

Federal Trade Commission/Office of the Secretary  
Room H-135 (Annex N)  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

Dear Federal Trade Commission,

This letter is a brief statement drafted by the International Association of Commercial Collectors, Inc. (IACC), for the "Debt Collection Workshop, P074805," which expands on the issues related to IACC from the questions asked by the FTC. This letter by no means is intended to answer all the questions completely, but summarize the answers that do apply.

### **Demographic and Industry Information**

The International Association of Commercial Collectors, Inc. (IACC) is an international trade association comprised of 230 commercial collection agencies and 160 commercial collection attorneys. With members throughout the U.S. and in 20 international countries, IACC is the largest organization of commercial collection specialists in the world. Incorporated in 1969, IACC has almost a forty-year history of providing services to the collection industry.

Commercial collection agencies tend to be smaller than consumer agencies (many with 10 or fewer employees), work fewer accounts with higher balances and utilize less "high volume contact" technology such as automated dialers.

### **Industry Compliance with Applicable Federal and State Laws**

#### **Compliance with FTC Act and State Laws**

Although commercial collections do not fall under the regulation of the Fair Debt Collection Practices Act (FDCPA), the activities of commercial collectors do fall under Section 5 of the FTC Act related to unfair or deceptive acts and practices. Many states that regulate collection activities do not differentiate between consumer and commercial collections, so commercial collectors contacting debtors in those states must comply with the same laws as consumer agencies. IACC encourages members to be familiar with the FDCPA, FTC Act and the laws of all states in which they conduct business.

The association asks that members comply with not only the regulations regarding debtor contact, specific collection notice language requirements and other collection-related requirements, but also all licensing and bonding regulations for the individual states. To encourage compliance for applicable laws, IACC offers the Certified Commercial Collector program as a collector training tool available to both member and non-member companies.

*FDCPA Implications for Commercial Collectors*

Although they are technically exempt from the FDCPA when conducting true commercial collections, the line between commercial and consumer accounts is at times a thin one. In certain scenarios individuals may be held personally liable for a debt incurred by a business entity or, in other situations, the debt may on the surface appear to be a commercial debt, but upon investigation it may turn out to be a consumer debt. Because of this, IACC encourages members conducting commercial collections to follow the provisions of the FDCPA as a set of industry best practices.

*Industry Self Regulation – IACC Grievance Process*

IACC has a standing grievance committee which will review complaints about member activities from debtors, clients or other members. Complaints must be made in writing and the agency/attorney in question is given an opportunity to respond to the complaint. Upon review of comments and documents provided by both the complainant and the member, the grievance committee has the authority to take disciplinary action against the member – up to and including expulsion from the association. Although IACC is an association focused on the commercial collection market, some of our members are engaged in both commercial and consumer collection activities. The grievance committee, therefore, at times receives complaints from individual consumers about the activity of a member. These complaints are handled with the same attention and concern as a commercial debt based complaint, simply because the association is interested in promoting overall professionalism in the collection industry.

IACC would like to thank the FTC for allowing the opportunity to submit comments on this very important topic.

Sincerely,

Paul Eisenberg  
IACC President

Enclosures:

- IACC Code of Ethics
- IACC Rules and Regulations
- IACC Blue Book
- Commercial Collection Guidelines for Credit Grantors booklet
- IACC Certified Agency brochure
- IACC Certified Commercial Collector Program brochure
- IACC "When you need the very best" brochure
- IACC's monthly newsletter *Scope*



## Code of Ethics

The following code of ethics is hereby made a part of the bylaws of the International Association of Commercial Collectors, Inc. and shall be binding upon all members. The ethics committee shall use this code to determine the responsibilities of the members of this association.

1. The ethics committee shall be comprised of the board of directors, or such special committee as designated by the president of this association for such special instances as is necessary.

Any member of the International Association of Commercial Collectors, Inc., including any agency affiliated with said member, found guilty of violating this code in the judgement of the ethics committee, and upon review by the board of directors, may be expelled, suspended or reprimanded as decided.

Any member disciplined by the ethics committee shall have the right to appeal at the next meeting of the board. A majority vote of the directors present at such meeting shall be conclusive and final.

2. Each member of the International Association of Commercial Collectors, Inc. shall:
  - a) Maintain a high standard of business principles and conduct including, but not limited to not offering any person or organization any inducement to place accounts with the member, other than normal business entertainment or nominal gifts.
  - b) Abide by the association's bylaws and rules and regulations.
  - c) Comply with all city, county, state and federal laws relating to the operation of commercial collection business.
  - d) Ensure that all personnel are familiar with the laws, the rules and regulations and code of ethics under which the collection business is conducted, and they fully respond to and comply with them.
  - e) Maintain a sufficiently strong financial position to assure the agency's continued operation.
  - f) In relations with creditors, clients and forwarders, each member shall:
    1. Maintain a separate trust account into which monies collected shall be deposited and disbursed in accordance with the IACC Code of Ethics and local, state and federal laws.

2. Provide sufficient and effective commercial collection service within the area they serve to the best of their ability.
  3. Clearly state terms and services to be rendered.
  4. Respond to creditors' requests promptly. When not possible, advise creditor immediately.
  5. Issue remittances and accounting within thirty (30) days after the close of a calendar month during which monies are collected for a creditor unless local, state or federal laws require a shorter time period.
- g) In relations with debtors, each member shall:
1. Show due consideration, including but not limited to the avoidance of harassment by telephone or personal calls.
  2. Avoid deceptive practices, statements and materials including, but not limited to allowing an employee or outside party to call debtors to inform them that an audit, credit review or asset search is being performed and/or that the debtor's customers or suppliers will be contacted.
  3. Respond to disputes in a reasonable and prompt manner.
  4. If debtor states that he is represented by an attorney and identifies him or if the agency is contacted by the debtor's attorney, then the agency shall deal directly with the attorney. However, should the attorney fail to respond or cooperate, then the agency may continue to contact the debtor directly, advising the debtor of his attorney's lack of cooperation.
- h) In relations with fellow IACC members, each member shall:
1. Compete in a fair and honorable manner.
  2. As the receiving agent, avoid contact directly with the creditor on forwarded cases except where authorized by the forwarding agency or when contact is initiated by the creditor and in such case the forwarding agency shall be so advised.
  3. Answer all correspondence promptly.
- i) In relations with attorneys, each member shall:
1. Remit to the attorney all non-contingent suit fees and court costs received from the creditor.
  2. Respond promptly to all correspondence.
  3. Respect the attorney-client relationship.



# Rules and Regulations

Pertaining to relations between Forwarder and Forwardee:

The following are approved as the operative regulations pertaining to forwarding and receiving, and the relations between forwarder and forwardee. These Rules and Regulations are also the code for the guidance of the Officers of the Association and the Grievance Committee in determining the rights of the forwarder and the forwardee.

Nothing contained in the Rules and Regulations is intended to vest in any lay agency the authority to practice law. It is expressly understood that the Rules and Regulations are merely a guide of the members of this Association, and do not, by express authority or by implication, authorize the performance of any act which is either unlawful or unethical.

## Commission Rates

1. Rates of commission and fees are matters of agreement or contract between creditor and collector, forwarder and forwardee, and the Association does not presume to establish any fixed policy that is intended to be binding upon its members.

The term "commercial claim," in its most common usage means, "A commercial claim arising from an obligation to pay for goods sold or leased, services rendered, or monies loaned for use in the conduct of a business or profession, and not for personal consumption." For the purposes of these Rules and Regulations, this definition confirms that the concept of the commercial claim encompasses a liability incurred in a business or profession. This differs from a retail or noncommercial claim which arises from the sale of goods or services or the loan of money to an individual primarily for personal, family or household purposes.

It shall be mandatory upon the forwarder to state in his forwarding instructions the exact terms upon which the claim or account is forwarded. If the

forwarder, after having accepted the claim on the rates quoted by the forwarder, should determine that the rate at which the claim was first forwarded is inapplicable, it shall be mandatory upon him to so notify the forwarder and secure forwarder's consent to increase the rate of commission to an amount mutually acceptable, or to return the item to the forwarder.

In all cases, commission rates are a matter of agreement between the forwarder and forwardee and it is open to the parties to agree to a basis of charges, it being impossible to adequately define the value of services in any recommended schedule.

## Commissions

2. The terms and conditions under which a claim is forwarded shall be binding on the forwardee if he accepts and acknowledges the claim. These terms will not be varied by a substitution of terms stipulated by the forwarder, unless the substitution is made known to the forwarder who agrees in writing to the change or substitution. A forwarder who is dissatisfied with the terms or conditions in a forwarding proposal may either return the claim, or refuse to handle it until new terms or conditions are mutually agreed upon.
3. Where a forwarder specifies certain terms in his transmittal, and the forwardee declines to accept the claim under those terms but agrees to perform the services under different terms and the forwarder subsequently requests the forwardee to proceed with the claim, remaining silent on the matter of compensation or terms the forwarder shall be deemed to have accepted said offer and shall be bound by the terms of the forwarder's offer.
4. In the absence of an agreement to the contrary, collections by installments or in dividends from bankruptcy, probate, receivership, assignments and other kindred proceedings, shall be treated as collections closed in one transaction.

5. Claims filed in bankruptcy, probate, receivership and any other kindred proceedings, representing a balance of an account, a part of which has been collected prior to bankruptcy by the forwarder, shall be considered as a balance of the original account only, in computing commissions charged on dividends, subsequently paid on the claim through the bankruptcy, probate, receivership and other kindred proceedings.
6. The mere formal filing of a claim in bankruptcy, receivership, probate and other kindred proceedings, and the receiving and remitting of a dividend or dividends thereon, entitles the forwarder to commissions.
7. A forwarder having relinquished or returned an account to a forwarder may not, after giving notice to that effect, accept payment from the debtor, unless he believes that his refusal to accept such payment would result in a loss to the creditor, in which event he may accept such payment and immediately account to the forwarder for such collection in full, without retaining any fee for making such collection.
8. Where a forwarder returns a claim and later the debtor sends his check to the creditor in settlement of the claim, the forwarder is not entitled to a fee.
9. Where a forwarder is authorized to take goods or property in settlement of a claim, the compensation is to be determined by the worth of the service, viewed from the standpoint of the work done, the amount involved, the character of the employment and the results accomplished.
10. Where, by agreement, the forwarder is to take the debtor's property, sell it, and apply the proceeds to the liquidation of the claim, and the forwarder holds a sufficient amount to cover the claim and returns the balance to the debtor, the charge is based on the money collected on the claim.
11. A forwarder, having taken property or money from a debtor as settlement of a claim, may not, on a controversy arising with forwarder or creditor regarding compensation, return the property or money to the debtor. Once the property or money is taken and received as payment of the claim, the property or money is in the constructive possession of the creditor and cannot be returned without the creditor's authority.
12. In the absence of an agreement to the contrary, a contingent fee or commission contract, express or implied, must be taken as an assumption that the claim in question is a valid one and is actually pending at the time the forwarder employed to handle it begins to work, from which it follows that:
  - a. Where a claim is settled directly with the forwarder and acknowledgement has been made and work done by the forwarder on the claim prior to the time the forwarder obtains actual notice of payment to the forwarder, the forwarder shall be entitled to one-third of the agreed fee as remuneration for his services.
  - b. The forwarder shall not interfere between a forwarder and debtor in such a manner as to make impossible the collection of a regularly forwarded claim by the forwarder, but in the event of such interference the forwarder shall be entitled to the compensation for his efforts to a sum equal to one-third of the agreed fee.
13. When a claim is paid directly, after it has arrived at the office of the forwarder, and after demand for payment has been made upon the debtor, the forwarder is entitled to commissions according to the agreed fee. If the forwarder fails to acknowledge receipt of a claim within three days he shall be deprived of any commissions earned on direct payments.
14. Where the forwarder in the process of working the claim discovers that it has been previously paid, he shall be entitled to only one-half of the commission.
15. Where a claim is paid directly, prior to the arrival of claim in the office of the forwarder, it shall be the duty of the forwarder to notify the forwarder immediately of the fact of payment. If for any reason the forwarder fails to give the forwarder immediate notice of the payment, and the latter does work on the claim or incurs expense, he shall be entitled to one-half of the commission for the work done, the rendering of which services might have been prevented by immediate notice on the part of the forwarder. Where the fact of payment does not become immediately known to the forwarder by the neglect of the creditor, and thus the forwarder is prevented from giving immediate notice to the forwarder, the forwarder is obviously entitled to compensation from creditor and the forwarder should necessarily be paid.

16. Where a claim is sent to a forwarder by mistake of the forwarder and the mistake or fact of payment has been learned by the forwarder in the course of his work and by him brought to the attention of forwarder, the forwarder shall be entitled to one-half the commission for the services he has rendered.
17. Where a debtor sends a post-dated check directly to the creditor before the forwarder receives or acts upon a claim, and the maturity of the check is subsequent to the forwarder's action, he shall not be entitled to commissions as made on a collection unless he can show that work induced the debtor subsequently to meet the check. There must be persuasive evidence that the check would not have been paid had he not acted; in short, that his acting in the matter induced the payment of the check. Failure, however, to notify the forwarder immediately of the receipt of such check will entitle the forwarder, upon its payment, to full compensation for work done.
18. Where the demand for payment on the part of a forwarder is followed by negotiations between debtor and creditor, whereby credit is extended to a later date or a note given or goods are returned or adjustment of any sort made, the forwarder is entitled to the full agreed compensation for his services.
19. Where a matter is pending in the office of a forwarder and the creditor intervenes for the purpose of accepting a note settlement for the debt, thereupon withdrawing the claim from the hands of the forwarder, the forwarder is entitled at once to his fees and commissions computed according to the contract of forwarding, the same as if money had been collected, and the forwarder need not wait for his compensation until the note or notes are paid.
20. Where a settlement in notes or acceptances is authorized or ratified by the creditor, and the notes and acceptances are retained by the creditor, the forwarder is at once entitled to his compensation, according to the contract of forwarding. Where the notes are allowed to remain in hands of the forwarder until the date of maturity, the compensation of the forwarder must be delayed until the notes are actually collected. In the event of a note settlement which has been authorized by the creditor, where the notes are retained by the creditor, and the forwarder is discharged by the payment of this regular fee, and where subsequently, the notes are not paid at maturity and are returned to the forwarder for collections, it shall be understood that the employment to collect the notes is a new one and in the event of failure to collect, the forwarder shall not be required to refund the commission previously received; and in the event of collection of the notes the forwarder again shall be entitled to the usual commissions based upon the amount collected.
21. When a claim is placed with a forwarder on a contingent fee basis, the forwarder obtains thereby an interest in the matter to the extent of his fee, and such a matter cannot be withdrawn within six months time in the absence of fault on his part, without remunerating him for his services and expenses. Forwarded claims which have been in the forwarder's hand for at least three months time, upon which no collection has been made by the forwarder, and upon which no arrangement for payment has been made, shall be returned to the forwarder upon request.
22. When a forwarder reports a claim to be uncollectible without suit and the creditor chooses not to sue, the forwarder, on the request of the forwarder or creditor, shall return the claim without charge.
23. Where a forwarder succeeds in collecting part and has promise of the remainder, the forwarder may not recall the claim without paying the forwarder his fee on the deferred portion, and should the debtor's promise fail of fulfillment, after the creditor has requested the forwarder to return the balance of the claim, the forwarder is not required to return the fee, since his employment has ceased, the creditor assuming the risk of fulfillment of the promised payment. If the matter is left in the hands of the forwarder and the debtor fails to fulfill his promise, the forwarder does not earn a fee on the deferred portion unless and until it is paid.
24. A forwarder may not withdraw a claim from a forwarder for the purpose of filing it directly in probate, bankruptcy, receivership or any kindred proceedings, without first compensating the forwarder for the reasonable value of the work he has done.
25. A creditor or forwarder shall not send a claim against a bankrupt entity to a forwarder on condition that it be handled without charge.

26. Where a forwarder is called upon to remit the proceeds of a collection to different and conflicting parties, he shall impound the money in some responsible depository and notify his correspondents that it will be released only upon receipt of a directive in writing from both parties asserting a right to it, mutually agreeing upon its distribution.
27. The forwarder shall make settlement with the forwarder at least once each month, furnishing the forwarder with a suitable statement that can be retained, showing thereon the amount of the collection and the name of the creditor or creditors, on whose account or accounts the payment is to be applied. It is strongly recommended, however, that when a forwarder obtains full payment of a claim or substantial payment on a claim, an accounting be made upon clearance of the check.

### Miscellaneous

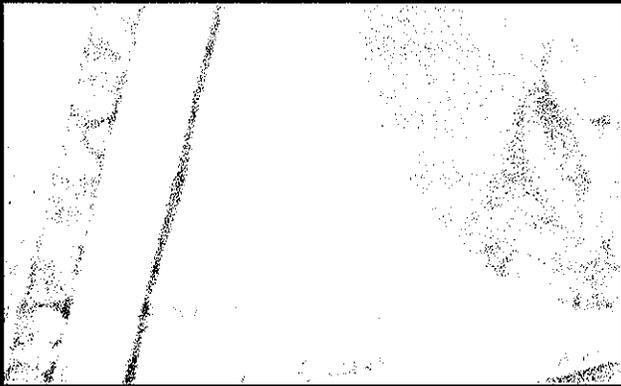
28. The forwarder shall give forwarder all possible information concerning any forwarded claim or account at the time of forwarding.
29. The forwarder shall acknowledge items of business received by him within three days after receipt, either accepting or rejecting the same. If rejecting, he shall give reasons for so doing. Failure to promptly acknowledge receipt of forwarded claims shall deprive the forwarder of any claim to commissions earned on direct payments, either to creditor or forwarder.
30. A forwarder, employing two or more agencies in the same or different towns to handle the same matter without the agencies being informed of the situation, must in case of settlement pay to each a reasonable fee for services rendered.
31. The forwarder shall not request a credit report on a debtor from one forwarder and without just cause send the account to another forwarder for collection.
32. No forwarder shall send out a claim, or claims, which he has previously forwarded, without disclosing that fact.
33. No forwarder or forwarder shall fail to answer promptly inquiries pertaining to pending matters.
34. A forwarder shall promptly return all papers and/or remit all monies collected on claims that have been withdrawn because of the forwarder's neglect or inability to handle the same.
35. A forwarder shall not retain an item of business if he cannot handle it properly for any reason, including the following:
- Because of friendly relations with debtor.
  - Because of obligations to debtor or to the other persons closely associated with debtor.
  - Because of obligations to another forwarder or creditor which prevent his adequately carrying out the instructions of the forwarder. In such instances, the forwarder shall place the forwarder in full possession of all facts or return the claim at once.
36. The forwarder is responsible for representing and protecting the forwarder. If a commission loss occurs because of a direct payment to the creditor, the forwarder must assume the loss, make remittance of the agreed fee to the forwarder. The forwarder may not communicate directly with the creditor except with consent of the forwarder, unless the forwarder's refusal to honor the forwarding contract justifies direct contact with creditor.
37. No forwarder shall charge and retain in one case the fees claimed in another, where there is no authority to do so, particularly where the bill for such fees is in dispute.

The Association realizes that it is practically impossible to draw a set of Rules that will govern all cases because there are so many side issues that can be attached to any given set of facts that it would change the whole viewpoint in that one case. Therefore, it is recommended that, where a difference of opinion does occur between forwarder and forwarder, members will put into practice the fundamental principles of the "Golden Rule."

