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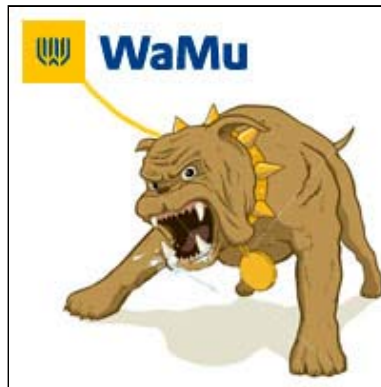
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## monkey times blog

### A letter to Washington Mutual and their debt collecting agency, IC System

Nigel Parry, Thursday, May 15th, 2008

*In an economy where everyone is hurting financially, there are record bankruptcies and foreclosures, and city governments are taking financial institutions to court for predatory lending practices, you don't want to be broke.*



*Following an uninsured hospital stay in early 2007, a lost contract, and a subsequent period of illness that resulted in my defaulting on Washington Mutual credit card payments for 4 months, WAMU set their debt collecting dogs on me.*

*In the following letter, I bit back. It is included here as an item of hope to other people suffering from abusive debt collection practices, a model that you can use to get them off your back, and is followed by a series of helpful links.*

**29 April 2008**

**Dear Washington Mutual,**

I am writing to you to complain about the way your company has treated me over the last several years.

Prior to late 2007, I had never missed a payment with your company. I had perhaps one or two slightly late payments (a few days) in the three or so years I have been with you.

This resulted in one or two \$30 or thereabout charges to my account. I don't have access to that information now because I am in a different state than my financial records. But if you check my account, you will see this is a fair characterization. In fact, the few days late thing may have

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- A letter to Washington Mutual and their debt collecting agency, IC System (Thursday, May 15th, 2008)
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only happened once.

Those three or so years would be the three or so years during which my credit score climbed to the mid 700s and during which I ignored "one year/zero interest" offers from many other credit card companies because I believed that longevity and loyalty in a business relationship still meant something.

I now realize that this was my stupid assumption.

Despite paying you on time, my interest rate climbed by late 2006 to 17.5%.

Even though I kept paying you on time through the next year, by mid 2007, I was paying 26%.

Around Christmas 2006, I ended up in hospital for a month. Extremely ill, I emerged from hospital hardly able to work. I had no medical insurance. Additionally, because of the hospital visit, I lost a large contract. I also lost my home. I lost one of my pets. I had to put all my belongings in storage and leave the state of New York to return to Minnesota, where friends and relatives could help.

2007 was the worst year of my life.

Nonetheless, in 2007, during which I earned an estimated, marginal, and miserable \$19,000 or so before self-employment deductions, I still paid your bills on time. All your representatives confirmed this and my previous years of being a good customer when I spoke to them on the phone during this time.

Yet as the end of the year approached, you had increased my APR to over 30%.

I had a few conversations with your representatives about lowering the rate during 2007, but all of them assured me that this was an "automatic process", that it was something that was "looked at once in a while", and that not a single one of them had any power to do anything about this crippling interest rate.

It was a hard year. I was barely able to work. And I made your payments on time, yet you kept punishing me. By this time, because of other fallout related to my difficulties, I was no longer getting the lower interest rate credit card offers. So I was stuck with you even though things were getting to the point where one church debt counseling service flat-out advised me to file for bankruptcy.

But I do believe in paying back what I have borrowed from people, so that wasn't a viable option. Yet still your representatives would not budge. So

contact nigel parry



things fell apart. And in November 2007, I could no longer pay any bills.

Within a month, you handed me over to a debt collection company called IC System. Simultaneously, you locked me out of my WAMU online account, so I couldn't access my billing history and I couldn't even see online how much I owed you.

I was not using your credit card at this point nor had I been for a while, and there was no danger to you in letting me access my online account, yet you cut me off from the only financial records that I had access to, which I needed to file my taxes.

So things fell apart more.

Then we get to IC System. Your business agents.



You can tell this woman is a photographic model and doesn't work there. One, she's too pretty to need to be a prostitute of this kind, and two, she has neither fangs, warts, nor is there a cauldren in sight.



FROZEN MINNESOTA gifts

**Our Style**

**After you collect billions of dollars over nearly 70 years, you learn a thing or two about what works.**

At I.C. System, we simply make sure you'll work with an experienced, ethical, professional team of people. People who know how to take advantage of the most current technologies to help you collect more debt?more often?so you can add more to your bottom line.

