

Helpful Guide to Understanding the Rights Protecting Persons Facing Collections Issues



Every so often calls are received from people who complain of being harassed by collection agents. While a collection agent calling to collect on an overdue account is generally lawful, collectors are required to perform collection efforts in accordance to the *Collection and Debt Settlement Services Act*, [R.S.O. 1990, c. C.14](#) as well as the judicially established common law.

An unfortunate circumstance arises when a collection agent becomes overly aggressive and engages in tactics such as calling too frequently or contacting people other than the debtor such as demanding that a friend or relative either pay the debt of the debtor or provide information as to where the debtor can be contacted directly. Where a collection agent becomes a nuisance by repeated telephone calls, the collection agent may be found found liable: *Anderson v. Excel Collection Services Ltd.*, [2005 CanLII 35681](#); *LaFleur v. Canadian Bond Credits Ltd.*, [2003 CanLII 64307](#); *Tran v. Financial Debt Recovery Ltd.*, [2000 CanLII 22621](#).