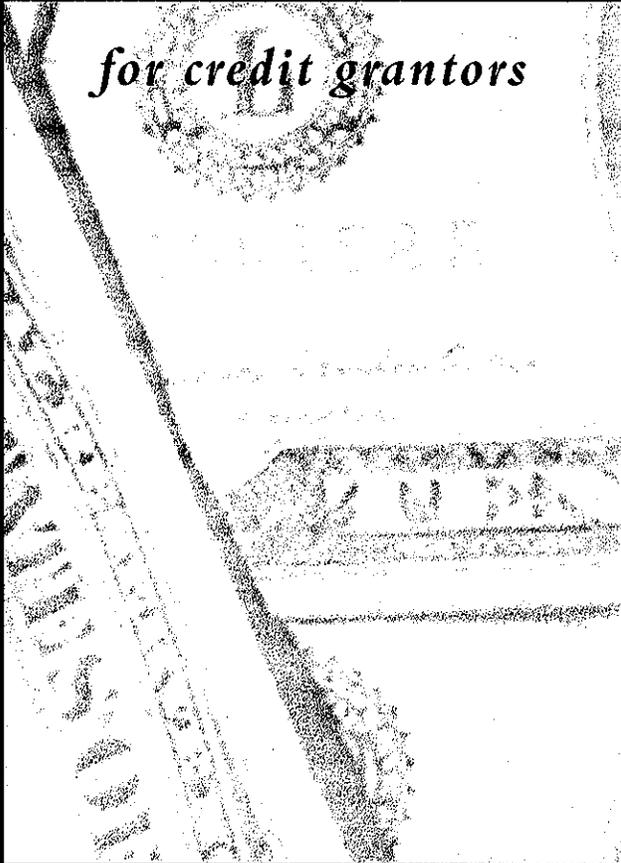


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COMMERCIAL  
COLLECTION  
GUIDELINES





## CONTENTS

**2**

A PERSONAL NOTE TO CREDIT GRANTORS

**3**

CREDIT GRANTING AND COLLECTING

**5**

INTERNAL CREDIT CONTROL

*Credit Policies*

*Opening Credit Lines*

*Billing Practices*

*Collection by Letter*

*Collection by Telephone*

*Collection in Person*

**15**

COMMERCIAL COLLECTION SERVICES

*Referral to a Specialist*

*Selection of a Service*



**International Association  
of Commercial Collectors, Inc.**

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## A PERSONAL NOTE TO CREDIT MANAGERS

**T**his booklet has been prepared to assist commercial account credit managers and their staffs in evaluating receivables and collecting accounts. It is useful for credit and receivables staffs regardless of size or scope.

This guide has been put together by members of the International Association of Commercial Collectors, Inc. (IACC), the largest organization of commercial collection specialists in the world. IACC members serve nearly every major metropolitan area and thousands of small communities throughout the United States, Canada and other parts of the world.

*Commercial Collection Guidelines* is not intended to teach professional credit managers how to operate in their specialized fields. Rather, the purpose is to provide guidelines for the extension of credit. In addition, this booklet provides information on how and when to enlist professional commercial collection services.

IACC members share with others in the credit industry recognition of the important position of commercial credit managers and their staffs. The increasing number of seminars, conferences and graduate courses offered to commercial credit personnel is a good indicator of the importance of your function.

We hope that this booklet will be of assistance to you in establishing and following effective credit department policies and procedures, especially those involved with slow-paying accounts.



## CREDIT GRANTING AND COLLECTING

**I**t is estimated that literally tens of billions of dollars in delinquent commercial credit is currently being carried on the books of both American and international businesses.

This figure fluctuates as our economy expands or contracts. Increased competition, diversification of product lines and/or governmental pump-priming to industry all seem to indicate, however, that these figures will continue to move upward.

Regardless of the state of either the national or international economy, the necessity to grant credit and to collect receivables using professional methods remains important to all businesses.

### **Volume of Credit Sales Are Significant**

Most commercial companies sell about 2 to 5 percent of their products for cash. The credit department is responsible for the other 95 to 98 percent of the goods and/or services sold.

Businesses have varying percentages of their liquid financial resources tied up in receivables. Actual losses might range from one-half of one percent to five percent of sales without serious results. This depends on mark-up for profit and other factors. Losses can grow to significant sums very rapidly if not controlled by the credit manager.

### **Accounting and Finance Knowledge is Needed**

Knowledge of accounting and finance, along with tact and foresight in customer relations, are qualities that characterize the professional commercial credit manager.

You should have some background in accounting in order to evaluate financial statements submitted by prospective customers. You should have additional financial background or training so that you can estimate risk factors, company profits and recovery rates. In this capacity, you must be knowledgeable about the cost of money outstanding and its value to your employer.

### **Good Customer Relations Are Important**

You and your department must also be attuned to customer relations. This quality is absolutely necessary in order for the company to prosper through growth. It is very easy to say "no" to prospective customers, and it is very easy to firmly demand payment. But, if this attitude raises havoc with sales, then the credit department is not performing its complete function, which is to create a balance between sales and recovery of money.

The job of the credit manager is an important position in this industry. The credit manager's effectiveness is crucial to the success of the company, and because of this, management will seek help from the credit manager when making important business decisions.



## **INTERNAL CREDIT CONTROL**

### **CREDIT POLICIES**

International economic conditions change. Regional market conditions change. And therefore, management goals change.

It is management's obligation to advise and consult with the credit department when considering a change of policy.

Management should call for the expertise of this department when drawing up new programs relating to sales and the subsequent recovery of receivables.

It is your responsibility in the credit department to be aware of changes in economic conditions in order to advise and assist management with possible difficulties that may ensue.

The credit department is a vital segment of a company's success. You must be aware, you must be consulted with and you must contribute to the decisions involving proposed changes. Company growth and its credit policies are inextricably tied together.

### **Credit Controls May Be Relaxed**

For example, if the company plans a sales expansion program through increased geographic exploration, then there may have to be a relaxation of strict credit policy controls in those areas. There may be a dollar amount under which no credit check will be made. The decision may be that any order under \$200 will be shipped at once rather than spending time and money in credit checking.

Such a policy may create a problem of money recovery, but it is a situation that is tolerable. You must set up tight controls so these new accounts are not neglected. You recognize that there will be a percentage of credit loss with such a sales expansion program. You must work closely with the salespeople in order to encourage this expansion while avoiding unnecessary risk.

Commercial and industrial experience has proven the following percentages: of 10 new customers, six will pay on time, two will

pay in 60 to 90 days and two will become collection problems.

Always watch your new sales. As money becomes tighter, you will receive one-time sales from firms that may be experiencing financial problems. These customers will bounce from business to business, and need your close attention.

The company can plan its expansion program based on this experience: of the 10 new sales, two to four will be one-time sales and bring a small credit loss; six to eight will become valuable customers in the future, two of whom will consistently pay in 60 to 90 days. Using these figures, the company can project sales expansion and the controller can project percentage of recovery. Of course, these figures vary by industry.

### **Faster Recovery May Be Required**

Your industry may experience a tight supply for its raw materials or a profit squeeze through increased labor costs or increased supply costs. In this environment, growth through new customer acquisition may not be critical. Instead, supplying your existing accounts may be your highest priority.

In this instance, the credit department may be required to recover receivables more rapidly because the profit margin is reduced. The 70 to 90-day customers must be induced through closer contact—by reminders, notices, letters and tactful personal attention—to bring themselves within your company's prescribed terms.

It is possible that your company may decide to reduce its customer list and sell more of its goods to fewer accounts. This is a policy of reducing inventory, storage space and employees. The credit department will then have to police larger—but fewer—accounts.

### **OPENING CREDIT LINES**

When extending credit to a new customer, the following basic information should be gathered for your credit evaluation and kept on file:

- **Is the applicant firm individually owned, a partnership or a corporation?** You must obtain full names of owners, partners or officers and all business addresses. This is a must. A follow-up form letter to the hastily approved customer may supply this information and

the local city directory may be helpful with details of ownership or tenancy. You should, however, get the information before delivery of the merchandise.

- **How long has the applicant been in business?** Statistics show that 50 percent of business failures are firms less than one year old, 75 percent are less than five years old.
- **At what bank does the applicant do business?** What is the average size of his bank balance and are there any loans outstanding? The customer may have a financial statement which will reveal this, and certainly a phone call to their bank manager is in order. They might only confirm the existence of an account, unless your customer preapproves release of the details. A carefully worded and signed application will gain you the most information.
- **What do the records show?** Are financing agreements kept, or have legal suits been filed? If the amount of credit requested is substantial, additional financial information may be secured from an outside credit information source such as another supplier, trade association or business reference.
- **What are some of the business firms with which the applicant is currently dealing?** You will want to check with at least three companies to determine how much credit has been extended and the creditors' payment experience with the applicant company. This procedure may help you and other businesses in exposing customers who exploit their suppliers.

### **Watch for Patterns of Problems**

It is a constructive idea to analyze those customers who have become collection problems and to note reasons for their delinquency. A pattern will probably be revealed.

It may be found that some collection problems involve businesses which were in operation less than a year at the time credit was originally granted. This is a "red flag." It does not mean that a new business should be denied credit, but it does mean that additional information should be obtained to ensure that the business is potentially a good credit risk.

Sometimes the credit manager will have to deal with a sales

person who is overanxious or undertrained. In the desire to sell, they may make promises that lead to collection problems. When such a pattern develops in an area, it would then be wise to advise the sales manager about the problem. It is often expedient with large orders to send the potential customer a letter spelling out credit terms.

### **Some Delinquencies Are Unavoidable**

It is inevitable in granting credit that certain conditions cannot be foreseen and that there will be unavoidable delinquencies.

It is usually an acceptable company policy that credit losses within certain percentage limits can be sustained, as growth can only be achieved by reasonable risk taking. Reserves for bad debts and collection costs are an acceptable and recognized expense for business. A too-tight credit policy can dry up potential growth. A too-loose credit policy can be a great expense.

By granting credit intelligently and by following good billing and collection procedures, it is possible to hold risk to an acceptable figure—to a balance between company growth and losses due to bad debts.

### **BILLING PRACTICES**

Speed is really the key to collecting past due commercial accounts since commercial accounts depreciate more rapidly than consumer accounts.

In planning and carrying out a billing system, a credit grantor should recognize that time is the safest refuge of any debtor. The more time they are given, the less likely they are to pay. Hence, sales documents should be explicit about payment terms, return privileges, interest charges on overdue accounts, guarantee and service costs.

### **Varied Collection Programs Used**

Collection programs should be organized around the company's existing facilities. A series of letters used together with an account aging spreadsheet or data printout will help to track slow-paying accounts.

All systems should have an organized and mechanical follow-up of accounts at regular intervals, for instance, 10, 30 and 60 days past due.

It is essential to establish regular billing and collection procedures. Follow up on every account to the point where contact—or lack of contact—with the customer indicates some alternative action should be taken.

### **Assist Collection from the Start**

Built-in collection controls at the time of sale often assist in receivables recovery and help avoid delinquencies. These include such items as sales contracts or a well-defined vendor's purchase order with conditions of sale clearly spelled out. Appropriate terms should be printed on sales documents (contracts, invoices, statements) clearly and without equivocation. Such terms will include notice of interest charged on overdue accounts and discounts granted for prompt payment.

Internal control of receivables should include an aging which permits periodic assessment. This should mesh with collection routines. The break-off point for referral to professional commercial collectors should come from the aging at 60 or 90 days past due, and sometimes sooner.

After a first statement has gone unheeded, start your collection procedure. Any program that permits three statements—or a two to three month time lag—before the first collection step is taken, will result in a lower recovery ratio.

Any procedures for handling slow-paying accounts should emphasize speed in contacting the delinquent bill payer. A company with a past-due account on your books is probably in the same condition with a number of other suppliers. The debtor may be on the verge of serious financial trouble, and the creditor who moves first is most likely to recover their money.

### **COLLECTION BY LETTER**

Letters are a basic collection technique used by nearly all credit grantors to collect past-due accounts. They are usually the first approach to a debtor.

It is sometimes beneficial to bring the sales manager into this step of the collection program. Information concerning the delinquency can often be obtained from the sales manager.

The number of collection letters in a series should be kept to a minimum. Experienced commercial credit grantors have found

that there is a point of diminishing returns, generally reached after the first letter goes unanswered.

The reason for a limited series is that letters are one-way communication. Letters can only attempt to motivate a customer to pay the debt. A letter usually cannot uncover the customer's reason for nonpayment though it must subtly ask, "Why is this not paid?", while asking for payment in full.

### TIPS FOR COLLECTION LETTERS

When writing collection letters, these points should be considered:

- **Include all basic information.** The letter should state how and when you expect payment. It should suggest why the account should be paid in full. It should motivate the debtor to actually do this—now.
- **Use an effective style of writing.** Most collection letters are written to appeal to the writer and not necessarily to the delinquent customer. Appeal to the debtor.
- **Use the "you" approach.** Too many letters emphasize "we." Avoid such phrases as "we insist," "we remind" and "we want." It is much better to put the customer into the letter, saying such things as "you will appreciate" and "it is to your advantage." Remember that the debtor is not interested in your best interest, but in their own.
- **Don't say, "We will not write again."** This assures the debtor of their success in evading payment, and a phrase such as "to keep your good credit rating" may be impractical in a situation that has reached a certain stage of collection.
- **Use motivating factors.** If a customer has not paid, there is a reason for it. Although a letter cannot discover the reason, it can give the customer a way in which they will benefit. For example, by paying now, they may continue to enjoy "open account" terms.
- **Appeal to pride, honesty and security.** As a last resort, appeal to anxiety. These are factors that can be used to bring prompt payments.
- **Address the letter to an individual.** Direct it to the person who is authorized to initiate payments. Keep the letter

short. Be as brief as possible, and cover only the most important points.

- **Sign the letter personally.** Do this even if it is a form letter.

### IDEAS FOR COLLECTION LETTERS

Your first collection letter could be this brief message:

*Your account is seriously past due. Please send your check by return mail. Failure to make payment will prevent us from authorizing additional purchases to your company's account.*

Ten days later, if you have not heard from the account, something like this could be sent:

*Our previous letter to your company regarding its overdue account has gone unanswered. It is essential that you immediately send payment in full or send a substantial payment with a firm arrangement for the balance. Failure to respond to this request will force us to take additional collection action which may prove costly for your company.*

If a third letter is needed, it could be sent 10 days later and contain wording similar to this:

*Unless payment of this seriously past due balance is received by (give date, about 10 days from the date of the letter), your account will be referred out of this office for final collection action. So that your account with us can remain open and so that additional costs will not be charged to your company, it is extremely important that you respond to this letter today.*

### COLLECTION BY TELEPHONE

The telephone enables a credit manager to make many contacts in the shortest period of time. A call permits you to present your case to the debtor for immediate response.

During the conversation you can determine whether the claim will be paid in full and when. This is the time to determine reasons for nonpayment.

Advantages in telephoning are the two-way line of communication and the speed in obtaining a response.

For most calls, follow a set pattern:

- Call directly to the person in charge.
- Identify yourself and your company.
- Ask for payment in full at a specific date.
- Suggest a solution once you have determined the real reason for the bill not being paid.

### Main Reasons for Nonpayment

The most difficult part of a call is to determine the real reason the bill has not been paid. There are usually three reasons for nonpayment.

#### 1. Lack of funds or belief that there is a lack of funds.

Most nonpayments result from real or imagined lack of funds. You have to determine which of the two is truly the case. Frequently, businesses have assets they don't recognize. Sometimes, they may be short of funds because too much is tied up in accounts receivable. You can point this out to them and suggest ways in which they can release some of their capital and keep their accounts receivable more in line.

**2. Dispute.** Disputes can be discussed to determine whether or not they are valid. The valid claim must be adjusted quickly and fairly. The nonvalid claim should be exposed and immediate payment should be requested.

**3. Refusal to pay.** If it is a refusal to pay, your next step has been dictated by the customer/debtor. You must take third-party steps to enforce payment.

Pin down the arrangements agreed upon. Make sure your customer puts them down in writing while you wait. Remember, your customer has past due obligations to other creditors, and you are competing for their money. Be sure they do not send your money to some other creditor. Follow up with a notice reminder or form letter.

## COLLECTION IN PERSON

If all else fails and if it is practical, the final step is to arrange a personal interview with the customer.

Personal interviews are the strongest demand for payment. The interviewer must show authority and positive ability to negotiate the claim, if necessary. At this time, the customer must pay, show valid proof of a dispute or be completely honest in stating their financial position.

A collection interview requires business-like persistence, firmness, tact and an impersonal attitude.

### Aids Needed on Collection Visits

Try to get the customer to come to your office. If it is necessary for you to go to see them, you may need these items:

- A copy of the customer's ledger.
- Copies of invoices involved.
- An envelope addressed to you.
- Copies of correspondence.

Basic steps in a personal interview are the same as on the telephone. You should *confirm all information* on your application form and make sure it is up to date.

Then, you should *determine the problem*. Once again, it will be one of three things: a lack of funds or a belief that there is lack of funds, a dispute or a refusal to pay.

If it is a refusal, you have no choice but to place the account with your collection service. If it is a dispute, once again you can immediately decide whether it is a bona fide dispute or an imaginary one and take the necessary steps to resolve it.

Disputes, valid or invalid, are handled in the same manner as in the telephone interview.

Finally, when you have found a solution, if it is not a payment in full, *put the arrangement in writing*.

### Salespeople as Collectors

Using salespeople as collectors is a subject which occasionally arises when the credit department completes its automatic procedures and when the company policy is heavily sales oriented.

The sales management theory is that the salespeople know their customer and, therefore, can ask them for the past-due money.

The theory may be valid, but in practice, it is not usually successful.

In fact, it may be very costly.

Consider these factors:

- The good salesperson has been trained to sell their company's goods and services, and is not trained for collection work.
- The poor salesperson may have been a source of the delinquency because of promises made in order to get the sale.
- Time spent on collection of an account may detract from time allotted for selling.
- The credit department must set a follow-up system to watch for the salesperson's reports.
- Adjustment of the account should be the responsibility of a salesperson's supervisor in consultation with the credit department.
- There may be a 30- to 45-day additional delay before more positive action can be taken by the credit department.
- There may be inter-departmental resentment. The salesperson is being asked to do a credit department job, and this should not be their responsibility.

In summary, there are some exceptional salespeople who can sell and collect accounts. Usually, the combined duty is not a good policy because of delay, cost and resentment.

#### **Key Word for Collection: Speed**

Whatever the method of collection, the key word is "speed." The sooner contact is made with the debtor, the sooner the money will be forthcoming or the sooner you will know that outside assistance is needed.



## **COMMERCIAL COLLECTION SERVICES**

### **REFERRAL TO SPECIALISTS**

When the credit department loses effective contact with the debtor, it is time to refer the account to a commercial collection service.

If the debtor has ignored requests or has broken payment arrangements, continued internal efforts may not be worth additional time. They will cost your firm money.

Of course, referral should be made in accordance with the company's aging policy unless special circumstances arise.

Being responsible for the principal's assets, the credit manager will have set up internal controls that will account for a high percentage of receivables. But the small remaining percentage should be placed with a specialist—a professional commercial collection service.

