

## Law and Life Newsletter

### Legal Lead Story: Dealing with Debt Collectors

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In the last edition of this newsletter we discussed issues with debt settlement companies. So let's say your account has been turned over to a debt collection agency. Here are some tips in dealing with debt collectors.

- If you are juggling multiple delinquent debts the secured debts (mortgage, car loan) should have priority because the creditor/agency holds the power of repossession of foreclosure. While you obviously want to address unsecured debts—those that not secured by some property or collateral—realize failure to do so will not lead to a repossession of your property.

- Negotiate payment terms that work in your favor. The older the debt and longer since your last payment the more leverage you may have in obtaining a favorable debt reduction and payment schedule. Expect the

collector to require a decent first payment (sometimes 10-30% of the reduced balance to be paid) and payments structured over a finite period of time. Try to avoid paying any interest or late fees but realize your failure to adhere to an agreed upon payment schedule could mean the agency scraps the agreement and proceeds to court.

- If you reach a payment agreement be sure to get it in writing and, if possible, signed by someone from the agency.

- Do not provide bank account information. Your account number, routing number, and other financial institution info give the agency a leg up on you if the matter goes to court.

- Make payments via money order or bank check and retain a copy of each payment. Write the account number or last 4

digits of your credit/charge card on each payment.

- Save all threatening letters, voicemails, e-mails, faxes, and other communication. In North Carolina, a one party consent state, it is only necessary for one person to know that the call is being recorded, and you may be one of the parties. Thus if you are in North Carolina, so as to increase your chances of being able to use recorded conversations as evidence it is best to inform the other person you are recording the call. Under federal and state law recorded threats and harassment could be worth money to you.

When your finances and your credit rating hang in the balance do not guess what to do. If you are not sure how to deal with a debt collector contact an experienced consumer law attorney for help. --

OLO

## Saving Money on Heating/Cooling Your Home

The combination of increasing utility rates and extreme temperatures can really tax your monthly energy budget. Here are some tips for saving some money while remaining comfortable in your home:

- Insulate and seal your ducts.
- Weatherstrip your doors.
- Caulk your windows.
- Use or block the sun to

your advantage. On hot days in the summer be sure to close your blinds, shades, and curtains to keep out sunlight and resultant heat. Then let the sunlight in to help heat your home in the winter.

- Inspect, clean, or replace your air filters on a monthly basis.
- Make sure your air conditioning unit or heat pump are the proper size for your home. Here is a link for an online calculator:  
[http://www.consumerreports.org](http://www.consumerreports.org/cro/appliances/heating-cooling-and-air/air-conditioners/sizing-worksheet/index.htm)

[g/cro/appliances/heating-cooling-and-air/air-conditioners/sizing-worksheet/index.htm](http://www.consumerreports.org/cro/appliances/heating-cooling-and-air/air-conditioners/sizing-worksheet/index.htm).

- Keep your registers and return vents free and clear of obstructions.
- Consider planting trees and other landscaping features to shade your home from the sun's rays. --OLO

***"Life is short.  
Work hard,  
play harder,  
and pray  
hardest."***

*John O'Neal*

## Classic TV: Test Your Knowledge

As many of you can imagine, I stay pretty busy. I rarely watch television and, if I do, it is typically sports or classic movies and TV shows. Call me old but I believe there has been a substantial dip in the overall quality of programming that one finds on the tube be it network TV, cable, or satellite/dish. Like many people in my age range I grew up with certain TV shows and in that era (1970's and 1980's) there seemed to be a larger quantity of better quality programming.

My musings aside take a few minutes to try your luck with this quiz of questions about some of my favorite TV shows from yesteryear. Answers available at [www.oneallawoffice.com](http://www.oneallawoffice.com) (Go to the Free Information Center) and in the next edition of the Law and Life Newsletter. Reminisce, enjoy, and good luck!

1. Name the prototype vehicle featured in the original TV series "Knight Rider". BONUS: What does the name of the vehicle mean?
2. George and Louise "Weezy" Jefferson lived in a deluxe apartment in the sky on "The Jeffersons". Name the organization at which Louise Jefferson volunteered her time and resources.
3. Which "Love Boat" character went on to become a member of the United States House of Representatives? BONUS: What state did he represent?
4. Which "Miami Vice" cast member starred in the 1988 movie "Stand and Deliver"?
5. What do the initials "B.A." stand for in the name of B.A. Baracus of "The A-Team" TV series?
6. On "Sanford and Son" what was the fictional first and last name of the mother of Lamont's friend Rollo?
7. Name at least three of the cast members on the 1980's TV show "CHiPs". (Stage names are accepted.)
8. Name the drug lord who served as the nemesis of Detectives Sonny Crockett and Ricardo Tubbs on "Miami Vice".
9. On "Gimme a Break" how many sons and daughters did Chief Carl Kanisky have? BONUS: Name all of the Chief's children.

## Healthful Hint: Breakfast via Blender

Answers to “Fill in the Blank (Legally)” from June 2011 Law and Life Newsletter:

1. Repossession
2. Expunge
3. Thirty
4. Yo-Yo
5. Fraud
6. Creditor
7. Slander

Like many of you my life moves fast and I am constantly on the go. When it comes to eating well and staying energized having breakfast is a key factor. It is tough to find the time to fix a cooked breakfast every morning before starting your day but you must eat something.

One of my favorite breakfasts is made via blender. Milkshakes and smoothies can contain many wholesome ingredients and are prepared fairly quickly. Try this next time you are strapped for time and need some sustenance on the go to kick start your day.

Break out your blender and place 3-4 ice cubes in the bottom. Add the following ingredients in the following order:

1 cup of milk or orange juice

one peeled banana

one peeled orange

1/2 cup of strawberries OR blueberries OR raspberries OR sliced peach OR peeled and diced mango OR your desired combination of fruits

1/2 cup of whole oats OR scoop of whey protein powder OR handful of dry roasted peanuts

1 scoop of frozen yogurt or refrigerated yogurt

one egg

2-3 more ice cubes

one dash of cinnamon and/or nutmeg

Blend until the concoction meets your desired consistency. Pour into your favorite cup or mug. Bottoms up! --OLO



Valuable tip: DO NOT keep valuable paperwork in the glove compartment or anywhere else in your vehicle. I have seen far too many people keep their installment sales agreement, warranty documents, vehicle maintenance and repair paperwork, insurance policy, and even payment receipts in their vehicle. If your vehicle is destroyed or damaged you may lose these documents. And if your car is repossessed do not be surprised if these documents mysteriously “disappear”. Not having these documents can pose serious problems to your potential legal claims or defenses. The only documents you need in your vehicle are the registration card, insurance card, and your vehicle safety inspection sheet. Keep all other vehicle documents in a safe location and hold onto them until, at a minimum, your vehicle loan is paid in full and/or you obtain an unencumbered (i.e. no lien) vehicle title.

### O’Neal Law Office

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