"Our style." IC System's website lets you know how they're pimpin'.

Their automated calls three times a day at all times of the day were illegal. I was called many times before 8.00am, the early morning time that the Fair Debt Collection Practices Act states is unacceptable to be called before.

I was called late at night, after 9.00pm on several occasions, also illegal. I was called on Thanksgiving Eve, Christmas Eve, basically whenever it was most harassing from them—which is the whole point of their modus operandi.

When Congress passed the *Fair Debt Collection Practices Act* (1966, amended 2006), one of the reasons they offered as the "declaration of purpose" for the legal instrument was that "There is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy."

And I had experienced these things. When I got a tiny bit of money, I rang WAMU in an attempt to start a payment plan. "Hold on," the WAMU person said, and suddenly I was talking to IC System, without even having been informed I was being forwarded outside of your company.

I was pressurized to give IC System my bank account details for direct withdrawal from my account by being told that this was "the only way that it could be done". Obviously this is false, as some of your clients will not have bank accounts, and therefore would need to pay by money order.

The *Fair Debt Collection Practices Act* prohibits debt collectors from using deceptive methods to collect debts. The *Fair Debt Collection Practices Act* also prohibits debt collectors from not announcing who they are.

Yet this is obviously the status quo with IC System's unlisted numbers and their standard practice of asking who you are, both in their automated and their live calls, *before* they declare who they are. Their standard business practices are deceptive and violate the *Fair Debt Collection Practices Act* on several, easily demonstrable levels.

During the call with the woman, who told me that I had to give her my bank account details, I explained I was waiting for a client check in the mail, and I hoped it would be there by the date she insisted on. I hoped.

The client check was a couple days late.

On the IC System due date, the automated system kicked in, and tried to take the money out of my close to zero current account. It was rejected and my bank, Wells Fargo, charged me \$34 for the overdraft that it caused.

And then IC System retried the withdrawal every single day for the next several days (taking a brief break for Christmas) until my bank took \$170 out of my account for each attempt, and thus sucked down the client check amount of around \$200 (this was how pathetically marginal my financial health was at the time I was trying to repay my debt to you), which was more than the amount that the payment was supposed to be.

I put a six month "stop hold" on my account, four days too late.

Date	Description	\$ Amount
12/18	Wamu/Pvnpayment Creditcard 071217 [REDACTED] 1802 Parry Nigel	121.00
12/19	NSF Return Item Fee	34.00
12/24	Wamu/Pvnpayment Rdp Credit 071217 [REDACTED] 1802 Parry Nigel	121.00
12/26	NSF Return Item Fee	34.00
12/31	Wamu/Pvnpayment RDP2Credit 071217 [REDACTED] 1802 Parry Nigel	121.00
01/02	NSF Return Item Fee	34.00
01/02	Wamu/Pvnpayment Creditcard 080101 [REDACTED] 0658 Parry Nigel	121.00
01/03	NSF Return Item Fee	34.00
01/08	Wamu/Pvnpayment Rdp Credit 080101 [REDACTED] 0658 Parry Nigel	121.00
01/09	Stop Payment Fee	29.00

Ouch, ouch, ouch, ouch and ouch.

So this relentless, daily, charging of someone who IC System had been informed of the entire life circumstances of—leading up to the point where I couldn't pay you for three months—totally wasted \$200, with only Wells Fargo benefiting.

As a result of this incident, my debit card was cancelled. I could not pay any bill online. It took three months for me to be able to convince Wells Fargo to give it back. It was utterly frustrating.

Then came the calls. Three, four, five a day, mostly automated from unlisted numbers. And, as stated, even during holidays and outside the hours allowed by law. The *Fair Debt Collection Practices Act* prohibits debt collectors from telephoning you an "unreasonable number of times" or at "an unusual time". IC System blatantly doesn't pay attention to the law and these are the people you subcontract to do business in your name.

If you answered, there would be a voice telling you to press a number to be connected to a representative, and you would press it. And because IC System clearly and obviously and blatantly has a completely disproportionate automated call dial-out system compared to their number of agents, the wait could be up to 25 minutes before someone would pick up. For someone in an utterly marginal financial situation, on a 450-minute-a-month cellphone plan, this was highly, highly problematic.