This option provides many advantages for the credit manager:

- **A collection service has special procedures and a position as a third party that commands attention from a debtor.** It provides efficient and immediate collection contact and advises at once if preemptory salvage action is required. It is persistent and aggressive in obtaining prompt action for its clients.
- **A collection service has strong psychological advantage. The debtor no longer is dealing directly with the seller.** They are dealing with a third party whose sole function is to collect this account. The debtor knows this, and they know that all legal means of collection will be used.
- **A collection service allows the credit department's time to be used more productively.** It is estimated that five percent of delinquent accounts take at least 20 percent of

the credit department's time. This time is consumed by letters, follow-up notes, telephone calls and such. By using a collection service, more time can be given to internal credit controls and, in the long run, fewer accounts will be allowed to reach severance status.

Experienced credit and financial people are aware of the value of a collection service in maintaining the continuity begun in their internal control system. They know that delinquent accounts are not always "bad." But contact time, cost of money outstanding and pressure from new accounts for collection indicate to them that professional assistance is a practical consideration.

### **The Role of the Attorney**

The commercial attorney also has a role in the collection procedure. When it is determined that an account cannot be collected by collection service procedures, an attorney may be engaged. Most commercial collection agencies have effective contacts for placement of claims with commercial attorneys.

Exchange of business between collection services and attorneys guarantees informed attention for the credit grantor wherever the debtor is located. If suit is justified, it will normally be recommended that the claimant advance the necessary costs and provide the backup paperwork.

It is often asked why there are such long delays in resolving a simple collection matter through the legal process. The reason is that the debtor, whatever their excuses may be—financial problems, an honest dispute or an unfounded desire to stall—uses the legal machinery for delay.

For example, they may hire their own attorneys and instruct them to use every tactic that the law allows to defeat—or at least to delay—the suit. They may find many reasons, all acceptable to the courts, to delay their appearance. They may enter a counter claim against the creditor. They may offer a settlement. Finally, if the claimed obligation is large enough, they may request a superior court or a jury trial.

Often, the company's reasons for delay are linked to financial problems. Throughout these long procedures and pleadings, they avoid paying their creditors and, thus, buy time.

Additional costs and possible long delays through the legal process are the primary reasons that most credit managers use professional collection services as the first step and legal process as a last resort. A service such as a third party representative has the expertise to maintain close contact with a debtor, to police a schedule of payments and to present a client's demands for payment by direct contact.

### **SELECTION OF A SERVICE**

Before selecting a collection service, a creditor should review certain essential factors. There will be a financial relationship between you and the collector, and the collector has ethical and legal responsibilities.

The credit grantor should:

- Investigate the commercial service's financial responsibility and position in the community.
- Check on the bonding and licensing of the service, particularly if required by state law. The International Association of Commercial Collectors (IACC) requires that its members be bonded.
- Be sure the service is aware of federal and state collection laws and follows good business practices. IACC members have access to individual collector and agency certification programs. Certification assures clients of the knowledge and professionalism of the agency's service.
- Determine the relationship of the service with its peers or competitors. IACC sets the highest standards for its members and demands strict compliance with its rules of conduct and its code of ethics.
- Know how the service approaches the customer. An effective service will understand the client's credit and public relations policies and provide a collection approach that compliments these policies.
- Learn the geographic or trade strength of the service. Find out first-hand what area it covers and if it has access to fellow collectors throughout your market area in order to give your claims on-the-spot coverage. Find out how far the service will proceed on typical cases. Learn how it recommends

continuation with attorneys and forwarders, if this is necessary.

- Determine how fees are charged and obtain a schedule in writing. A collection service often uses a written agreement which establishes the relationship with the client, but it works on a contingent fee basis. Be sure that special situations are understood in advance.

Select a collection service as you would any other firm with which you have business relationships—by reputation and by performance. You will find members of the International Association of Commercial Collectors, Inc. highly qualified in both areas.

### **Reports**

Fully understand the service's reporting practices and policies for money remittance. You know you have made a wise choice of a collector by the type of report you receive. You want to know if a payment has been made and that a check is forthcoming. You are interested in the collection potential from the debtor and the recommendations of the collector.

Reports are essential to the credit manager as you have an obligation to keep others informed, namely the controller, the treasurer, the vice president of sales, the president and the stock holders. The decision of a creditor company to borrow or to liquidate its assets may hinge on the collectibility of overdue accounts. It may also be a crucial factor in the sales department's proposals for growth. Modern business conditions require that management be aware of accounts receivable liquidity.

Specify when reports are required. A good collection service will tailor its reports to meet your schedules, if possible. Know what types of reports will be used—check-list forms with added comments or special reports which give information of special value. For example, if the debtor moves, changes its trade style or accepts new people into its business, this information is valuable to you.

### **Communicate with Your Collector**

Once you have selected a collection service, communicate effectively with its staff. This creates rapport, confidence and

understanding. It encourages cooperation which results in prompt collections.

Supply the service with all background information, ledger experience, debtor's business organization and information on the principals. This gives the collector an informed approach to the debtor, thereby enabling him to do a better job for you.

### **Professional Services Pay**

The annual cost of complete professional collection services is a fraction of the money that would otherwise have gone uncollected. Yet for these costs, the credit manager has at his or her disposal a fully staffed and professionally trained collection service organization.

For its positive results, hiring a collection service is a recognized, accepted and legitimate business expense. Most credit executives realize this fact as a necessary check to substantiate accounting procedures for write-off and tax procedures as well as recovery.

Members of the International Association of Commercial Collectors, Inc. recover millions of dollars annually for their clients. They can give valuable assistance to your credit department in controlling mounting delinquencies and credit losses.

### **What is IACC?**

The International Association of Commercial Collectors, Inc. (IACC) is an international trade association made up of more than 200 commercial collection agencies and 150 commercial collection attorneys. IACC is the largest organization of commercial collectors in the world.

In addition to serving nearly every major U.S. metropolitan area, IACC members also serve thousands of smaller communities. For 30 years, members of IACC have successfully collected past due commercial accounts for manufacturers, processors, wholesalers, distributors and many other industries.

IACC members have the qualifications, training, experience and resources to effectively handle commercial claims for any field, anywhere in the world. In addition, the national and international network of IACC members assures quality coverage of accounts when claims are forwarded.



**International Association  
*of* Commercial Collectors, Inc.**

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### ***Is certification renewal required?***

Yes, certification renewal is required annually. The requirements for certification renewal are as follows:

- Mandatory attendance at one IACC sponsored event per year. (Teleseminars do not meet this requirement.)
- Yearly, specific documents will need to be submitted to be verified and tested through selected procedures performed by an independent CPA firm hired by IACC.
- IACC reserves the right to request trust/bank account/client liability information at any time.
- IACC and/or its appointed auditor reserves the right to perform an on-site audit if an agency is found to be out of compliance and a decision to revoke certification is being considered. Expenses for the on-site audit are the responsibility of the firm being audited.
- Yearly, IACC will verify trust account, licensing and bonding information and that the certified commercial collection manager is still an employee of the company.

### ***How much does the program cost?***

The initial application fee is \$400. This is a non-refundable fee that is due when you submit part one of the application. The annual recertification fee is \$200.

### ***How do I apply for agency certification?***

Contact the IACC staff at +1(952) 925-0760 or [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) to request part one of the application.

### ***What Our Members Say...***

"Certification is paramount in today's competitive environment. This allows credit grantors an opportunity to judge a company based not only by references, but also their earned credentials. Our IACC certification does give us an advantage over non-certified agencies."

— *Louis Figueroa, President,  
Credit Decisions International Ltd.,  
IACC Certified Commercial Collection Agency*



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***Discover the benefits  
of becoming an  
IACC Certified  
Commercial  
Collection Agency***



## **What is the IACC Certified Commercial Collection Agency Program?**

The International Association of Commercial Collectors, Inc. (IACC) Certified Commercial Collection Agency program demonstrates an IACC member agency's professionalism and devotion to providing quality collection services.

Through the program application process, a variety of information about the agency is reviewed and evaluated by an independent auditor hired by IACC to assess the agency's qualifications against the rigorous requirements of the program.

Once awarded, IACC certification gives an agency a unique mark of distinction in a highly competitive market.

## **Why should my agency be certified?**

The IACC Certified Commercial Collection Agency designation indicates that a third party has reviewed your agency's operations and that the agency meets or exceeds the program's standard operational guidelines. The agency can then provide:

- Quality assurance
- Highly respected business practices
- Credibility to clients
- Greater support to strengthen the commercial collection industry overall

**“Agency Certification is a unique selling point for your salespeople. The certificate provides another level of credibility when introducing your agency to a potential client. Existing clients will also experience a higher level of trust knowing that you voluntarily went through this process. The certification process gave me the opportunity to look more closely at my operation and make some necessary changes.”**

*– David Ward, President, Delta Recovery*

## **What are the requirements for IACC's agency certification program?**

All applicant agencies must meet the following requirements for certification to be awarded:

- Must be an agency member of IACC.
- Must have a minimum of one attendance at an IACC meeting in the previous year (teleseminars do not meet this requirement).
- Must have a minimum of \$50,000 in bonds. In states requiring a statutory bond of less than \$50,000, agencies will need both their state's statutory bond and a blanket client bond. These two bonds would need to equal at least \$50,000. In states that do not have a statutory bond requirement, agencies would need a \$50,000 blanket client bond. No more than two bonds can be submitted to meet this requirement. The same bond may be used to meet the bond requirement for basic IACC membership.
- The agency must meet all state requirements for licensing (if any) in the state(s) in which it has offices.
- The agency shall not co-mingle funds. The agency must maintain a trust bank account for the purpose of clearing monies collected and a separate operating account. The agency must have detailed records showing collections and remittances.
- The agency must demonstrate that it has an accounting system and the supporting records in place to appropriately collect debts and remit the appropriate amount to clients. The agency shall furnish three months of trust/bank account statements and three months of trust liability statements.
- If an agency has multiple offices, all locations must be compliant with agency certification.
- The agency's commercial collection manager must be IACC certified. (The fee for agency certification includes one IACC Certified Commercial Collector Manual and exam.)

- The agency agrees to abide by IACC's complaint handling procedure: All complaints will be: (a) Heard, (b) Reviewed, (c) Corrective action will be taken if and when necessary and (d) Reported back to the complainant.
- The agency must have a disaster recovery plan and procedures in place.
- The agency must have a dedicated commercial collection staff (i.e. collectors dedicated to collecting commercial accounts).

## **What is the certification process?**

To begin the application process, contact IACC at +1(952) 925-0760 or [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) and request part one of the application. This application requests basic information about the agency, its various locations and copies of bond and license documents.

After the IACC staff reviews part one of the application to confirm that the member meets the basic requirements for certification, the member will receive part two of the application. Part two asks for specific documents which are sent by the applicant directly to the independent certified public accounting (CPA) firm hired by IACC.

Once the auditor receives all the required documentation from the applicant, the CPA firm will contact IACC to notify the association whether the agency qualifies for certification status.

Approved agencies will receive a certificate and will be able to use the IACC Certified Agency Logo on letterhead, business cards and marketing materials.



## IACC Certified Commercial Collector Course Order Form/Exam Application

### Exam Registration Information:

**Candidate Names and E-mails** (e-mail required)  
(if more than four people, please attach a separate sheet).

1. Name \_\_\_\_\_  
E-mail \_\_\_\_\_
2. Name \_\_\_\_\_  
E-mail \_\_\_\_\_
3. Name \_\_\_\_\_  
E-mail \_\_\_\_\_
4. Name \_\_\_\_\_  
E-mail \_\_\_\_\_

\*Note: The candidate will have 60 days from purchase date to complete the course and exam.

### Billing Information:

Please note that IACC cannot bill non-members or individual collectors.

- Payment enclosed
- Bill my company
- Bill my credit card:  
 Visa  MasterCard  American Express

Card Number \_\_\_\_\_

Expiration date \_\_\_\_\_

Name on Card \_\_\_\_\_

Authorized Signature \_\_\_\_\_

### Return order form to:

IACC  
4040 West 70th Street  
Minneapolis, MN 55435  
Fax: +1(952) 926-1624

If you have any questions, please contact IACC at +1(952) 925-0760, by email at [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) or visit our Web site at <http://www.commercialcollector.com>.

### What Our Members Say...

"All of our collectors are IACC certified before ever fielding their first commercial call. The IACC professional/sales-oriented philosophy is consistent with the collection approach that we advocate at Lamont, Hanley and Associates. Additionally, the IACC accreditation gives us a leg up on our competition from a marketing perspective. Potential clients seem more comfortable knowing that the third-party collectors entrusted to handle their accounts are all IACC certified."

— Jeff Cove, IACC Certified Commercial Collector  
Vice President of Commercial Collections  
Lamont, Hanley & Associates

"Our firm has benefited tremendously from the IACC Certified Commercial Collector Program in that it solidifies that our staff is comprised of true experts in handling the intricacies of commercial collections. It is also a great marketing tool in helping us to convey to prospective clients that our staff is truly unique and actually specializes in commercial collections. We utilize the program to incorporate our collector's vast hands-on experience with the comprehensive educational information provided by the program in order to ensure that they have extensive knowledge and also a structured understanding of commercial collections."

— Loretta J. Chapa, IACC Certified Commercial Collector  
Director of Business Development  
The Phoenix Recovery Group



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## IACC Certified Commercial Collector Program

TRAINING & EVALUATION  
EMPLOYEE MOTIVATION  
MARKETING EDGE

## The designation recognized for professional excellence.

For over 35 years, the International Association of Commercial Collectors, Inc. (IACC) has promoted excellence through the training and education of commercial collection professionals.

IACC believes that collectors must be knowledgeable about a wide variety of business and legal concepts for their agency to compete effectively in the challenging commercial collection industry. Whether you have new collectors to train or experienced collectors to motivate to higher levels of performance, the IACC Certified Commercial Collector Program is an affordable tool to help you reach your staff training goals.

The *IACC Certified Commercial Collector Course* explores the following topics in an interesting, interactive Web format perfect for training or industry review:

- Methods of contacting debtors
- Skiptracing
- Overcoming objections to payment
- Asset location training
- Collection problems and solutions
- Commercial law definitions
- Using a sales approach to collections
- Motivating the debtor to pay
- Various credit instruments

Once collectors master the material in the course, they may demonstrate their knowledge by taking the *IACC Certified Commercial Collector Exam*. The exam may either top off an agency's comprehensive training program for new employees or be used to evaluate the skills and knowledge of more experienced employees.

In addition to the productivity gained by employing thoroughly trained collectors, your agency will also benefit from the unique and impressive marketing edge of having a staff of IACC certified professionals. When your collectors attain the designation of IACC Certified Commercial Collector, your clients and potential clients are assured that knowledgeable industry experts will be handling their accounts.

### Eligibility

The exam is available to anyone involved in the commercial collection field.

### Preparation

The *IACC Certified Commercial Collector Course* serves as an excellent study guide for exam preparation. Its convenient Web access and interactive online format really immerse the candidate in the material.

### Taking the Exam

Certification program candidates take the exam online in their own offices. The Web-based exam is monitored by a designated supervisor. The candidate will receive his/her login ID and password from the supervisor once the candidate is ready to take the exam. The exam consists of 60 questions based on the material covered in the course and takes about an hour to complete. Once the exam is finished, candidates will receive their score and be instructed as to what will happen next.

### The Certification Process

A score of 80 percent or better is required to pass the exam. Upon passing the exam, candidates will receive a certificate, an announcement in IACC's newsletter, *Scope*, and a press release for distribution to local press outlets. Those who pass the exam may indicate that they are an IACC Certified Commercial Collector on business cards, letterhead and other printed material.

### Recertification

Recertification by exam is required every three years to maintain the designation. Certified collectors will be notified several months prior to the expiration of their current certification with a reminder to schedule the recertification exam.

### Prices:

#### Certified Commercial Collector Course

Member Price: \$89.00

Nonmember Price: \$178.00

#### IACC Collector Certification Exam

Member Price: \$79.00

Nonmember Price: \$155.00

### Order:

<u>Item</u>	<u>Amount</u>	x	<u>Cost/each</u>	=	<u>Item Total</u>
IACC	_____	x \$	_____	= \$	_____
Commercial Collector Certification Course					
IACC	_____	x \$	_____	= \$	_____
Certification Exam					
				<b>TOTAL</b>	<b>\$ _____</b>

I have ordered \_\_\_\_\_ courses.

I have ordered \_\_\_\_\_ exams.

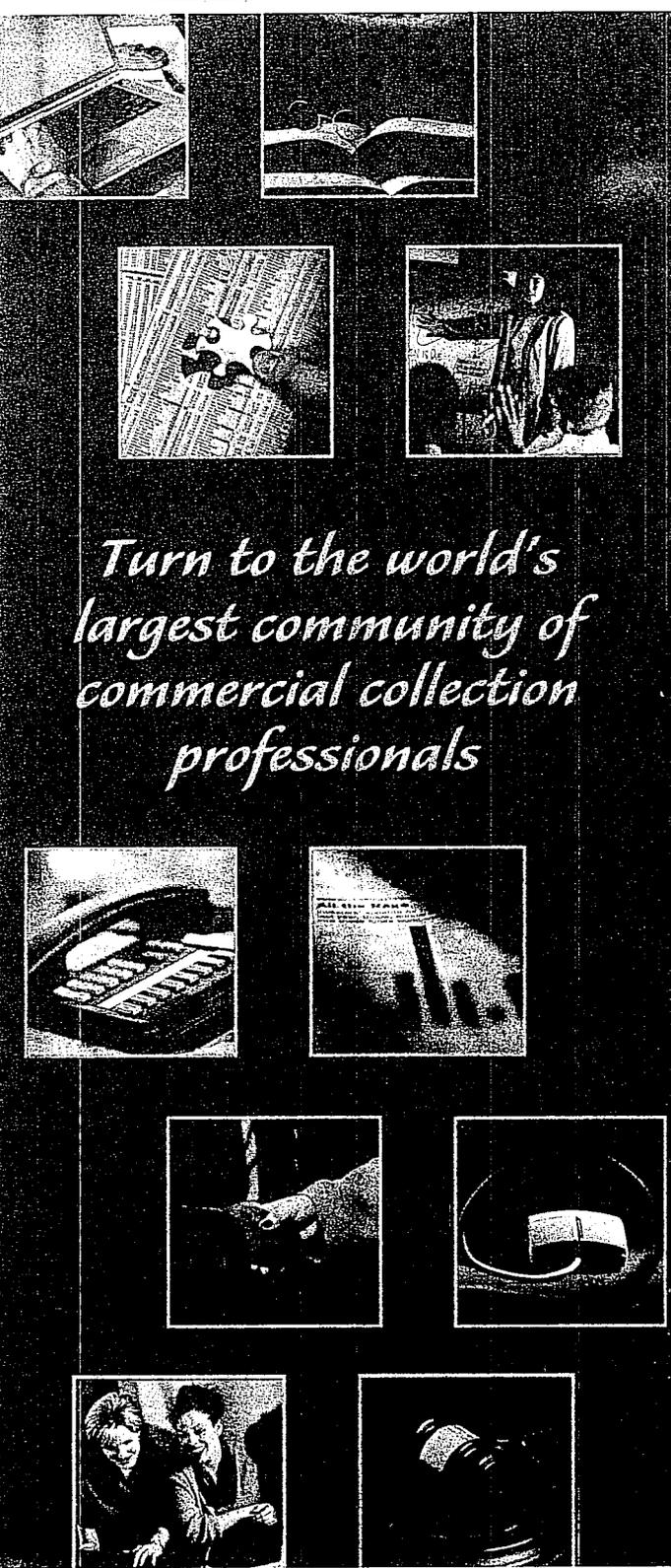
Note: Once the order form is received access codes will be sent within two weeks. The codes will be sent to the exam monitor.

