

# OPERATIONS GUIDE

# ACCOUNT DOCUMENTATION

Complimentary  
Preview



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This information contained in this report is not intended to be legal advice and may not be used as legal advice. Legal advice must be tailored to the specific circumstances of each case. Every effort has been made to assure this information is up-to-date. It is not intended to be a full and exhaustive explanation of the law in any area, however, nor should it be used to replace the advice of your own legal counsel.

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## About the Presenters

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**Peter Ghiselli, TransUnion:** Peter Ghiselli is a seasoned executive in the financial services industry with expertise in business development, finance, personnel, training program management, compliance, information technology and operations. His 20 year track record of leadership in establishing successful programs and directing operations span credit lending, risk management, collections and global information organizations.

Peter's career encompasses customer care, 1st and 3rd party collections, debt sales and debt purchasing in a variety of market verticals including bankcard, education, auto, mortgage, consumer loans, energy, government, healthcare and telecommunications. In his current role as Vice President, U.S. Emerging Markets at TransUnion, Peter leads the Collections business unit developing solutions, defining strategies and directing go to market and selling activities.



**G. Reynolds Sims, G. Reynolds Sims & Associates:** G. Reynolds Sims in the area of retail collection litigation at the Michigan law firm of G. Reynolds Sims & Associates, P.C. The firm has been working within the collection litigation field since 1998 and also represents clients in FCRA, FDCPA consumer litigation defense and compliance consultation. The firm was the first law firm to be certified by the DBA.

As well as being a member of ACA, NARCA, and the CLLA, he was appointed DBA to represent the law firm perspective on the DBA's Debt Buyer Certification Task Force. As a result of his work, the DBA appointed Reynolds to an additional two year term to its Certification Council. Locally, Reynolds is a member of the Michigan Creditors Bar Association ("MCBA") and maintains a position on the group's Government Affairs Committee.

## How to Use This Operations Guide

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Our **Operations Guides** synthesize best-practice information from our webinar series, **insideOperations**. As a companion to this report, you can watch the full video of the webinar here:

[insideOperations: Account Documentation](#). [hyperlink]

As appendices, you will find the slide deck from the webinar, as well as the transcript.

Additionally, we have included Certificates of Completion if your training department is interested in using the webinar and this study-guide as a training tool for new hires, continuing education, or periodic in-services.

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## Introduction: A Brief History of Account Documentation

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**H**istorically, consumers who desire to initiate a dispute or a complaint were instructed to do so in writing, either directly to the issuer, to the current creditor if the debt had been sold, or to the third-party service provider.

These written requests would initiate a rather cumbersome process. Typically, the documentation remained in the hands of the original creditor, and was not provided with placement of accounts to a third-party agency. And it was provided on a limited or an as-needed basis to buyers of debt and collection law firms.

In a pre-charge-off collection environment, any special handling of accounts requiring documentation were usually handled by the issuer and then placed again after the resolution of the dispute and/or the complaint.

In a post-charge off environment, special handling accounts requiring documentation could have been closed and returned back to the issuer. They also could have been placed in a holding queue at the service provider's environment, and that service provider would request documents from the original creditor and/or the current creditor.

These document requests back to the creditor could take anywhere from 14 to 90 days to fulfill, and in many cases, during that period of time while waiting for the docs to be delivered from the creditor, the account may have been recalled from the service provider and then replaced back out for collections with a different service provider, thereby causing confusion and delays in addressing consumer complaints and disputes.

Typically, in a debt sales agreement, access to media is contractually represented for a limited period of time, somewhere between six months to a year, usually, and with a percentage of a total file's media warranted. In most cases it can be anywhere from 60 to 100 percent of the media being warranted as available.

However, in the debt purchasing agreements, an issuer would charge the purchaser of fill media requests at a rate sometimes in excess of a dollar per page, causing debt buyers to make difficult choices for which accounts to order media. In many cases, this contributed to consumer disputes and complaints remaining unresolved because the simple financial obligation of the purchaser to be able to go and obtain the documents requested by a consumer was cost prohibitive.