As this year progressed, in February I finally got a decent work contract, for the first time in a year. So I rang IC System, and made a payment plan. The plan was for \$200 a month for 5 months, and I made an initial payment over the phone. The calls didn't stop.

**Insured** ? \$1 million of coverage protects you from legal consequences due to our collection activities.

**Professional** ? Collectors use psychologically sound techniques ? not threats ? to collect your money.

**Certified** ? I.C. System collectors pass the nationally recognized ACA International Certification Program.

**Ethical** ? We follow a strict code of ethics for all of our business practices.

**Reputable** ? We belong to ACA International, the Commercial Law League, and other highly regarded organizations.

"Psychologically sound techniques....no threats". A sample of the bullshit on IC System's website.

Two weeks after the first payment and long before the second payment was due, a live IC System representative called me in what can only be described as a "threatening" phone call. He again pressurized me to give him my bank account details, saying this was the "only way". He was extremely aggressive.

I explained that due to their previous misuse of my current account, that there was a six month stop hold on any payments they try to take from my account, and even if I were to give them my current account details, no transfer would work. He repeatedly requested them. I pointed out that if I was a client of theirs who did not have a current account, that this was obviously false and therefore would be a moot point.

He ignored everything I was saying and continued to be extremely aggressive, even though I had totally fulfilled the agreement to date. He began being abusive, saying weird stuff like "that was your agreement, IC System didn't agree to it" even though I had gone through the agreement with both him and his IC System supervisor the previous month. He continued his threatening, abusive, tone by saying that the only way that the phone calls would stop would be if I gave him my bank account details.

He threatened to "tell WAMU I had refused to pay" even though I had set up a payment agreement with him, his boss, IC System and presumably its contractor WAMU, the week before. It was a cyclical conversation. He refused to acknowledge that there was an agreement. He refused to acknowledge that I had paid according to the agreement.

His tone was such that I asked him "What is this, the mafia? Are you going to kneecap me next?"

? We have collected billions of dollars for clients. And, the number of times our collection practices caused a client to pay a legal judgement is zero.

More website bragging from IC System: "Zero" legal judgments resulting from their collections practices. Have they hired Tony Soprano to kill all witnesses?

I then told the IC System representative to:

"Go and fuck yourself... [pause] ...bitch."

and hung up the phone.

*Note: Only this last line didn't make it into the actual letter I sent. In retrospect, I regret that.*

*After months of being polite and taking completely unwarranted shit from these lowlife bottom-feeders, I had just entered some weird "Office Space" Zen zone and—damn it felt good to be a gangsta.*

*I did report it, verbatim, in my subsequent call to Washington Mutual's Customer Complaints Department.*



Gary Cole and Ron Livingston in Beavis & Butthead creator Mike Judge's classic cubicle angst film, *Office Space*.

Once again:

When Congress passed the *Fair Debt Collection Practices Act* (1966, amended 2006), one of the reasons they offered as the "declaration of purpose" for the legal instrument was that "There is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy."

? We comply with the Fair Debt Collection Practices Act and the Code of Ethics as adopted by the American Collectors Association (ACA). We stay on top of the latest government and industry regulations ? so you don?t have to ? and we comply with all local, state and federal regulations governing collection agencies.

? We?re one of just 33 agencies worldwide certified through the ACA?s Professional Practices Management System. This certification recognizes our efforts to develop, implement, and adhere to a set of collection-industry specific, professional practices and policies.

IC System website screenshot. Paragraph 1: Blatant lies. Paragraph 2: A helpful destination for your complaints against IC System. See "Related Links" below.

Please do get hold of the entire call log that is recorded for quality control and the full list of calls made to my number—646-[deleted]—their frequency and times. If this is how you want your contracted agents to act—in deceptive, abusive, threatening, and illegal ways—then you are a really sick company.

I was so disturbed by the phone call that I rang your corporate offices to file a complaint. I explained all of the above which I write here. Your agent unequivocally assured me that:

1. It was not acceptable that if I had made a repayment agreement that I was still being called.
2. It was not acceptable that the tone of the calls were threatening.
3. That a WAMU representative would call me to discuss the matter within two days.