\_\_\_\_\_  
Name of Exam Monitor

\_\_\_\_\_  
E-mail address for Exam Monitor

\_\_\_\_\_  
Phone Number for Exam Monitor

Please be sure to complete the reverse side of this form. ➔



*Turn to the world's  
largest community of  
commercial collection  
professionals*



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*When you need  
the very best...*



## ***IACC—A Powerful Community***

The International Association of Commercial Collectors, Inc. (IACC) is an international trade association made up of more than 240 commercial collection agencies and 160 commercial collection attorneys. IACC is the largest organization of commercial collection professionals in the world.

In addition to serving nearly every major metropolitan area, IACC members also serve thousands of smaller communities worldwide.

For over 35 years, members of IACC have successfully collected past-due commercial accounts for manufacturers, processors, wholesalers, distributors and many other industries.

IACC members have the qualifications, training, experience and resources to effectively handle commercial claims in any field, anywhere in the world. In addition, the national and

international network of IACC members assures quality coverage of accounts when claims are forwarded.



## ***IACC Members—Proven Professionals***

Excellent reputation and quality performance are the hallmarks of IACC members. Using an IACC member assures that your commercial accounts will be handled by a collection specialist who is ethical, professional and qualified to provide the high level of service you and your business deserve.

To become a member of IACC, commercial agencies must:

- pass a rigorous reference check
- have, at minimum, a \$10,000 bond
- maintain a separate trust account for all client money
- adhere to IACC's strict code of ethics and rules and regulations

## ***Benefits for Members***

In addition to having access through IACC to complete insurance coverage, which includes statutory bonds, client indemnity bonds and errors and omissions insurance, IACC members may take advantage of numerous educational opportunities and special resources for forwarding claims.

## ***Agency Certification***

IACC introduced the IACC Certified Commercial Collection Agency program for members in 2000. This voluntary certification program is designed to demonstrate an agency's devotion to providing quality collection services.



## ***Collector Certification***

IACC offers individual collectors the opportunity to grow professionally through the industry's original certification program designed specifically for commercial collectors. IACC's Certified Commercial Collector program requires individual collectors to be knowledgeable in all areas of commercial collections. The certification exam tests the collector's understanding and appropriate application

of the following commercial collection activities and techniques:

- making the commercial collection call
- motivating the debtor to pay
- reporting procedures
- various credit instruments
- overcoming debtor payment objections
- asset location training
- commercial law definitions

## ***Creditor Resource***

Contact IACC today to receive a free copy of IACC's popular informational booklet, *Commercial Collection Guidelines for Credit Grantors*.

## ***Creditor Information Line***

If you are interested in learning more about commercial collections, have questions about working with a commercial collection agency or would like a complete listing of IACC members, please call IACC at +1(952) 925-0760, e-mail [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) or visit <http://www.commercialcollector.com>.

## ***For More Information***

If you are already working with or are considering hiring a commercial collection agency or law firm and would like to know if they are a member of IACC, simply call IACC at +1(952) 925-0760 or e-mail the IACC staff at [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com).

In addition, be sure to visit the IACC Web site at <http://www.commercialcollector.com>. You may search our online member directory to locate an IACC member near you.





# Scope

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## **"I don't owe the money because..."**

**A practical discussion concerning debtor defenses to paying the account.**

**H**ow many times have you tried to collect on an account and the debtor continues to give you objection after objection to paying the account? Has this happened to you more than you'd like and you just don't know what the best way is to handle these calls? In the session "I don't owe the money because..." A practical discussion concerning debtor defenses to paying the account" presented at IACC's Annual Convention held in January 2007, Steve Harms, partner of Muller, Muller, Richmond, Harms, Myers & Sgroi P.C., spoke to attendees on how to handle debtor objections.

The favorite claim of the office - the disputed claim. Agencies will not always get 100 cents on the dollar from each debtor, especially on a disputed claim. However, agencies will want to train their collectors so they can respond and deal with a disputed account to the best of their ability. There are some strategies that can help collectors and Harms went through several of them during his session.

He began with an example of a \$2500 claim. This is not a large claim but still a claim worth collecting and collecting quickly in order to get the money and impress the client. The faster you collect a claim, the faster the client gets the money and the faster the next claim comes in the door.

The collector makes the call and so begins the disputed account. The debtor



says *I'm not paying*. The collector asks why and the debtor continues with *because I don't owe the money because, because*. The debtor is now trying to make the claim fuzzy and use it as a stalling tactic.

The debtor may continue by saying *let me look up the reason why we owe and I'll call you back*. Harms said, "Never let the guy off the phone. The second call, he'll screen it, and you'll never get him back on the phone. It's the first call that's the dynamic call. Do not let him off the phone."

Begin to break down the dispute. The collector should find out the amount the debtor is disputing and see if he can bring in at least the remaining amount. If the debtor will not pay anything until the whole dispute is resolved, it is absolutely essential to find out what the dispute is and to resolve it.

What some collectors have a hard time doing is the fact finding of the dispute. Often a dispute involves industry specific information and if the collector doesn't know anything about it, it will be hard to fire back answers to the dispute. The collector's job is to break down the dispute and break the debtor down. It will help to know some of the specifics of the industry in which the collector is working.

Figure out if a dispute is really a dispute or simply a stalling tactic because the debtor doesn't have any money. A lot of the time it's not a dispute at all, but a debtor that has no money to pay the bills. This is another crucial point where the collector needs to keep the debtor on the phone and find out what the real problem is. This takes good listening skills.

This is also the time to get both sides of the story. When the collector begins working on the account, the only side of the story he has is that of the client. This is the chance to also get the story of the debtor.

"One of the cool things that come with a lot of claims is call notes. If you read through the call notes, and I love call notes, please get call notes, we sometimes find there is another side of the story by just reading through the call notes. Now we're starting to get the second side of the story," said Harms.

*continued on page 4*

## IACC OFFICERS

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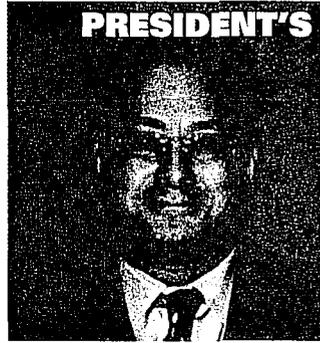
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## PRESIDENT'S LETTER

## See you in Chicago!

*By Paul Eisenberg*

It's hard to believe it's already June and many of us are planning our summer vacations. Everyone still has time to register to attend our upcoming IACC 19th Annual Strategic Management Conference being held in Chicago, beginning with the Welcome Reception, 5:30 p.m., Tuesday, July 24.

This year's Management Conference will be at the beautiful downtown Chicago Hyatt Regency Hotel. It is a great location for mixing business and the pleasure of a summer getaway. Plan on arriving a few days before or staying a few days after the conference to explore Chicago's museums, theater and music, incredible restaurants, exciting nightlife and fantastic shopping. Take in a White Sox or Cubs game. Enjoy the panoramic Chicago skyline while cruising on Lake Michigan.

Sandwiched in between your vacation in one of America's most exciting cities, are the highly informative educational sessions held on Wednesday, July 25. This year's conference includes very helpful sessions on maintaining client relationships and increasing sales from existing and prospective clients through relationship marketing. In today's competitive business environment, it has become increasingly difficult to convert prospects into clients and to retain and maximize relationships with existing clients. These sessions will present a comprehensive program on every phase of the sales process including effective advertising, productive marketing, making the initial sale and generating repeat sales.

On the technology side, we have scheduled a session on document imaging solutions and document storage. If your agency or law firm is struggling with the same issues as my agency is, the timing of this session could not be more ideal. Our agency is currently in the process of evaluating various imaging systems and how best to incorporate these systems into our work flow so they do not negatively affect our collection

effectiveness. While many agencies have made the leap to a paperless (or near paperless) environment, the vast majority of our membership is still exploring the process of making the transition to digital storage.

We have also scheduled a Roundtable Discussion on the burning issues in our industry. These sessions are a longstanding tradition at the Strategic Management Conference and truly differentiate our association from any other. The discussions are extremely candid with attendees sharing details on a wide range of topics such as employee compensation, operational procedures and new successful ideas incorporated into collection practices. I have personally found these sessions to be the most rewarding of all. They have helped me develop long-term relationships with other agency owners and managers who willingly share their helpful insights, not just at the management conference but also throughout the year.

In addition, all attendees are invited to attend ACA International's Annual Convention Opening Session and Opening Reception/Exposition. ACA's Convention will begin right after the management conference. You will have an opportunity to interact with more than 130 exhibitors providing information on all types of products and services available to the collection industry as well as network with the many collection professionals attending the ACA Annual Convention.

So make sure you register for the Strategic Management Conference right now and make your reservations at the Hyatt as soon as possible to take advantage of the special rates available to our association. Bring your spouse, bring your family and enjoy Chicago.

Whether you are a new attendee or a veteran of IACC's Strategic Management Conference, I am certain you will greatly benefit from our excellent program and camaraderie of fellow members.

I look forward to seeing you in Chicago!

**Rejection of goods**

The UCC uses words like "reasonable" and "timely" and this is what makes the code a living document because if the debtor should have known about a defect or lack of timely delivery of goods, then the debtor has to reject the goods in a reasonable and timely way. Most of the time debtors will just ignore the bill and not complain. Then, they will make up stories as excuses and this is where the UCC can be an advocate for the client.

**Purchase of substitute goods**

This happens when the goods the debtor received were no good and they gave the client the opportunity to cure, but the client failed to do it. Now the debtor has the right to go out and buy replacement goods. If the replacement goods cost more than the original goods from the client, this overage could be used as a counter-claim against the client.

Obviously the agency will want to try to minimize the exposure of the client in this scenario. If the client is hit with the counter-claim they will be upset and this could mean a loss of future accounts for the agency. The agency can't always avoid counter-claims; however, the agency can avoid the exposure by being knowledgeable when speaking to the debtor.

**Warranty issues under finance leases**

If the agency represents the leasing company and the leasing company is not the manufacturer of the goods, the leasing company can create what's called a finance lease for the customer. This says the leasing company is not responsible for any warranty claims whatsoever; instead it is the responsibility of the manufacturer. The leasing company now has a viable argument for the debtor and if the debtor wants to continue the objection based on the quality of the goods, the debtor must bring in the manufacturer of the product. The manufacturer reached the warranty claim, not the leasing company.

**Accord and satisfaction-restrictive check endorsements**

If there is a legitimate dispute, that's element number one. The debtor notifies you of the dispute, that's the key, and element number two. Then an amount, not necessarily the full amount owed, is sent in by check with "paid in full" on it to settle the dispute. This is element number three. If the agency accepts and cashes that check for the lesser amount, under these terms, then the agency has accepted this lesser amount for full and complete settlement of whatever the total amount was. If the agency tries to sue for the difference, a court will throw out this argument.

**Bankruptcy and discharge**

This is a very serious defense because there are very substantial sanctions that may be levied by the bankruptcy court for starting legal action against a debtor in bankruptcy. Check online, use vendor databases or get the name of the debtor's attorney and verify the bankruptcy claim. Also, verify dates. A debtor may have filed for bankruptcy in 2002, but the debt was incurred in 2004. Then the bankruptcy doesn't apply.

There are many other objections that debtors give; these are just a few that may happen more often than not. Remember to know the UCC, know the industry the client is in and know about the debtor before you try to collect. Harms reiterated that this is pretty simple information, but so practical if you want to be successful in settling a dispute.

*This article is a summary from Steve Harms session "I don't owe the money because..." A practical discussion concerning debtor defenses to paying the account," presented at IACC's Annual Convention January 2007.*

If you liked this article or want to know more, Steve Harms will be speaking for an IACC teleseminar put on through *Campus* ACA. The teleseminar will be on Sept. 11, 2007 at 11:00 a.m. central time. For more details visit, <http://www.commercialcollector.com>.

# Scope

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This information is not intended as legal advice and may not be used as legal advice. It should not be used to replace the advice of your own legal counsel. Any information contained in this material is based on current research into the issues and on the specific facts involved herein.

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## Consultation announcement: oversight framework for card payment schemes

In line with its statutory responsibility to promote the smooth functioning of payment systems, the Eurosystem has been monitoring developments in the use of payment cards (in particular, for cross-border transactions and payments over the Internet) as well as the evolution in the risks to which card payment schemes (CPSs) are exposed.

In order to promote the reliability of CPSs, contribute to the maintenance of public confidence in card payments and promote a level playing field across the euro area, the Eurosystem has developed an oversight framework for CPSs that process euro payments.

From an oversight perspective, a CPS is a set of functions covering the entire cycle of a card payment. The oversight framework provides for both existing and future CPSs, and has been developed in parallel to, but independently from, the project to create the Single Euro Payments Area (SEPA). The proposed framework applies to all CPSs

providing card payment services, including debit and/or credit cards.

The document entitled "Draft Oversight Framework for Card Payment Schemes - Requirements" defines the intended scope of such oversight and proposes requirements which, if observed, would contribute to the soundness of CPSs. The requirements emanate from a risk analysis conducted by the Eurosystem.

The Eurosystem would like to invite all interested parties to comment on the proposal by close of business on August 2, 2007. Although the CPS governance authorities are the main addressees of the oversight framework, it would also be valuable to have the views of the different actors in a CPS, such as issuers, acquirers, processors, vendors and merchants. The document can be found on the ECB's Web site using the following link:

<http://www.ecb.int/ecb/cons/current/html/index.en.html>

The respective national central banks (NCBs) will serve as contact points for national CPSs and actors in their countries and are ready to provide further information or discuss questions regarding the oversight framework.

Any comments received will be made public on the Internet, unless it is clearly indicated that the author does not consent to such publication. Comments should be sent in English or in the relevant official Community language to the ECB at the following address:

European Central Bank  
Secretariat Division  
Kaiserstrasse 29  
D-60311 Frankfurt am Main  
Germany  
F: 49 69 1344 6170  
E-mail: [ecb.secretariat@ecb.int](mailto:ecb.secretariat@ecb.int)

or to the respective NCB of the Eurosystem via the following link:  
<http://www.ecb.int/home/html/links.en.html>.

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## China issues regulation on selection of trustees in bankruptcy

China's Supreme People's Court (SPC) issued two regulations on the selection of bankruptcy trustees in China.

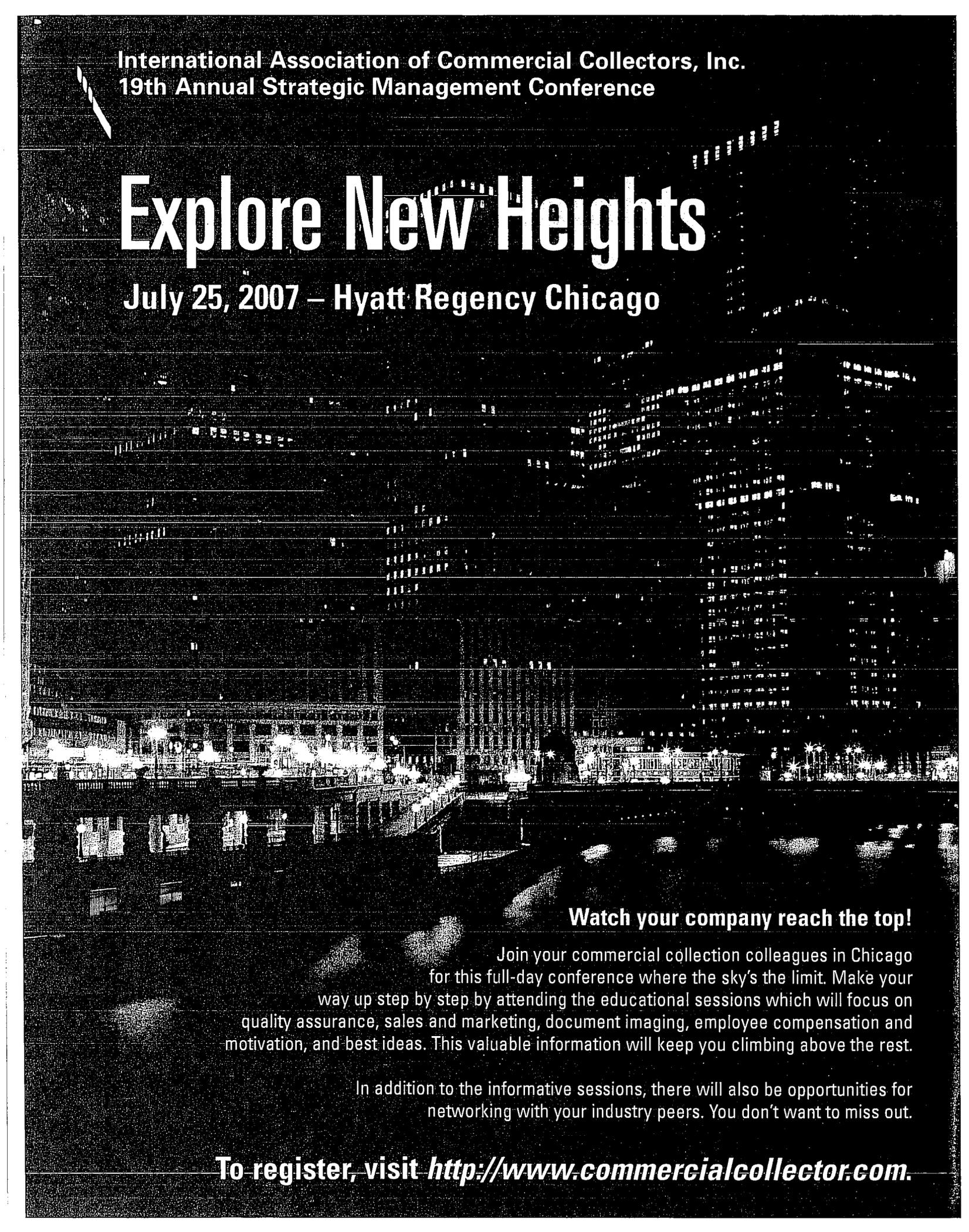
The first regulation stipulates that trustees must be appointed when a court hears a bankrupt case. Trustees in bankruptcy are agencies or individuals appointed to take charge of the liquidation or reorganization of bankrupt companies. The regulation stipulates that trustees must be selected from a list of qualified agencies drawn up by the Higher People's Courts. It requires the Higher People's Courts to draw up local lists of qualified agencies selected from the legal and accounting firms and

agencies in charge of liquidation. To ensure fairness, the regulation states that the selection and work of trustees can be scrutinized at creditors' meetings and by creditors' committees, which are also entitled to apply to the courts to change the trustees appointed if they are unsatisfied with them.

The other regulation says trustees will be paid according to the total value of distributable property of the bankrupt companies, rather than working hours. An official of SPC said the former method was more appropriate for China at present. "The method is commonly operated in most countries and it is also helpful to encourage

trustees to recover more property of the bankrupt companies and protect the rights of creditors," he said.

