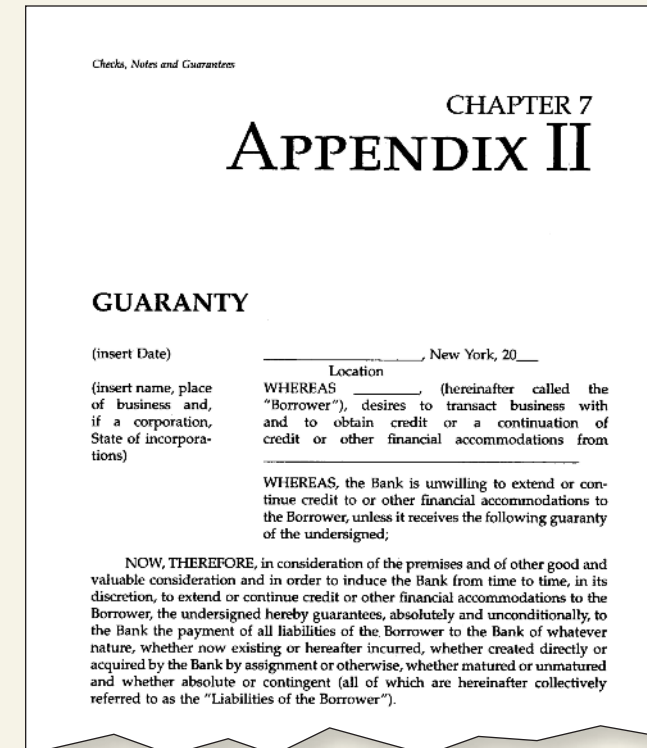
Arthur Winston and **Jay Winston** are two of the most highly sought after lawyers in the field of credit and collections. Arthur is a partner and founder of Winston & Winston, P.C., The firm has helped hundreds of companies collect what is rightfully theirs. Arthur previously authored the landmark volume, *“The Complete Guide to Tested Telephone Collection Techniques”* (Prentice Hall), and he developed the highly acclaimed “Laws that Affect Credit and Collection” seminar for the Direct Marketing Association.

Always Current!

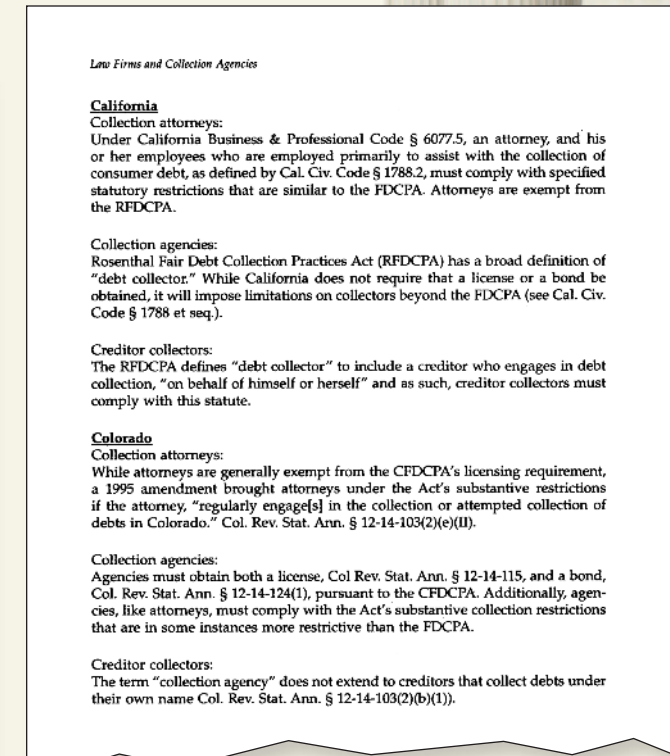
Complete Guide to Credit and Collection Law, 2011-2012 Edition is completely up-to-date, but to make sure you remain current with the latest legal developments, this resource is updated every year. You’ll automatically receive the next edition on a 30-day Risk-Free trial basis with absolutely no obligation to purchase. Upon receipt, you will have 30 days in which to purchase or return. You may cancel this automatic update program at any time simply by notifying Wolters Kluwer Law & Business.



Remain in Compliance!



Model letters and forms—plus checklists—save you time and effort, assure compliance with collection laws.



Handy, easy-to-read summaries of state laws bring you up-to-date information.

The **Complete Guide to Credit and Collection Law, 2011-2012 Edition** will help you stay current on new statutory law and major revisions to existing law. Plus, this handbook will help you establish reliable compliance and risk management training procedures for your staff.

HIGHLIGHTS INCLUDE:

- How to Improve your Credit Rating at the Better Business Bureau. (See Chapter 5)
- The 4th Circuit applies standards set forth in *Bell v. Twombly* to affirmative defenses. (See Chapter 7)
- Two significant decisions from the Supreme Court regarding imposing arbitration and enforcing a waiver clause. (See Chapter 5)
- Can a corporation be liable for debts of its owners? – a look at reverse piercing of the corporate veil. (See Chapter 4)
- If a call or letter is written to the wrong debtor, is the debt collector liable? (See Chapter 15)

100% Satisfaction Guaranteed!

Try **Complete Guide to Credit and Collection Law, 2011-2012 Edition** Risk-Free for 30 days. Your satisfaction is 100% guaranteed. If for any reason you are not completely satisfied, simply return it to us with the invoice marked “cancel.” There will be no questions asked. If you have pre-paid, you can either receive an account credit or a refund.

3 EASY WAYS TO ORDER

- **MAIL** the RISK-FREE Trial Certificate in the postage-paid envelope
- **CALL** Toll-Free 1-800-638-8437 (Refer to Priority Code NE56)
- **ONLINE** store.wolterskluwerlb.com (Enter Priority Code NE56)

Call 1-800-638-8437 to order your RISK-FREE copy today!
(Refer to Priority Code NE56)