This never happened. And IC System never stopped calling. And the last two days, in my already miserable life, have been made more miserable as a result.

Two mornings ago, IC System—from whom I have never hidden my address and know I live in Minnesota on the Central Time Zone—called me at 8.00am sharp. I picked up (because I am dealing with [a miserable lost dog saga](#) right now and therefore can't afford to not pick up any call) to

hear a woman from IC System—of course without announcing her identity as is their standard practice—start harassing me for a payment.

Of course, my payment according to the plan agreed on was supposed to be paid by the 15th of April. I sent the check for last month on the 13th. They cashed it on the 21st.

So I'm talking to her and asking her why she's calling at 8.08am on the 28th of April when I already paid this month, and again she's not prepared to answer these questions. I'm still ill, IC System have been informed of my circumstances, they know my timezone, yet they still do the early morning calls. She tells me that "are you aware that this month's payment is due on the 15th?"

Of course, I'm aware, as that date was asked for and agreed on by me. But I've paid this month's already. They cashed it one week ago. It's still 4 days till May, the month on which my next payment is due, yet she's saying "this month". It's totally disgusting. I point out that she cannot phone me any more this early in the morning. I barely got any sleep because of the lost dog situation, and I'm ill, and I paid this month, and your WAMU representative already explained all of this was unacceptable when I complained.

So what happens? This morning, the following day, April 29th, IC System calls me at 7:31am (and 9:58am and 1:24pm and 7:37pm), in utter defiance of what WAMU has said, what the agreement was, and of the *Fair Debt Collection Practices Act*. A totally illegal act.

*Note: The following day (April 30th), after I mailed this letter, IC System called at 7.16am (and 9:17am and 11:49am). All of this is in my cellphone logs.*

Everything about the way you have dealt with me as a customer has been totally disgusting.

Your increasing interest rates on a good customer was totally disgusting.

Your forcing me into worse financial trouble by doing this was totally disgusting.

Your handing me over to this morally bankrupt, illegal operator, that you contract as your agent is disgusting.

IC System is disgusting. Maybe you just want to go straight for the mafia kneecapping thing and cut out their middleman activity. More threats and fear probably will be more profitable for you.

WAMU not calling me back when I pointed this out is disgusting.

IC System's call at 7:30am this morning was disgusting, and was the final straw for me.

I don't even know how to finish this letter. I don't even know what to suggest you can do to remedy this. I don't even know how to describe the pressure, the misery, the anguish that you, your agents, and your "last cry for help", unacceptably unresponsive, complaints system have caused. I am beyond disgusted.

IC System is going to stop calling me as of right now. According to the *Fair Debt Collection Practices Act*, it would be illegal for them to continue to do so after written notification from me. Consider this my written notification to both of you, for IC System to stop calling me—you WAMU, the miserably greedy, maximum interest raper of loyal customers—and you IC System, to whom I am copying this letter to to fulfill my legal notice under the *Fair Debt Collection Practices Act*.

From this point on, IC System is going to stop calling me to repeatedly and blatantly violate the law.

As for you WAMU, if you want your money, start behaving like a responsible lender and a decent, loyal customer-recognizing, business.

**NIGEL PARRY**

[address deleted]

**Endnote:** The morning after this letter was sent, IC System called at 7.16am. Three or so days later, a live IC Systems representative called. I mentioned that I had sent them written notice to stop calling me under the *Fair Debt Collection Practices Act*, she backed off and the calls stopped.

The same day I received a letter sent on April 26th from IC System, **even though I had scrupulously been paying the \$200 monthly that had been agreed on**, that said the following:

\$4,822.35

Dear Nigel Parry,

Please make your check or money order payable to Washington Mutual for the balance shown above....

When Washington Mutual extended credit to you, they expected you to pay the amount due. Washington Mutual believed in your intent to pay and gave you time to pay before requesting us to collect the amount due from you. We have already sent you at least one letter giving you additional time to pay this account.

Isn't it time for you to meet your obligation to Washington Mutual?

[...]

I phoned IC System today, May 15th, two weeks after mailing the above letter, to give them their usual \$200 check over the phone. The woman that answered asked me if my name was "Ni-gal", hummed and hawed a bit, then told me that "Your account is no longer with this office."

"Do you mean that it has been sent back to Washington Mutual?" I asked her?

"Yes" she replied.