The regulations, as judicial interpretations of the corporate bankruptcy law, will come into effect on June 1, together with the law. China's top legislature on August 27, 2006, adopted the bankruptcy law, which is intended to protect both creditors of bankrupt companies and the companies' employees. The law stipulates that from June 1, all insolvent companies will pay credit guarantees to creditors first, and use other assets to pay laid-off workers.



International Association of Commercial Collectors, Inc.  
19th Annual Strategic Management Conference

# Explore New Heights

July 25, 2007 – Hyatt Regency Chicago

**Watch your company reach the top!**

Join your commercial collection colleagues in Chicago for this full-day conference where the sky's the limit. Make your way up step by step by attending the educational sessions which will focus on quality assurance, sales and marketing, document imaging, employee compensation and motivation, and best ideas. This valuable information will keep you climbing above the rest.

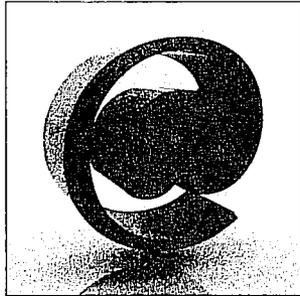
In addition to the informative sessions, there will also be opportunities for networking with your industry peers. You don't want to miss out.

To register, visit <http://www.commercialcollector.com>.

## Benefits of the IACC Web site

**D**id you miss an issue of Scope? Maybe it disappeared in the sea of papers in your inbox. Well, there's no need to fret. There are issues of the monthly newsletter on the IACC Web site. The Scope archives date back to January 2003. So whether you misplaced last month's issue or a colleague suggested you read the May 2003 cover article about business bankruptcies, you have the opportunity as a member to read any issue you please.

Other members-only benefits on the IACC Web site include past benchmarking results, a link to the IACC Blue Book, access to the IACC logo, information about the IACC



listserv, IACC's bylaws and state licensing requirement charts via the 'Members Only Resources' link. Information about our certification programs is also available via the Web site.

Not only do you have access to these very valuable educational resources, but you

can also register for our meetings and purchase products online.

Visit IACC's Web site at <http://www.commercialcollector.com> today to access all of these valuable resources. Don't remember your login or password? Call IACC at +1(952) 925-0760 or e-mail [iacc@commercialcollector.com](mailto:iacc@commercialcollector.com) and an IACC staff member will assist you.

### I Don't Owe the Money Because...

*Continued from page 1*

If any client has products or services that cause similar disputes to be raised by debtors, the collector can create client loyalty by alerting the client to the trend. Most agencies are in some niche of the collection business and are knowledgeable that niche. This niche can be very powerful because it can create a bond between the agency and client.

Before the collector calls the debtor, make sure he takes the "head's up" approach. Go through the client's claim. Was there a purchase order? An invoice? Read the call notes. Now that he has been through the file, he has a decent idea of where the debtor might be coming from when he talks to him. The collector is now prepared for the discussion with the debtor and can meet the arguments head on.

One of the biggest defenses a client has is the Uniform Commercial Code (UCC). Every state in the United States has adopted the UCC. These are easy to read and easy to understand statutes and are applicable to every state while governing all transactions of goods. All clients selling or leasing "stuff" are operating under the UCC.

An agency can really impress a client by knowing a little bit about the code. Know enough to deal with a debtor on a disputed

claim and it may help to resolve the dispute. Harms offered common objections and what the code generally says about each.

#### Ratifying the contract

*I didn't order the stuff*, is a common objection. Under the code, if the debtor receives the goods, they have to pay for them or return them. If they do neither then the client can head off this objection by knowing the code. "This is based on the concept of ratification and it goes something like this. If the debtor received the goods at the delivery dock and kept it, he has ratified the contract and is now absolutely legally obligated to pay for it," Harms said.

#### Non-conforming goods

Another objection is the receipt of "non-conforming" goods, which means the goods were not what the debtor expected them to be. At this point the agency will want to ask the client if they had an opportunity to cure and did they. This is UCC language saying did they replace the goods. If the client did replace the goods and the collector can prove that, then the agency wins.

*continued on page 6*

## MEMBER REPORT

### IACC NEW AGENCY MEMBERS

Appleton, Rubin & Associates, Inc.  
Houston, Texas

C2C Resources Inc.  
Atlanta, Ga.

NRH & Associates  
Pitcairne, Miss.

### IACC NEW ASSOCIATE MEMBERS

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Cleveland, Ohio

McCarthy, Burgess & Wolff  
Cleveland, Ohio

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Vision Financial Corp.  
White Plains, N.Y.

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Moline, Ill.

Rich Rzadzki  
Credit Decisions International Ltd.  
Elk Grove Village, Ill.

Jill Winn  
Credit Decisions International Ltd.  
Elk Grove Village, Ill.

---

# 2007 Blue Book

*Updated February 2007*



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The International Association of Commercial Collectors (IACC) includes law list affiliations for all attorney associate member listings in this directory. Please note that these affiliations are self reported by the members and are not verified by IACC. It is important, before hiring any attorney, to contact the lawyer disciplinary agency in the state where the attorney maintains a business address to confirm that the individual is in good standing as a member of the bar. When forwarding accounts to IACC member attorneys, please remember to verify law list participation and send a bonding notice to the law list you selected for protection.



**Table of Contents**

A Letter from IACC's Executive Director.....	5
Past Presidents.....	6
2007 Elected Officers and Directors.....	7
2006-2007 Sustaining Agency Members.....	9
2006-2007 Sustaining Associate Members.....	10
Law List Abbreviations.....	11
U.S. Member Listing.....	12
Alabama.....	12
Alaska.....	12
Arizona.....	12
Arkansas.....	14
California.....	14
Colorado.....	18
Connecticut.....	18
Delaware.....	18
Florida.....	19
Georgia.....	21
Hawaii.....	22
Illinois.....	22
Indiana.....	24
Iowa.....	24
Kansas.....	25
Kentucky.....	25
Louisiana.....	26
Maine.....	27
Maryland.....	27
Massachusetts.....	28
Michigan.....	29
Minnesota.....	30
Mississippi.....	31
Missouri.....	31
Montana.....	32
Nebraska.....	32
Nevada.....	32
New Hampshire.....	33
New Jersey.....	33
New Mexico.....	35
New York.....	36
North Carolina.....	38
North Dakota.....	39
Ohio.....	39
Oklahoma.....	40
Oregon.....	40
Pennsylvania.....	41
Rhode Island.....	42
South Carolina.....	43

South Dakota .....	43
Tennessee .....	43
Texas .....	44
Utah .....	46
Vermont .....	46
Virginia .....	46
Washington .....	47
West Virginia .....	47
Wisconsin .....	47
Wyoming .....	48
International Member Section .....	49
ASIA .....	49
Cyprus .....	49
Hong Kong .....	49
India .....	49
Korea .....	49
Kuwait .....	49
Malaysia .....	49
Peoples Republic of China .....	50
Turkey .....	50
AUSTRALIA .....	50
EUROPE .....	50
England .....	50
France .....	50
Germany .....	51
Greece .....	51
Netherlands .....	51
Norway .....	52
Spain .....	52
Switzerland .....	52
NORTH AMERICA .....	53
Canada - Ontario .....	53
Canada - Quebec .....	53
SOUTH AMERICA .....	53
Brazil .....	53
Definition of a Commercial Claim .....	54
Forwarding Guide .....	54
Code of Ethics .....	55
Rules and Regulations .....	56

## A Letter from IACC's Executive Director

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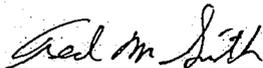
The International Association of Commercial Collectors, Inc. (IACC) is proud to present the February 2007 update to the Blue Book. The Blue Book includes the names of nearly 400 professional commercial debt collectors, attorneys and creditors in the United States and other parts of the world.

IACC agency members and associate members continue to play an important role in the conduct of business in the United States and around the globe. Each year, IACC agency members and associate member attorneys return thousands of dollars to commercial credit grantors that otherwise would go uncollected. For many of these companies, dollars that are returned to them mean the difference between being profitable or unprofitable and, for some, the difference between being in business or out of business.

Our hope is that the Blue Book is a valuable resource to you as you forward accounts to other agencies and attorneys. Located in the back of the book are forwarding guidelines. When forwarding to associate member law firms, we recommend that you designate IACC and a law list in your forwarding letter and notify the law list designated. These actions will insure that your account is covered by the law list's bond and let the associate member know that it is coming from a fellow IACC member. An asterisk beside a name in the directory indicates an associate member.

IACC is proud to present the February 2007 update to the Blue Book as a valuable reference tool.

Respectfully,



Ted M. Smith, CAE  
Executive Director  
International Association of Commercial Collectors, Inc.

**Past Presidents**

---

1970/71	W.A. Giulian, Deceased
1971/72	Nat Karish, Deceased
1972/73	Roy J. Wolcott, Concord, Calif.
1973/74	Ben A. Yolleck, Deceased
1974/75	Russell Turner, Houston
1975/76	Jack Betterman, Randolph, Mass.
1976/77	William C. Mullarky, Kansas City, Kan.
1977/78	Gerald Kaplan, San Luis Obispo, Calif.
1978/79	Dominic J. Notte, Deceased
1979/80	Bernard M. Engel, Buffalo, N.Y.
1980/81	Israel J. Ezersky, Philadelphia
1981/82	Michael A. Cornale, Sr., Mississauga, Ontario, Canada
1982/83	Earl Childs, Wichita, Kan.
1983/84	Patrick Crilly, Kansas City, Kan.
1984/85	Robert Aeschliman, Westmont, Ill.
1985/86	Richard E. Cooley, North Fort Myers, Fla.
1986/87	Robert W. Breitenfeldt, Deceased
1987/88	Henry B. Keen, Waxhaw, N.C.
1988/89	John F. Gugg, Milwaukee, Wis.
1989/90	Michael A. Cornale, Sr., Mississauga, Ontario, Canada
1990/91	Lawrence H. Cassidy, Sacramento, Calif.
1991/92	Donald L. Notte, Lakewood, Col.
1992/93	Remey Rubin, Chicago, Ill.
1993/94	Kathleen O'Connor, Madison, N.J.
1994/95	Ed Altman, Seattle, Wash.
1995/96	David Sher, Birmingham, Ala.
1996/97	Michael Cornale, Jr., Mississauga, Ontario, Canada
1997/98	Richard A. Wolcott, Orinda, Calif.
1998/99	Richard A. Wolcott, Concord, Calif.
1999/2000	Remey Rubin, Chicago, Ill.
2000/01	Remey Rubin, Chicago, Ill.
2001/02	Thomas Haag, Madison, Wis.
2002/03	James Bessenbacher, Jr., Kansas City, Mo.
2003/04	James Bessenbacher, Jr., Kansas City, Mo.
2004/05	David Ward, Long Valley, N.J.
2005/06	David Ward, Long Valley, N.J.

## 2007 Elected Officers and Directors

### Elected Officers

---

- President – Paul Eisenberg  
Johnson, Morgan & White, Boca Raton, Florida
- Vice President – Richard Brownlee  
Central Mercantile Collection Services, Brighton, Michigan
- Treasurer – C. Patrick Lozano  
Accelerated Receivables Group, Inc. D/b/a AR Group, Porterville, California
- Past President – David Ward  
Delta Recovery Systems, Long Valley, New Jersey
- Executive Director (ex officio) - Ted M. Smith, CAE  
Minneapolis, Minn.

### Elected Directors

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- David V. Skinner  
Law Offices of Cohen & Skinner, San Juan Capistrano, California
- Bill Mann  
Joseph, Mann & Creed, Shaker Heights, Ohio
- Thomas Hamilton  
American Lawyers Quarterly, Cleveland, Ohio
- Jan P. Hazes  
Hakort International Inc., Nieuwegein, Netherlands
- John Yursha  
Commercial Recovery Group, Inc., Dover, Delaware
- Randy Frazee  
Randall & Richards, Inc., Tucson, Arizona
- Ronald Stiegel  
International Collections, Inc. D/b/a Atradius Collections, Itasca, Illinois



**2006-2007 Sustaining Agency Members**

Access Capital Services, Inc .....	Visalia, California
Action Professional Services.....	Sioux Falls, South Dakota
Arrowhead Surety & Insurance Services, LLC .....	Phoenix, Arizona
Bonded Collection Corporation .....	Chicago, Illinois
Brockman, Bailey & Gates, Inc .....	Boca Raton, Florida
Caine & Weiner .....	Schaumburg, Illinois
CBF Commercial Collections, Inc .....	Kanas City, Missouri
Clovis & Roche, Inc .....	Metairie, Louisiana
Commercial Recovery Group, Inc .....	Dover, Delaware
Credit Decisions International Ltd. ....	Elk Grove Village, Illinois
Credit Management Company .....	Pittsburgh, Pennsylvania
Creditors' Alliance, Inc. ....	Bloomington, Illinois
Creditreform Romandie GNT SA .....	Lausanne, Switzerland
Creditron Financial Services, Inc. ....	Erie, Pennsylvania
Delmarva Collections, Inc. ....	Salisbury, Maryland
Diversified Adjustment Service, Inc. ....	Minneapolis, Minnesota
Financial Credit Clearinghouse – 1956, Inc. D/b/a Butler, Robbins & White .....	Tamarac, Florida
First Collect International, Ltd. ....	London, England
George Y. Yiangou & Co. ....	Nicosia, Cyprus
George Y. Yiangou & Co. Ltd .....	Athens, Greece
Guaranty Collection Co. ....	Calabasas, California
H & R Accounts, Inc. ....	Moline, Illinois
Heinz Kung Ltd. ....	Berne, Switzerland
Industrial Credit Service .....	Bellevue, Washington
International Collection Corporation .....	Los Angeles, California
International Collections, Inc. D/b/a Atradius Collections .....	Itasca, Illinois
Johnson, Morgan & White .....	Boca Raton, Florida
Justus-Turkey/Debt Collection & Legal Services .....	Istanbul, Netherlands
Lamont, Hanley & Associates, Inc. ....	Manchester, New Hampshire
Matthews, Pierce & Lloyd, Inc. ....	Dover, Delaware
Metro Commercial Corp.....	North Hollywood, California
Milton J. Moser Associates, Inc. ....	Bensalem, Pennsylvania
Montgomery Collections, Inc. ....	Clarksburg, Maryland
Northern California Collection Service, Inc. ....	Sacramento, California
Pacific Board of Trade .....	Honolulu, Hawaii
Premium Credit Services, Inc. ....	Minneapolis, Minnesota
PRO Consulting Services, Inc. ....	Houston, Texas
Randall & Richards, Inc. ....	Tucson, Arizona
Revenue Assurance Partners, LLC .....	Mandeville, Louisiana
Revenue Recovery Consultants, Inc. ....	Fairfax, Virginia
S & S Financial Company, Inc, D/b/a Steadman & Steele .....	Houston, Texas
Southwest Credit Systems, L.P. ....	Plano, Texas
Stevens Business Service, Inc .....	Lowell, Massachusetts
Svea Finans AS .....	Etterstad, Oslo
The Bessenbacher Co. ....	Kansas City, Missouri
The Royal Mercantile Trust Corp. of America .....	Stuart, Florida
Wexford & James, LLC .....	W. Des Moines, Iowa

**2006-2007 Sustaining Associate Members**

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American Lawyers Quarterly.....	Cleveland, Ohio
Behar, Gutt & Glazer, P.A.....	Aventura, Florida
Buffaloe & Associates.....	Nashville, Tennessee
Clearing House Quarterly.....	Gainesville, Florida
Cohen & Krassner.....	New York, New York
Dana & Pariser Co., L.P.A.....	Columbus, Ohio
General Bar Law Directory.....	Cleveland, Ohio
Global Connect.....	Mays Landing, New Jersey
Goldman & Warshaw, P.C. ....	Pine Brook, New Jersey
Gordon & Weinberg, P.C. ....	Philadelphia, Pennsylvania
Gutman & Gutman LLP .....	Mineola, New York
Hollins Schechter, APC .....	Santa Ana, California
Howe & Associates, P.C. ....	Alpharetta, Georgia
Hull & Associates, P.C. ....	Houston, Texas
Jeffrey S. Wilson, Attorney At Law.....	Springfield, Pennsylvania
John B. Ingleson, Attorney At Law.....	Murfreesboro, Tennessee
Kohner, Mann & Kailas, S.C.....	Milwaukee, Wisconsin
Law Offices of John R. Keating, P.C. ....	Monroeville, Pennsylvania
Law Offices of Skinner & Skinner.....	San Juan Capistrano, California
Lubitz & Terkell.....	White Plains, New York
McMahan & Sigunick, Ltd. ....	Chicago, Illinois
Miller & Cohen, P.C. ....	Longmont, Colorado
Muller, Muller, Richmond, Harms, Myers & Sgroi P.C. ....	Birmingham, Michigan
Newman, Mathis, Brady & Spedale .....	Baton Rouge, Louisiana
Patricia W. Harvey, Attorney At Law.....	Asheville, North Carolina
Roe Wallace Esteve Taroff & Taitz, LLP .....	Patchogue, New York
Rosenfeld & Stein, PA .....	Miami, Florida
Rubin & Levin, P.C. ....	Indianapolis, Indiana
Schlanger Silver Barg & Paine LLP .....	Houston, Texas
Smith, Carroed, Levy & Finkel LLP.....	Commack, New York
Stephen B. Elggren, P.C. ....	Sandy, Utah
Teller, Levit & Silvertrust, P.C. ....	Chicago, Illinois
Terry D. Zimmerman, Attorney At Law .....	Akron, Ohio
The Blenden Law Firm .....	Dallas, Texas
Thomas & Thomas Attorneys .....	Cincinnati, Ohio
Wagner, Falconer & Judd, LTD .....	Minneapolis, Minnesota
Wallick & Associates, LTD.....	Warwick, Rhode Island
Weinstock, Friedman & Friedman, P.A. ....	Baltimore, Maryland
Wiles, Boyle Burkholder & Bringardner Co., L.P.A. ....	Columbus, Ohio
Zarzaur & Schwartz, P.C. ....	Birmingham, Alabama
Ziegler, Metzger & Miller .....	Cleveland, Ohio

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**Law List Abbreviations**

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The American Lawyers Quarterly .....	ALQ
The Clearing House Quarterly .....	CHQ
The Columbia Law List .....	CL
The Commercial Bar .....	CB
The CRC Attorney Directory .....	CRC
The Forwarders List of Attorneys .....	FL
The General Bar Law Directory .....	GB
The National List of Attorneys .....	NL
Wright Holmes Law List .....	WH

**U.S. Member Listing**

**Alabama**  
*Capital – Montgomery*

**Birmingham (Jefferson County)**

**# \* Zarzaur & Schwartz, P.C. 8000452**  
 David Schwartz  
 2209 Morris Ave, Birmingham, Alabama 35203-4211  
 PO Box 11366, Birmingham, Alabama 35202-1366  
 Tel: (205) 250-8437 Fax: (205) 328-1958  
 E-mail: blzszs@bellsouth.net  
 Member of IACC since: 1999  
 ALQ, CHQ, COL, CB, FL, GB, NL, WH

**Mobile (Mobile County)**

**Commercial Adjustment Service, Inc. 1131305**  
 Joseph G. White, President  
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 PO Box 6933, Mobile, Alabama 36660-0933  
 Tel: (251) 438-5544 Fax: (251) 438-5095  
 E-mail: comadjserv@aol.com  
 Member of IACC since: 1998

**Receivables Management Consultants Corporation**

Patrick Jouve, President and CEO  
 3737 Government Blvd Ste 404, Mobile, Alabama 36693-4362  
 Tel: (404) 551-5817 Fax: (404) 551-5818  
 E-mail: pjouve@rmccorporation.com  
 Member of IACC since: 2004

**Alaska**  
*Capital – Juneau*

**Arizona**  
*Capital - Phoenix*

**Chandler (Maricopa County)**

**\* JFB Acquisitions, Inc. 8001453**  
 John Brewington, President  
 4939 W. Ray Rd Ste 4-115, Chandler, Arizona 85226-2065  
 Tel: (602) 490-0676  
 E-mail: jfb@jfbainc.com  
 Member of IACC since: 2007

**Phoenix (Maricopa County)**

**\* Law Office of James R. Vaughan 8002143**  
 James R. Vaughan, Attorney  
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 E-mail: jim@phoenixatty.com  
 Member of IACC since: 2004  
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\* Associate/Creditor Member  
 # Sustaining Member

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 Tel: (480) 706-8759 Fax: (480) 706-0937  
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 Member of IACC since: 2006

**Construction Collection Specialists, Inc. 8002014**

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 Member of IACC since: 2006

**RSI Enterprises, Inc. 8003080**

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 E-mail: lynne.wisehart@rsico.com  
 Member of IACC since: 2006

**Tempe (Maricopa County)**

**Campbell Hightower & Adams 1129531**

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 4645 S Lakeshore Dr Ste 11, Tempe, Arizona 85282-7152  
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 E-Mail: steele@receivables-management.com  
 Member of IACC since: 2005

**Tucson (Pima County)**

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 177 N. Church Ave Ste 200, Tucson, Arizona 85701-1153  
 Fax: (888) 870-2807  
 Member of IACC since: 2006  
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 Tel: (520) 229-9744 Fax: (520) 325-2522  
 E-mail: jsmith@aipsolutions.com  
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 E-Mail: areynolds@gbr-abs.com  
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 E-Mail: mmays@gwdaz.com  
 Member of IACC since: 2004

**Singer, Bach & Associates 8001372**

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 E-Mail: rbach@sbacollect.com  
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**Arkansas**  
Capital - Little Rock

**Little Rock (Pulaski County)**

\* **Walker & Hickey** **1101762**  
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1000 W 3rd St, Little Rock, Arkansas 72201-2006  
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**California**  
Capital - Sacramento

**Anaheim (Orange County)**

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ALQ, COL, CB, GB, NL

**Bakersfield (Kern County)**

**Herbert P. Sears Co., Inc.** **1101393**  
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Tel: (661) 716-1219 Fax: (661) 283-4304  
E-Mail: hpSears@bak2.light-speed.net  
Member of IACC since: 1970

**Burbank (Los Angeles County)**

**Union Adjustment Company, Inc.** **8001160**  
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PO Box 4270, Burbank, California 91503-4270  
Tel: (818) 566-8330 Fax: (818) 566-8229  
Member of IACC since: 2005

**Burlingame (San Mateo County)**

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ALQ, COL, CB, FL, GB, NL

**Calabasas (Los Angeles County)**

**Cedar Financial** **8001567**  
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24007 Ventura Blvd Ste 260, Calabasas, California 91302  
PO Box 8986, Calabasas, California 91372-8986  
Tel: (818) 224-3800 Fax: (818) 224-3939  
E-Mail: erez@cedarfinancial.com  
Member of IACC since: 2003

**# Guaranty Collection Co.** **1101437**

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Tel: (818) 880-2122 Fax: (818) 880-2131  
E-Mail: craig@guarantycollections.com  
Member of IACC since: 1970

**Carlsbad (San Diego County)**

**CSI-Continental Services, Inc.** **1130579**  
Wayne M. Grimsrud, Chief Executive Officer  
PO Box 130204, Carlsbad, California 92013-0204  
Tel: (760) 929-0900 Toll Free (888) 800-8790 Fax: (760) 929-0904  
E-Mail: wgrimsrud@csicollect.com  
Member of IACC since: 1998

\* Associate/Creditor Member  
# Sustaining Member

**Concord (Contra Costa County)**

**George Ballard Company 1101422**  
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 4075 Nelson Ave Ste G, Concord, California 94520-1279  
 PO Box 6185, Concord, California 94524-1185  
 Tel: (925) 677-0300 Fax: (925) 677-0301  
 E-Mail: rwolcott@georgeballard.com  
 Member of IACC since: 1988

**Fresno (Fresno County)**

**Creditors Bureau USA 1101404**  
 Carol L. Capriotti, President  
 757 L St, Fresno, California 93721-2904  
 PO Box 942, Fresno, California 93714-0942  
 Tel: (559) 650-7177 Fax: (559) 268-7632  
 E-Mail: carol@cbusa.net  
 Member of IACC since: 1970

**Glendale (Los Angeles County)**

**Continental Commercial Group 1125903**  
 Robert N. Merette, President  
 317 S Brand Blvd, Glendale, California 91204-1701  
 PO Box 39655, Los Angeles, California 90039-0655  
 Tel: (818) 551-6800 Fax: (818) 551-6801  
 E-Mail: ccgroup@earthlink.net  
 Member of IACC since: 1997

**Sequoia Financial Services 8001788**  
 Carl Roth  
 500 N Brand Blvd Ste 1200, Glendale, California 91203-3950  
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 E-Mail: carl@sequoiafinancial.com  
 Member of IACC since: 2006

**Irvine (Orange County)**

**\* Alan L. Brodtkin & Associates 8000575**  
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 15500 Rockfield Blvd Ste B, Irvine, California 92618-2722  
 Tel: (949) 457-8686 Fax: (949) 457-8688  
 E-Mail: alan@brodtkin-assoc.com  
 Member of IACC since: 1999  
 ALQ, FL, GB, NL

**Livermore (Alameda County)**

**DCS, Inc. 8000862**  
 Said Shawwa, Vice President for Sales and Marketing  
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 Tel: (925) 960-4704 Fax: (925) 960-4880  
 E-Mail: sshawwa@dcswins.com  
 Member of IACC since: 2000

**Pacific Creditors Association 1101432**  
 Steve Reuveni, President  
 1799 Portola Ave Ste 4B, Livermore, California 94551-7947  
 Tel: (925) 960-0009 Toll Free (800) 364-9952 Fax: (925) 960-0059  
 Member of IACC since: 1986

**Los Angeles (Los Angeles County)**

**# International Collection Corporation 1101416**  
 Chuck Hendrickson, Presiden  
 1930 Wilshire Blvd Ste 908, Los Angeles, California 90057-3619  
 PO Box 86880, Los Angeles, California 90086-0880  
 Tel: (213) 483-9999 Fax: (213) 483-9268  
 E-Mail: iccgcsgroup@internationalcollection.info  
 Member of IACC since: 1992

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 10880 Wilshire Blvd Ste 2240, Los Angeles, California 90024-4123  
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 Member of IACC since: 1999  
 ALQ, CHQ, COL, CB, FL, GB

**Los Angeles Collection Service, Inc. 8001549**  
 Richard Hoffman, IFCCE, Founder  
 2140 Westwood Blvd Ste 222, Los Angeles, California 90025-6333  
 PO Box 641092, Los Angeles, California 90064-6092  
 Tel: (310) 474-0175 Fax: (310) 470-0636  
 E-Mail: la.cs@verizon.net  
 Member of IACC since: 2003

**Mission Viejo (Orange County)**

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 E-Mail: cbc@cbccareypc.com  
 Member of IACC since: 2004

**Nevada City (Nevada County)**

**Receivables Management Network Inc. RMN 1120504**  
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 830 Zion St, Nevada City, California 95959-2923  
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**North Hollywood (Los Angeles County)**

**# Metro Commercial Corp. 1101420**  
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 Member of IACC since: 1977

**Oakhurst (Madera County)**

**Grant Mercantile Agency 1104666**  
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 49099 Road 426, Oakhurst, California 93644-9486  
 PO Box 658, Oakhurst, California 93644-0658  
 Tel: (559) 683-4651 Fax: (559) 658-8968  
 E-Mail: gma@sirratel.com  
 Member of IACC since: 1992

**Pasadena (Los Angeles County)**

**\*The Guerrini Law Firm 8002326**  
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 E-mail: guerrini@guerrinilaw.com  
 Member of IACC since: 2007  
 ALQ, CHQ, COL, CB, FL, GB

**Porterville (Tulare County)**

**Accelerated Receivables Group, Inc. D/b/a/ AR Group 8003083**  
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 1055 W. Morton Ave Ste E, Porterville, California 93257-1917  
 PO Box 790, Porterville, California 93257-1917  
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 Member of IACC since: 2006

**Sacramento (Sacramento County)**

**# Northern California Collection Service, Inc. 1101424**  
 Lawrence H. Cassidy, President  
 700 Leisure Ln, Sacramento, California 95815-4209  
 PO Box 13765, Sacramento, California 95853-3765  
 Tel: (916) 929-7811 Fax: (916) 929-5125  
 E-Mail: norcal@covad.net  
 Member of IACC since: 1989

**Salinas (Monterey County)**

**Credit Consulting Services, Inc. 1101427**  
 Jeffery Meeks, President  
 201 John St Ste E, Salinas, California 93901-3345  
 PO Box 5879, Salinas, California 93915-5879  
 Tel: (831) 424-0606 Toll Free: (800) 679-6888 Fax: (831) 753-2642  
 E-Mail: ccsinc@dedot.com  
 Member of IACC since: 1975

**San Diego (San Diego County)**

**San Diego Credit Association 1101428**  
 Mary S. Bouffard, Collection Manager  
 2044 1st Ave Ste 300, San Diego, California 92101-2079  
 Tel: (619) 239-8191 Fax: (619) 239-8296  
 E-Mail: mbouffard@pscredit.com  
 Member of IACC since: 1980

**San Francisco (San Francisco County)**

**\* Glassberg, Pollak & Associates 1101771**  
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 E-Mail: gpa@glassberg-pollak.com  
 Member of IACC since: 1990  
 ALQ, COL, CB, FL, GB, NL, WH

**\*Sweet & Walker, A Professional Corporation 8000528**  
 Lorna Walker  
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 Member of IACC since: 1999  
 ALQ, COL, CB, GB, NL, WH

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 Member of IACC since: 2007  
 COL, GB

**San Juan Capistrano (Orange County)**

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 # Sustaining Member

**San Luis Obispo (San Luis Obispo County)**

**The Kaplan Group 1101403**  
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 Member of IACC since: 1997

**Santa Ana (Orange County)**

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**Sherman Oaks (Los Angeles County)**

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 Member of IACC since: 1970

**Simi Valley (Ventura County)**

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 E-Mail: info@crfsonline.com  
 Member of IACC since: 1997

**Thousand Oaks (Ventura County)**

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**Van Nuys (Los Angeles County)**

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 E-Mail: gsalinas@acscollectors.com  
 Member of IACC since: 1994

**Financial Credit Network**

**1108561**

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 E-Mail: e-mail@fcnetwork.com  
 Member of IACC since: 2005

**Colorado**  
*Capital - Denver*

**Longmont (Boulder County)**

**BC Services, Inc. 1116424**

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E-Mail: tboettcher@bcservice.com  
Member of IACC since: 2001

**\*# Miller & Cohen, P.C. 1129219**

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E-Mail: infor@creditorsrights.com  
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ALQ, COL, CB, FL, GB, WH

**Connecticut**  
*Capital - Hartford*

**Lakeville (Litchfield County)**

**McKenzie, Becker & Stevens, Inc. 1129176**

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Member of IACC since: 1997

**New Haven (New Haven County)**

**\* Jacobs & Rozich, LLC 8000581**

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**Milford (New Haven County)**

**Levy Diamond Bello & Associates, LLC 1101451**

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Member of IACC since: 1990

**Delaware**  
*Capital - Dover*

**Dover (Kent County)**

**Beach Associates Inc. 8002371**

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**# Commercial Recovery Group, Inc. 8002062**

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Member of IACC since: 2003

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 830 Walker Rd Ste 12, Dover, Delaware 19904-2748  
 Tel: (302) 678-5500 Toll Free: (800) 267-4026 Fax: (302) 678-9332  
 E-Mail: dwagaman@mpli.net  
 Member of IACC since: 2002

**Florida**  
 Capital - Tallahassee

**Aventura (Dade County)**

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**Boca Raton (Palm Beach County)**

**\* The Columbia Law List** 1127160  
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 Member of IACC since: 2006

**Avadanian & Adler, Inc.** 8001285  
 Gregg Avadanian, President  
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 E-Mail: gregg@logontoyourmoney.com  
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**# Brockman, Bailey & Gates, Inc.** 8000222  
 Stanley Sklar, President  
 19410 Black Olive Ln, Boca Raton, Florida 33498-4824  
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 Member of IACC since: 1999

**Global Debt Solutions Inc.** 8002218  
 Victoria Greenfield, Vice President  
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 Boca Raton, Florida 33433-3455  
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 E-Mail: vgreenfield@globaldebtsolutions.com  
 Member of IACC since: 2004

**# Johnson, Morgan & White** 8001346  
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**Williams Babbit & Weisman, Inc.** 1105993  
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 5255 N Federal Hwy Fl 3, Boca Raton, Florida 33487-4913  
 Tel: (561) 241-7301 Fax: (561) 241-7305  
 E-Mail: bgodwin@wbw-wwc.com  
 Member of IACC since: 2005

**Clearwater (Pinellas County)**

**Revenue Systems, Inc.** 8000861  
 Michael Buccina, President  
 28870 US Highway 19 N Ste 408, Clearwater, Florida 33761-2593  
 PO Box 15257, Clearwater, Florida 33766-5257  
 Tel: (727) 712-0150 Fax: (727) 712-8038  
 E-Mail: rsi@revenuesystems.com  
 Member of IACC since: 2001

**Coral Springs (Broward County)**

**\* Yates & Schiller, P.A.** 8001579  
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 ALQ, CB, GB, NL

**Delray Beach (Broward County)**

**\* Checkmate Strategic Group, Inc.** 8003098  
 Terry Gilbeau  
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 Tel: (561) 279-2404 Fax: (561) 279-0811  
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**Fort Lauderdale (Broward County)**

**\* Kahn & Gutter 8000509**  
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**Gainesville (Alachua County)**

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**Jacksonville (Duval County)**

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**TransCredit, Inc. 8001364**  
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 Fax: (904) 493-5751  
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 E-Mail: wayne@sprechmanlaw.com  
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**Ocala (Marion County)**

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 E-Mail: mike@mjaltman.com  
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**MJM Enterprises of Marion County, Inc. D/b/a Lampert & Company 8001100**  
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 PO Box 6119, Ocala, Florida 34478-6119  
 Tel: (352) 732-4987 Fax: (352) 732-4713  
 E-Mail: mike@lampertcollections.com  
 Member of IACC since: 2005

**Palm City (Martin County)**

**\* Real Mercantil Trading Do Brazil 8002388**  
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 1025 SW Martin Downs Blvd, Palm City, Florida 34990  
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 E-Mail: markacromleyrmtc@aol.com  
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 E-Mail: rsm@floridacollections.com  
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**Saint Petersburg (Pinellas County)**

**Commercial Credit Consultants, Inc. 1126041**

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 6724 Canton St S, Saint Petersburg, Florida 33712-5529  
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 E-Mail: commcredit@msn.com  
 Member of IACC since: 1995

**Sarasota (Sarasota County)**

**\* Hodges, Avrutis & Foeller P.A. 8001511**

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**Vengroff, Williams & Associates, Inc. 1129814**

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 Member of IACC since: 2000

**Stuart (Martin County)**

**#The Royal Mercantile Trust Corp. of America 1101453**

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 10 Central Park Way, Stuart, Florida 34994  
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 E-Mail: rmtc@rmtc.com  
 Member of IACC since: 1987

**United Fidelity, Inc. 8002385**

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 Stuart, Florida 34994-2962  
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 E-Mail: unitedfidelity@bellsouth.net  
 Member of IACC since: 2004

**Tamarac (Broward County)**

**# Financial Credit Clearinghouse - 1956, Inc. D/b/a Butler, Robbins & White 1107836**

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 5701 N Pine Island Rd Ste 360, Tamarac, Florida 33321-4400  
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 E-Mail: sales@brwcollect.com  
 Member of IACC since: 1993

**Tampa (Hillsborough County)**

**Hunter Warfield, Inc. A Successor To Pierce Hamilton & Stern 8002058**

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 Member of IACC since: 2003

**\* Kass, Shuler, Solomon, Spector, Foyle & Singer, P.A. 8002950**

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 E-Mail: gsinger@kasslaw.com  
 Member of IACC since: 2006  
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**Vero Beach (Indian River County)**

**Millennium Collections Corporation 8000149**

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 PO Box 6899, Vero Beach, Florida 32961-6899  
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**Georgia**

*Capital - Atlanta*

**Alpharetta (Fulton County)**

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**Atlanta (De Kalb County)**

**Capital Recovery Corporation 1127996**

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 E-Mail: itsyourmoney@capitalrecovery.net  
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**Atlanta (Fulton County)**

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**Szabo Associates, Inc.** **1101466**  
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**Lawrenceville (Gwinnett County)**

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 E-Mail: tdllc@bellsouth.net  
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**Hawaii**

*Capital - Honolulu*

**Honolulu (Honolulu County)**

**# Pacific Board of Trade** **1106423**  
 Lawrence H. Cassidy, President  
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**Illinois**

*Capital - Springfield*

**Arlington Heights (Cook County)**

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 E-Mail: brosen@afm-usa.com  
 Member of IACC since: 1991

**Bensenville (Du Page County)**

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**Receivable Recovery Specialists, Inc. 1101475**  
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 E-Mail: rrs.inc@ameritech.net  
 Member of IACC since: 1990

**Bloomington (McLean County)**

**# Creditors' Alliance, Inc. 8002102**  
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 Tel: (309) 827-2005 Fax: (309) 828-9314  
 E-Mail: dank@creditorsalliance.com  
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**Chicago (Cook County)**

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**\* Law Office of Jack H. Rottner 8000513**  
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 Member of IACC since: 1999  
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**Manufacturers Clearing House 1101514**  
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 E-Mail: kposen@tellerlevit.com  
 Member of IACC since: 1988  
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**Elk Grove Village (Cook County)**

**# Credit Decisions International Ltd. 1101518**  
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 E-Mail: lfigueroa@creditdecisions.com  
 Member of IACC since: 1990

**Itasca (Du Page County)**

**# International Collections, Inc. D/b/a Atradius Collections 1123273**  
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 E-Mail: Ron.Stiegel@atradiuscollections.com  
 Member of IACC since: 1995

**Moline (Rock Island County)**

**# H & R Accounts, Inc. 1108825**  
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 7017 John Deere Pkwy, Moline, Illinois 61265-8072  
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**Schaumburg (Du Page County)**

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 E-Mail: frank.dispensa@caine-weiner.com  
 Member of IACC since: 1999

**Springfield (Sangamon County)**

**CCB Credit Services, Inc. 1101523**  
 Lee A. Foshang, President  
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 Member of IACC since: 1988

**Indiana**  
*Capital - Indianapolis*

**Indianapolis (Marion County)**

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**Pittsboro (Hendricks County)**