"Thank you!" I said. I hung up and tried my online WAMU account, which finally allowed me to login, and made a payment of \$200 directly.

I'll take that and call it progress. By the date of publication, WAMU was yet to reply to my letter.

**KNOW A FRIEND THAT'S GETTING HARASSED BY DEBT COLLECTORS AND I SN'T DOING SO WELL?**

**E-MAIL THEM THIS PAGE NOW!**

**THEN WATCH THE DOCUMENTARY "MAXED OUT" BELOW, WHICH TELLS THE STORIES OF SEVERAL PEOPLE WHO COULDN'T DEAL WITH THE ADDED PRESSURE FROM DEBT COLLECTORS DURING A TIME OF FINANCIAL TRAGEDY AND SUBSEQUENTLY COMMITTED SUICIDE.**



**GIVE THEM HOPE WITH THE FREE RED HOT BALLS ON THIS PAGE!**

*Webmasters wanting to link to this story can find the permalink at:*

<http://nigelparry.com/letter-to-washington-mutual-and-ic-systems/>

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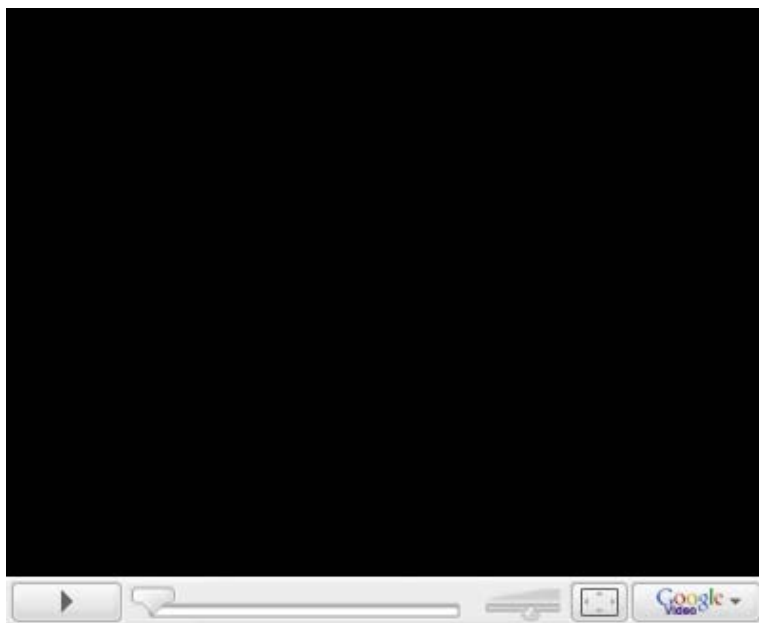
- **Know your rights!** [Fair debt collection advice from the Federal Trade Commission](#). The legal advice on this page is based word by word on the Fair Debt Collection Practices Act of 1966 and is worth quoting in any correspondence with your harassing financial institution.
- **The Fine Print:** [Zipped PDF file of the Fair Debt Collection Practices Act \[60K\]](#) — bottom line, it's illegal for them to use any deceptive means, or to threaten you, or to call you before 8am or after 9pm, or to call you an unreasonable amount of times, or to call you at awkward times, or **to contact you at all** once you send them notice saying that in writing. Once they stop following the written notification, this doesn't mean you don't owe the debt, or that they can't use legal means to collect the debt such as liens or wage garnishing—but only after taking you to court. But if you're dealing with a debt collection process that's doing nothing but being disruptive to your efforts to get back on your feet, this will give you the space that you deserve in order—in the words of *Soul Asylum*— to "Stand Up and Be Strong".
- [Washington Mutual on Wikipedia](#)
- [IC System website](#)
- One of thirty pages on the excellent [whocalled.us](#) website pertaining to calls from IC System. When you get calls from numbers you don't recognize, and are left anonymous messages asking you to call a company, check who they are with this reverse phonebook look-up that specializes in cold calls and debt collector calls. Includes very useful user comments that help you identify which company called.
- [ACA International](#) - the association of professional businesses and individuals involved in the credit and collection industry. A.K.A. the people who license debt collection agencies. You can [file a complaint on their website](#).

**MAXED OUT** is a great documentary, see the trailer here:



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[ [top of page](#) | [monkey times blog](#) | [home](#) ]

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