**Hampton Associates Inc. 8002133**  
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 Tel: (877) 862-6340 Fax: (877) 862-6336  
 E-Mail: contact@hamptoncollects.com  
 Member of IACC since: 2004

**Merrillville (Lake County)**

**\* Kopko, Genetos Retson LLP 8000544**  
 Lambert C. Genetos, Partner  
 8585 Broadway Ste 480, Merrillville, Indiana 46410-5662  
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 E-Mail: syoon@kgr-law.com  
 Member of IACC since: 1999  
 ALQ, COL, CB, GB, NL, WH

**South Bend (Saint Joseph County)**

**\* Krisor & Associates 1101800**  
 John D. Krisor, Jr., Owner  
 16801 Cleveland Rd., South Bend, Indiana 46660  
 PO Box 6200, South Bend, Indiana 46660-6200  
 Tel: (574) 272-1000 Fax: (574) 272-4303  
 E-Mail: jkrisor@krisorlaw.com  
 Member of IACC since: 1988  
 ALQ, CRC, FL, NL

**Iowa**  
*Capital - Des Moines*

**Cedar Rapids (Linn County)**

**\* Litow Law Office, P.C. 8000118**  
 Charles L. Litow, President  
 1847 E Ave NE, Cedar Rapids, Iowa 52402-5239  
 PO Box 2165, Cedar Rapids, Iowa 52406-2165  
 Tel: (319) 362-3000 Fax: (319) 362-3277  
 E-Mail: charlie@litowlaw.com  
 Member of IACC since: 1998  
 ALQ, COL, CB, FL, GB, NL, WH

**\* Garten & Wanek 1101793**

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 505 5th Ave Ste 835, Des Moines, Iowa 50309-2317  
 Tel: (515) 243-1249 Fax: (515) 244-4471  
 E-Mail: wanek@dwx.com  
 Member of IACC since: 1990  
 ALQ, COL, CB, FL, GB, WH

**Des Moines (Polk County)**

**\* Bertroche Law Offices 1101792**  
 Joseph G. Bertroche, Sr., Owner  
 4044 SE 14th St, Des Moines, Iowa 50320-1634  
 Tel: (515) 285-0461 Fax: (515) 285-2660  
 E-Mail: bertroche@hotmail.com  
 Member of IACC since: 1990  
 ALQ, CHQ, COL, CB, FL, GB, NL, WH

**West Des Moines (Polk County)**

**# Wexford & James, LLC 8001616**  
 Dave Gaer, President  
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 E-Mail: dgaer@wexfordjames.com  
 Member of IACC since: 2003

\* Associate/Creditor Member  
 # Sustaining Member

**Kansas**  
Capital - Topeka

**Kansas City (Wyandotte County)**

**Commercial Claims, Inc. 1101529**

Patrick J. Crilly, President  
 -1901 Park Dr, Kansas City, Kansas 66102-4836  
 PO Box 1315, Kansas City, Kansas 66117-0315  
 Tel: (913) 371-3355 Toll Free: (800) 444-8490  
 Fax: (913) 371-7290  
 E-Mail: info@cccollects.com  
 Member of IACC since: 1970

**Olathe (Johnson County)**

**Guardian Financial Corporation 8002691**

Julie Kaplan, President  
 17300 W 119th St Ste 100, Olathe, Kansas 66061-7759  
 Tel: (913) 888-8300 Fax: (866) 338-7133  
 E-Mail: julie.kaplan@guardianfin.com  
 Member of IACC since: 2006

**Topeka (Shawnee County)**

**Berlin-Wheeler, Inc. 1125248**

Sandy Boeck  
 2942A SW Wanamaker Dr Ste 200  
 Topeka, Kansas 66614-4186  
 PO Box 479, Topeka, Kansas 66601-0479  
 Tel: (785) 271-1000 Fax: (785) 271-1117  
 E-Mail: BWCommercial@berlinwheeler.com  
 Member of IACC since: 1996

**Kentucky**  
Capital - Frankfort

**Louisville (Jefferson County)**

**Butterfield & Associates, Inc. 8000212**

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 1031 S 4th St, Louisville, Kentucky 40203-3207  
 PO Box 34629, Louisville, Kentucky 40232-4629  
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 Member of IACC since: 1998

**\* Lloyd & McDaniel, P.L.C. 1126872**

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 Member of IACC since: 2005  
 ALQ, COL, CB, FL, GB, NL, WH

**Williams & Williams, Inc. 1101531**

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 2321 Bardstown Rd, Louisville, Kentucky 40205-2120  
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 Tel: (502) 451-7000 Fax: (502) 451-7490  
 E-Mail: wwi@collectthemoney.com  
 Member of IACC since: 1986

**Louisiana**  
Capital - Baton Rouge

**Baton Rouge (East Baton Rouge Parish)****\*# Newman, Mathis, Brady & Spedale 1120061**

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Member of IACC since: 1994  
ALQ, CHQ, COL, CB, FL, GB, NL, WH

**Mandeville (Saint Tammany Parish)****# Revenue Assurance Partners, LLC 8002364**

Phillip F. Weaver, CEO  
414 N Causeway Blvd, Mandeville, Louisiana 70448-4636  
PO Box 2110, Mandeville, Louisiana 70470-2110  
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E-Mail: phil@rapcollect.com  
Member of IACC since: 2004

**Metairie (Jefferson Parish)****Alexander & Hamilton, Inc. 1127825**

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E-Mail: nweir@alhamco.com  
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**Assets Management Services, LLC 8001763**

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**# Clovis & Roche, Inc. 1101533**

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Member of IACC since: 1990

**Newton & Associates LLC 1123363**

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**Rauch-Milliken International, Inc. 1122811**

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PO Box 8390, Metairie, Louisiana 70011-8390  
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Member of IACC since: 1994

**The Andersen Group Worldwide LLC 8001026**

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E-Mail: jme@theandersengroup.com  
Member of IACC since: 2001

**New Orleans (Orleans Parish)****\* The Duggins Law Firm 8000538**

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Member of IACC since: 2000  
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**Whitney & Richardson, Inc. 1122771**

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E-Mail: information@whitney-richardson.com  
Member of IACC since: 1994

**Maine**  
Capital - Augusta

**Lewiston (Androscoggin County)****\* Gosselin & Dubord, P.A. 8000517**

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PO Box 3006, Lewiston, Maine 04243-3006  
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Member of IACC since: 1999  
ALQ, COL, FL, GB, NL,

**Maryland**  
Capital - Annapolis

**Baltimore (Baltimore County)****Baltimore Credit & Collection Services, Inc. 8002038**

Robert L. Holt, President  
6400 Baltimore National Pike, #469  
Baltimore, Maryland 21228-3930  
Tel: (410) 549-6444 Toll Free: (888) 277-9622 Fax: (410) 549-3366  
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Member of IACC since: 2003

**\* Law Offices of Kind & Dashoff 1129221**

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ALQ, CHQ, COL, CB, FL, GB, NL, WH

**\* # Weinstock, Friedman & Friedman, P.A. 1101814**

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Baltimore, Maryland 21208-6319  
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Year became a member of IACC: 1990  
ALQ, CHQ, COL, CB, FL, GB, NL, WH

**Clarksburg (Montgomery County)****# Montgomery Collections, Inc. 8002024**

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23310 Frederick Rd, Clarksburg, Maryland 20871-9704  
PO Box 1555, Rockville, Maryland 20849-1555  
Tel: (301) 428-7996 Fax: (301) 540-8611  
Member of IACC since: 2004

**Columbia (Howard County)****\* Law Offices of Ron D. Abrams, LLC 8002530**

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Member of IACC since: 2006  
ALQ, CHQ, COL, CB, GB, NL

**Easton (Talbot County)****\* The Commercial Bar 8000027**

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E-Mail: info@commercialbar.com  
Member of IACC since: 2002  
CB

**Reisterstown (Baltimore County)****\* Law Office of Robert L. Kline, III 8000585**

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35 Franklin Blvd, Reisterstown, Maryland 21136-3250  
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E-Mail: rklkline@thecreditorsfirm.com  
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ALQ, CHQ, COL, CB, GB, NL,

**Rockville (Montgomery County)**

**\* Union Financial Corporation 8000997**  
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 Tel: (301) 770-2490 Ext. 204 Fax: (301) 770-2491  
 E-Mail: reisman@unionfin.com  
 Member of IACC since: 2001

**Salisbury (Wicomico County)**

**# Delmarva Collections, Inc. 8001888**  
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 PO Box 37, Salisbury, Maryland 21803-0037  
 Tel: (410) 546-3742 Fax: (410) 860-8084  
 E-Mail: dci@ezy.net  
 Member of IACC since: 2004

**Towson (Baltimore County)**

**Access Receivables Management 8002156**  
 Thomas F. Gillespie, President  
 200 E Joppa Rd Ste 310, Towson, Maryland 21286-3108  
 Tel: (410) 494-1751 Fax: (410) 583-8602  
 E-Mail: tgillespie@access-receivables.com  
 Member of IACC since: 2004

**\* Margolis, Pritzker, Epstein & Blatt, P.A. 1125724**

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 E-Mail: stuartblatt@aol.com  
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 ALQ, COL, GB

**Massachusetts**

*Capital - Boston*

**Andover (Essex County)**

**F.H. Cann & Associates, Inc. 8001347**  
 Frank Cann, President/CEO  
 16 Haverhill St Ste 2B, Andover, Massachusetts 01810-3000  
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 E-Mail: frank@fhcann.com  
 Member of IACC since: 2002

**Auburndale (Middlesex)**

**\* Yellin & Goldner 8000515**  
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 E-Mail: david@yellinandgoldner.com  
 Member of IACC since: 1999

**Boston (Suffolk County)**

**\* Arnowitz & Goldberg 1136027**  
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 Tel: (617) 323-3900 Fax: (617) 323-3236  
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 ALQ, CHQ, COL, CB, FL, GB, NL, WH

**\* Krulewich Casher P.C. 1101809**

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 Member of IACC since: 1990  
 ALQ, COL, GB

**Alan Gray Insurance Services, Inc. 8000685**

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 E-Mail: mcummings@alangray.com  
 Member of IACC since: 2000

**Framingham (Middlesex County)**

**\* David I. Shorr, Attorney At Law 1125667**

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 Member of IACC since: 1995  
 ALQ, COL, GB, NL, WH

**Haverhill (Essex County)**

**Nelson, Watson & Associates, LLC 8002811**

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 E-Mail: stephen\_an@nelsonwatson.com  
 Member of IACC since: 2005

**Hopkinton (Middlesex County)**

**Associated Credit Services, Inc. 1129751**  
 Andrew Robinson, President  
 105B South St, Hopkinton, Massachusetts 01748-2206  
 PO Box 9100, Hopkinton, Massachusetts 01748-9100  
 Tel: (508) 435-8000 Fax: (508) 435-4375  
 E-Mail: rgagnon@acsrecover.com  
 Member of IACC since: 1997

**Lowell (Middlesex County)**

**# Stevens Business Service, Inc. 1122886**  
 Thomas Varnum, VIII, President  
 92 Bolt St, Lowell, Massachusetts 01852-5316  
 PO Box 1233, Lowell, Massachusetts 01853-1233  
 Tel: (978) 458-2500 Toll Free: (800) 769-0375 Fax: (978) 937-7889  
 Member of IACC since: 2000

**Newton (Middlesex)**

**Credit Collection Services 1101539**  
 David Sands, Executive Vice President  
 2 Wells Ave, Newton, Massachusetts 02459-3208  
 Tel: (617) 965-2000 Fax: (617) 332-7311  
 Member of IACC since: 1975

**Quincy (Norfolk County)**

**\* Laurence K. Richmond & Associates, P.C. 1125671**  
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 E-Mail: lkrlawyer@aol.com  
 Member of IACC since: 1995  
 ALQ, GB, NL

**Somerset (Bristol County)**

**Creditors Interchange Receivable Management, LLC 8002795**  
 Michael Hyla  
 161 Wilbur Ave Ste 103  
 Somerset, Massachusetts 02725-2058  
 Tel: (800) 693-3455 Fax: (508) 837-6891  
 E-Mail: sfrankel@creditorsinterchange.com  
 Member of IACC since: 2006

**Tewksbury (Middlesex County)**

**David Taylor & Associates, LLC 8002379**  
 Mary Lanzillo, Managing Member  
 170 Main St Unit G11, Tewksbury, Massachusetts 01876  
 Tel: (978) 863-8933 Fax: (978) 863-5528  
 E-Mail: mlanzillo@dtallc.com  
 Member of IACC since: 2004

**Woburn (Middlesex County)**

**Receivable Management Corporation 1128031**  
 John Cardarelli, President  
 400 W Cummings Park Ste 4450  
 Woburn, Massachusetts 01801-6594  
 PO Box 2471, Woburn, Massachusetts 01888-0871  
 Tel: (781) 933-1550 Fax: (781) 933-0770  
 E-Mail: recmgtcorp@compuserve.com  
 Member of IACC since: 1996

**Michigan**

*Capital - Lansing*

**Birmingham (Oakland County)**

**\*# Muller, Muller, Richmond, Harms, Myers & Sgroi P.C. 1101816**  
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 Member of IACC since: 1988  
 ALQ, CHQ, COL, CB, GB, NL, WH

**Detroit (Wayne County)**

**\* Arthur W. Miller, P.C. 1101818**  
 Arthur W. Miller, President  
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 ALQ, CB, FL, GB, WH

**Farmington Hills (Oakland County)**

**\* Law Offices of Timothy E. Baxter & Associates, P.C.** 1101817

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 ALQ, COL, CB, FL, GB, NL, WH

**Rockford (Kent County)**

**Central Mercantile Collection Service** 1120248

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 8500 Algoma Ave NE, Rockford, Michigan 49341-9194  
 Tel: (616) 866-6880 Fax: (616) 866-6866  
 E-Mail: cmcswm@iserv.net  
 Member of IACC since: 1994

**West Bloomfield (Oakland County)**

**\* Stillman Law Office** 1126785

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 E-Mail: info@stillmanlaw.com  
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 ALQ, CHQ, COL, CB, FL, GB, NL, WH

**Minnesota**

Capital – Saint Paul

**Anoka (Anoka County)**

**Interregional Credit Systems, Inc.** 1101557

David Kahn, President  
 2022 N Ferry St # 3302, Anoka, Minnesota 55303-6704  
 Tel: (763) 560-1400 Fax: (763) 560-1900  
 E-Mail: mkahn@ircsystems.com  
 Member of IACC since: 1990

**Burnsville (Dakota County)**

**Xact! Resources, Inc.** 8001155

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 Tel: (952) 890-2636 Toll Free: (800) 759-2723 Fax: (952) 890-0953  
 E-Mail: terris@xactresources.com  
 Member of IACC since: 2004

**Coon Rapids (Anoka County)**

**Pro-Collect, Inc., DBA Asset Resources** 8000887

Steven Petersen, President  
 9243 E River Rd NW, Coon Rapids, Minnesota 55433  
 Tel: (763) 585-4881 Toll Free: (800) 244-0305 Fax: (763) 585-4886  
 E-Mail: srp@assetresources.com  
 Member of IACC since: 2000

**Edina (Hennepin County)**

**\* Thurl M. Quigley, Attorney At Law** 1101823

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 ALQ, CHQ, FL, GB, NL, WH

**Minneapolis (Anoka County)**

**CrediSolve** 8001766

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 E-Mail: jason.longerbone@credisolve.com  
 Member of IACC since: 2003

**# Diversified Adjustment Service, Inc.** 1101556

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 600 Coon Rapids Blvd NW, Minneapolis, Minnesota 55433  
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 E-Mail: kzurek@diversifiedadjustment.com  
 Member of IACC since: 2004

\* Associate/Creditor Member

# Sustaining Member

**Minneapolis (Hennepin County)**

**Central Mercantile Collection Services 1012271**  
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 7400 Lyndale Ave S Ste 160  
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 E-Mail: rbrownlee@cmcs.com  
 Member of IACC since: 1996

**# Premium Credit Services, Inc. 1126054**  
 Stephen J. Heath, Chief Executive Officer  
 7101 Northland Cir N, Minneapolis, Minnesota 55428  
 PO Box 29004, Minneapolis, Minnesota 55429-0004  
 Tel: (763) 531-2333 Fax: (763) 531-9186  
 E-Mail: pcsi2@ix.netcom.com  
 Member of IACC since: 1995

**\* Gurstel, Staloch and Chargo, PA 1121553**  
 Todd L. Gurstel, President  
 401 N 3rd St Ste 590, Minneapolis, Minnesota 55401  
 Tel: (612) 843-1081 Fax: (612) 664-8222  
 E-Mail: t.gurstel@gurstel.com  
 Member of IACC since: 2005  
 ALQ, COL, CB, GB, NL, WH

**\* # Wagner, Falconer & Judd, LTD. 1101824**  
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 Tel: (612) 339-1421 Fax: (612) 392-3999  
 E-Mail: wfjudd@wfltd.com  
 Member of IACC since: 1988  
 ALQ, GB, WH

**Montrose (Wright County)**

**Commercial Collectors, Inc. 1101555**  
 James R. Gilmer, President  
 145 Nelson Blvd Ste 2000, Montrose, Minnesota 55363  
 PO Box 337, Montrose, Minnesota 55363-0337  
 Tel: (763) 675-3468 Fax: (763) 675-1083  
 E-Mail: jgilmer@commercialcollectors.com  
 Member of IACC since: 1970

**Saint Paul (Ramsey County)**

**Adams, Cooper & Marks / I.C. System, Inc. 1104884**  
 Kurt Heingigner  
 444 Highway 96 E, Saint Paul, Minnesota 55127-2557  
 Tel: (651) 483-8201 Toll Free: (800) 932-3328 Fax: (651) 204-1222  
 E-Mail: dness@icsystem.com  
 Member of IACC since: 1992

**Mississippi**  
*Capital - Jackson*

**Missouri**  
*Capital - Jefferson City*

**Chesterfield (Saint Louis County)**

**\* Gamache & Myers, PC 1127492**  
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 Member of IACC since: 1996  
 ALQ, CHQ, COL, CB, GB, NL, WH

**Kansas City (Jackson County)**

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 E-Mail: lwade@mcdowellrice.com  
 Member of IACC since: 2005  
 GB

**# The Bessenbacher Co. 1101563**  
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 E-Mail: info@bessenbacher.com  
 Member of IACC since: 1970

**Kansas City (Platte County)**

**# CBF Commercial Collections, Inc. 1101527**  
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 Kansas City, Missouri 64153-1104  
 PO Box 901510, Kansas City, Missouri 64190-1510  
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 E-Mail: info@cbfcollects.com  
 Member of IACC since: 1980

\* Associate/Creditor Member  
 # Sustaining Member

**Saint Charles (St. Charles County)**

**Client Services, Inc. 8001668**  
 Michael Lages  
 3451 Harry S Truman Blvd, Saint Charles, Missouri 63301  
 Tel: (636) 947-2321 Ext. 3116 Fax: (636) 947-3893  
 E-Mail: michael.lages@clientservices.com  
 Member of IACC since: 2005

**Saint Joseph (Buchanan)**

**\* American Family Mutual Insurance 8002187**  
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**Oklahoma**  
 Capital - Oklahoma City

**Oklahoma City (Oklahoma County)**

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**Oregon**  
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**Clackamas (Clackamas County)**

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 Member of IACC since: 2004

**Medford (Jackson County)**

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 Member of IACC since: 2003

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**Portland (Multnomah County)**

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**Salem (Marion County)**

**Cascade Collections, Inc. 1108092**  
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**Pennsylvania**

*Capital - Harrisburg*

**Bensalem (Bucks County)**

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**Monroeville (Allegheny County)**

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**Erie (Erie County)**

**# Creditron Financial Services, Inc. 1101618**  
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 Member of IACC since: 1991

**New Cumberland (Cumberland County)**

**Aguirre Aikman & Brown, An Eastern Recovery Systems, Inc. Company 8001641**  
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**Gibsonia (Allegheny County)**

**United Mercantile Company of Pittsburgh 1128039**  
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**Philadelphia (Philadelphia County)**

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**Huntingdon Valley (Montgomery County)**

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**Upper Darby (Delaware County)**

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 Capital - Providence

**Providence (Providence County)**

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**Richardson (Dallas County)**

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**Utah**  
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**Sandy (Salt Lake County)**  


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**Vermont**  
*Capital - Montpelier*

**Williamstown (Orange County)**  


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**Virginia**  
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The International Association of Commercial Collectors (IACC) includes law list affiliations for all attorney associate member listings in this directory. Please note that these affiliations are self reported by the members and are not verified by IACC. It is important, before hiring any attorney, to contact the lawyer disciplinary agency in the state where the attorney maintains a business address to confirm that the individual is in good standing as a member of the bar. When forwarding accounts to IACC member attorneys, please remember to verify law list participation and send a bonding notice to the law list you selected for protection.

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## Definition of a Commercial Claim

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A commercial claim arises from an obligation to pay for goods sold or leased, services rendered, or monies loaned for use in the conduct of a business or profession, and not for personal consumption.

To amplify this definition, the Association has also accepted and approved the following commentary:

The concept of the commercial claim encompasses a liability incurred in a business or profession. This differs from the retail or noncommercial claim which arises from the sale of goods or services or the loan of money to an individual primarily for personal, family or household purposes. Collection rates for retail claims usually differ and are higher than collection rates for commercial claims.

Circumstances may arise which may make regular collection rates inadequate; for example, a debtor may not be in business at the time a commercial claim is placed for collection, or a dispute may exist, or collection by installment payments may be required. Such circumstances may frequently, but not automatically, justify a higher collection rate than usual or an increase in a schedule of recommended rates. A forwarder should recognize such circumstances as soon as possible and request such an increase or a separate charge promptly.

Fixing compensation for services in collecting a claim is a matter of contract to be resolved amicably between the parties.

## Forwarding Guide

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Information included in this special section of your Blue Book (Membership Roster) will help you to give and to receive the best results on accounts exchanged with fellow members of the International Association of Commercial Collectors, Inc.

The Blue Book provides you with names and addresses of competent, reliable collection services to which you may send your clients' accounts with the confidence and knowledge that all have agreed, in joining the Association, to follow certain principles and procedures in handling such accounts, just as you have done.

Those principles and procedures are set forth in detail in this section. Anyone who works directly with the exchange of accounts—either forwarding or receiving, or both—will need to be thoroughly familiar with the mechanics as suggested on the next few pages and with the Code of Ethics and rules that follow.

### Rules to Follow When Forwarding

1. Submit the following where applicable:
2. Give complete information:
  - Debtor—Identify legal composition (proprietorship, partnership, corporation) and give full name or names of the owners, partners or officers and any alternative addresses and phone numbers.
  - Creditor—Indicate nature of creditor's business and give all dates and entries concerning the claim, if not shown on statements, etc. Show interest as a separate item.

- Terms—Clearly outline the rates and terms of commission.
  - Conditions—Give any specific conditions as instructed by creditor, concerning legal action, installments, etc.
  - Reports—Prompt and thorough reporting is essential. Respond to all inquiries within 24 hours.
3. Notify creditor immediately when it becomes necessary to forward to attorney or agency.
  4. Know your geography. Be sure the debtor is located in the area customarily serviced by the forwarder.
  5. Be cooperative. Rely on your agency or attorney to effectively pursue. Don't expect the impossible.

## Code of Ethics

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The following code of ethics is hereby made a part of the bylaws of the International Association of Commercial Collectors, Inc. and shall be binding upon all members. The ethics committee shall use this code to determine the responsibilities of the members of this association.

1. The ethics committee shall be comprised of the board of directors, or such special committee as designated by the president of this association for such special instances as is necessary.

Any member of the International Association of Commercial Collectors, Inc., including any agency affiliated with said member, found guilty of violating this code in the judgement of the ethics committee, and upon review by the board of directors, may be expelled, suspended or reprimanded as decided.

Any member disciplined by the ethics committee shall have the right to appeal at the next meeting of the board. A majority vote of the directors present at such meeting shall be conclusive and final.

2. Each member of the International Association of Commercial Collectors, Inc. shall:
  - a) Maintain a high standard of business principles and conduct including, but not limited to not offering any person or organization any inducement to place accounts with the member, other than normal business entertainment or nominal gifts.
  - b) Abide by the association's bylaws and rules and regulations.
  - c) Comply with all city, county, state and federal laws relating to the operation of commercial collection business.
  - d) Ensure that all personnel are familiar with the laws, the rules and regulations and code of ethics under which the collection business is conducted, and they fully respond to and comply with them.
  - e) Maintain a sufficiently strong financial position to assure the agency's continued operation.
  - f) In relations with creditors, clients and forwarders, each member shall:

1. Maintain a separate trust account into which monies collected shall be deposited and disbursed in accordance with the IACC Code of Ethics and local, state and federal laws.
  2. Provide sufficient and effective commercial collection service within the area they serve to the best of their ability.
  3. Clearly state terms and services to be rendered.
  4. Respond to creditors' requests promptly. When not possible, advise creditor immediately.
  5. Issue remittances and accounting within thirty (30) days after the close of a calendar month during which monies are collected for a creditor unless local, state or federal laws require a shorter time period.
- g) In relations with debtors, each member shall:
1. Show due consideration, including but not limited to the avoidance of harassment by telephone or personal calls.
  2. Avoid deceptive practices, statements and materials including, but not limited to allowing an employee or outside party to call debtors to inform them that an audit, credit review or asset search is being performed and/or that the debtor's customers or suppliers will be contacted.
  3. Respond to disputes in a reasonable and prompt manner.
  4. If debtor states that he is represented by an attorney and identifies him or if the agency is contacted by the debtor's attorney, then the agency shall deal directly with the attorney. However, should the attorney fail to respond or cooperate, then the agency may continue to contact the debtor directly, advising the debtor of his attorney's lack of cooperation.
- h) In relations with fellow IACC members, each member shall:
1. Compete in a fair and honorable manner.
  2. As the receiving agent, avoid contact directly with the creditor on forwarded cases except where authorized by the forwarding agency or when contact is initiated by the creditor and in such case the forwarding agency shall be so advised.
  3. Answer all correspondence promptly.
- i) In relations with attorneys, each member shall:
1. Remit to the attorney all non-contingent suit fees and court costs received from the creditor.
  2. Respond promptly to all correspondence
  3. Respect the attorney-client relationship.

## Rules and Regulations

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### Pertaining to relations between Forwarder and Forwardee

The following are approved as the operative regulations pertaining to forwarding and receiving, and the relations between forwarder and forwardee. These Rules and Regulations are also the code for the guidance of the Officers of the Association and the Grievance Committee in determining the rights of the forwarder and the forwardee.

Nothing contained in the Rules and Regulations is intended to vest in any lay agency the authority to practice law. It is expressly understood that the Rules and Regulations are merely a guide of the members of this Association, and do not, by express authority or by implication, authorize the performance of any act which is either unlawful or unethical.

### Commission Rates

1. Rates of commission and fees are matters of agreement or contract between creditor and collector, forwarder and forwarder, and the Association does not presume to establish any fixed policy that is intended to be binding upon its members.

The term "commercial claim," in its most common usage means, "A commercial claim arising from an obligation to pay for goods sold or leased, services rendered, or monies loaned for use in the conduct of a business or profession, and not for personal consumption." For the purposes of these Rules and Regulations, this definition confirms that the concept of the commercial claim encompasses a liability incurred in a business or profession. This differs from a retail or noncommercial claim which arises from the sale of goods or services or the loan of money to an individual primarily for personal, family or household purposes.

It shall be mandatory upon the forwarder to state in his forwarding instructions the exact terms upon which the claim or account is forwarded. If the forwarder, after having accepted the claim on the rates quoted by the forwarder, should determine that the rate at which the claim was first forwarded is inapplicable, it shall be mandatory upon him to so notify the forwarder and secure forwarder's consent to increase the rate of commission to an amount mutually acceptable, or to return the item to the forwarder.

In all cases, commission rates are a matter of agreement between the forwarder and forwarder and it is open to the parties to agree to a basis of charges, it being impossible to adequately define the value of services in any recommended schedule.

### Commissions

2. The terms and conditions under which a claim is forwarded shall be binding on the forwarder if he accepts and acknowledges the claim. These terms will not be varied by a substitution of terms stipulated by the forwarder, unless the substitution is made known to the forwarder who agrees in writing to the change or substitution. A forwarder who is dissatisfied with the terms or conditions in a forwarding proposal may either return the claim, or refuse to handle it until new terms or conditions are mutually agreed upon.
3. Where a forwarder specifies certain terms in his transmittal, and the forwarder declines to accept the claim under those terms but agrees to perform the services under different terms and the forwarder subsequently requests the forwarder to proceed with the claim, remaining silent on the matter of compensation or terms the forwarder shall be deemed to have accepted said offer and shall be bound by the terms of the forwarder's offer.
4. In the absence of an agreement to the contrary, collections by installments or in dividends from bankruptcy, probate, receivership, assignments and other kindred proceedings, shall be treated as collections closed in one transaction.
5. Claims filed in bankruptcy, probate, receivership and any other kindred proceedings, representing a balance of an account, a part of which has been collected prior to bankruptcy by the forwarder, shall be considered as a balance of the original account only, in computing commissions charged on dividends, subsequently paid on the claim through the bankruptcy, probate, receivership and other kindred proceedings.

6. The mere formal filing of a claim in bankruptcy, receivership, probate and other kindred proceedings, and the receiving and remitting of a dividend or dividends thereon, entitles the forwarder to commissions.
7. A forwarder having relinquished or returned an account to a forwarder may not, after giving notice to that effect, accept payment from the debtor, unless he believes that his refusal to accept such payment would result in a loss to the creditor, in which event he may accept such payment and immediately account to the forwarder for such collection in full, without retaining any fee for making such collection.
8. Where a forwarder returns a claim and later the debtor sends his check to the creditor in settlement of the claim, the forwarder is not entitled to a fee.
9. Where a forwarder is authorized to take goods or property in settlement of a claim, the compensation is to be determined by the worth of the service, viewed from the standpoint of the work done, the amount involved, the character of the employment and the results accomplished.
10. Where, by agreement, the forwarder is to take the debtor's property, sell it, and apply the proceeds to the liquidation of the claim, and the forwarder holds a sufficient amount to cover the claim and returns the balance to the debtor, the charge is based on the money collected on the claim.
11. A forwarder, having taken property or money from a debtor as settlement of a claim, may not, on a controversy arising with forwarder or creditor regarding compensation, return the property or money to the debtor. Once the property or money is taken and received as payment of the claim, the property or money is in the constructive possession of the creditor and cannot be returned without the creditor's authority.
12. In the absence of an agreement to the contrary, a contingent fee or commission contract, express or implied, must be taken as an assumption that the claim in question is a valid one and is actually pending at the time the forwarder employed to handle it begins to work, from which it allows that:
  - a. Where a claim is settled directly with the forwarder and acknowledgement has been made and work done by the forwarder on the claim prior to the time the forwarder obtains actual notice of payment to the forwarder, the forwarder shall be entitled to one-third of the agreed fee as remuneration for his services.
  - b. The forwarder shall not interfere between a forwarder and debtor in such a manner as to make impossible the collection of a regularly forwarded claim by the forwarder, but in the event of such interference the forwarder shall be entitled to the compensation for his efforts to a sum equal to one-third of the agreed fee.
13. When a claim is paid directly, after it has arrived at the office of the forwarder, and after demand for payment has been made upon the debtor, the forwarder is entitled to commissions according to the agreed fee. If the forwarder fails to acknowledge receipt of a claim within three days he shall be deprived of any commissions earned on direct payments.
14. Where the forwarder in the process of working the claim discovers that it has been previously paid, he shall be entitled to only one-half of the commission.

15. Where a claim is paid directly, prior to the arrival of claim in the office of the forwarder, it shall be the duty of the forwarder to notify the forwarder immediately of the fact of payment. If for any reason the forwarder fails to give the forwarder immediate notice of the payment and the latter does work on the claim or incurs expense, he shall be entitled to one-half of the commission for the work done, the rendering of which services might have been prevented by immediate notice on the part of the forwarder. Where the fact of payment does not become immediately known to the forwarder by the neglect of the creditor, and thus the forwarder is prevented from giving immediate notice to the forwarder, the forwarder is obviously entitled to compensation from creditor and the forwarder should necessarily be paid.
16. Where a claim is sent to a forwarder by mistake of the forwarder and the mistake or fact of payment has been learned by the forwarder in the course of his work and by him brought to the attention of forwarder, the forwarder shall be entitled to one-half the commission for the services he has rendered.
17. Where a debtor sends a post-dated check directly to the creditor before the forwarder receives or acts upon a claim, and the maturity of the check is subsequent to the forwarder's action, he shall not be entitled to commissions as made on a collection unless he can show that work induced the debtor subsequently to meet the check. There must be persuasive evidence that the check would not have been paid had he not acted; in short, that his acting in the matter induced the payment of the check. Failure, however, to notify the forwarder immediately of the receipt of such check will entitle the forwarder, upon its payment, to full compensation for work done.
18. Where the demand for payment on the part of a forwarder is followed by negotiations between debtor and creditor, whereby credit is extended to a later date or a note given or goods are returned or adjustment of any sort made, the forwarder is entitled to the full agreed compensation for his services.
19. Where a matter is pending in the office of a forwarder and the creditor intervenes for the purpose of accepting a note settlement for the debt, thereupon withdrawing the claim from the hands of the forwarder, the forwarder is entitled at once to his fees and commissions computed according to the contract of forwarding, the same as if money had been collected, and the forwarder need not wait for his compensation until the note or notes are paid.
20. Where a settlement in notes or acceptances is authorized or ratified by the creditor, and the notes and acceptances are retained by the creditor, the forwarder is at once entitled to his compensation, according to the contract of forwarding. Where the notes are allowed to remain in hands of the forwarder until the date of maturity, the compensation of the forwarder must be delayed until the notes are actually collected. In the event of a note settlement which has been authorized by the creditor, where the notes are retained by the creditor, and the forwarder is discharged by the payment of this regular fee, and where subsequently, the notes are not paid at maturity and are returned to the forwarder for collections, it shall be understood that the employment to collect the notes is a new one and in the event of failure to collect, the forwarder shall not be required to refund the commission previously received; and in the event of collection of the notes the forwarder again shall be entitled to the usual commissions based upon the amount collected.
21. When a claim is placed with a forwarder on a contingent fee basis, the forwarder obtains thereby an interest in the matter to the extent of his fee, and such a matter cannot be withdrawn within six months time in the absence of fault on his part, without remunerating him for his services and expenses. Forwarded claims which have been in the forwarder's hand for at least three months time, upon which no collection

- has been made by the forwarder, and upon which no arrangement for payment has been made, shall be returned to the forwarder upon request.
22. When a forwarder reports a claim to be uncollectible without suit and the creditor chooses not to sue, the forwarder, on the request of the forwarder or creditor, shall return the claim without charge.
  23. Where a forwarder succeeds in collecting part and has promise of the remainder, the forwarder may not recall the claim without paying the forwarder his fee on the deferred portion, and should the debtor's promise fail of fulfillment, after the creditor has requested the forwarder to return the balance of the claim, the forwarder is not required to return the fee, since his employment has ceased, the creditor assuming the risk of fulfillment of the promised payment. If the matter is left in the hands of the forwarder and the debtor fails to fulfill his promise, the forwarder does not earn a fee on the deferred portion unless and until it is paid.
  24. A forwarder may not withdraw a claim from a forwarder for the purpose of filing it directly in probate, bankruptcy, receivership or any kindred proceedings, without first compensating the forwarder for the reasonable value of the work he has done.
  25. A creditor or forwarder shall not send a claim against a bankrupt entity to a forwarder on condition that it be handled without charge.
  26. Where a forwarder is called upon to remit the proceeds of a collection to different and conflicting parties, he shall impound the money in some responsible depository and notify his correspondents that it will be released only upon receipt of a directive in writing from both parties asserting a right to it, mutually agreeing upon its distribution.
  27. The forwarder shall make settlement with the forwarder at least once each month, furnishing the forwarder with a suitable statement that can be retained, showing thereon the amount of the collection and the name of the creditor or creditors, on whose account or accounts the payment is to be applied. It is strongly recommended, however, that when a forwarder obtains full payment of a claim or substantial payment on a claim, an accounting be made upon clearance of the check.

#### Miscellaneous

28. The forwarder shall give forwarder all possible information concerning any forwarded claim or account at the time of forwarding.
29. The forwarder shall acknowledge items of business received by him within three days after receipt, either accepting or rejecting the same. If rejecting, he shall give reasons for so doing. Failure to promptly acknowledge receipt of forwarded claims shall deprive the forwarder of any claim to commissions earned on direct payments, either to creditor or forwarder.
30. A forwarder, employing two or more agencies in the same or different towns to handle the same matter without the agencies being informed of the situation, must in case of settlement pay to each a reasonable fee for services rendered.
31. The forwarder shall not request a credit report on a debtor from one forwarder and without just cause send the account to another forwarder for collection.

32. No forwarder shall send out a claim, or claims, which he has previously forwarded, without disclosing that fact.
33. No forwarder or forwarder shall fail to answer promptly inquiries pertaining to pending matters.
34. A forwarder shall promptly return all papers and/or remit all monies collected on claims that have been withdrawn because of the forwarder's neglect or inability to handle the same.
35. A forwarder shall not retain an item of business if he cannot handle it properly for any reason, including the following:
  - a. Because of friendly relations with debtor.
  - b. Because of obligations to debtor or to the other persons closely associated with debtor.
  - c. Because of obligations to another forwarder or creditor which prevent his adequately carrying out the instructions of the forwarder. In such instances, the forwarder shall place the forwarder in full possession of all facts or return the claim at once.
36. The forwarder is responsible for representing and protecting the forwarder. If a commission loss occurs because of a direct payment to the creditor, the forwarder must assume the loss, make remittance of the agreed fee to the forwarder. The forwarder may not communicate directly with the creditor except with consent of the forwarder, unless the forwarder's refusal to honor the forwarding contract justifies direct contact with creditor.
37. No forwarder shall charge and retain in one case the fees claimed in another, where there is no authority to do so, particularly where the bill for such fees is in dispute.

The Association realizes that it is practically impossible to draw a set of Rules that will govern all cases because there are so many side issues that can be attached to any given set of facts that it would change the whole viewpoint in that one case. Therefore, it is recommended that, where a difference of opinion does occur between forwarder and forwarder, members will put into practice the fundamental principles of the "Golden Rule."