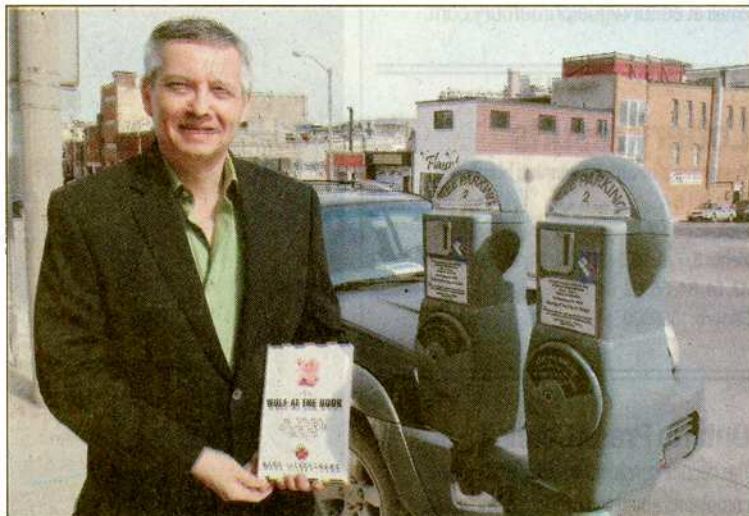


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TROY BRIDGEMAN, GUELPH MERCURY

Guelph lawyer Mark Silverthorn is launching his new book on dealing with collection agencies today at the Bookshelf Café.

Know your rights when challenged by debt collectors

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GUELPH — Chances are, due to the state of our economy, you or someone you know has received a call from a collection agency. These unwanted calls can be inconvenient and troubling but a Guelph lawyer and author has some comforting advice.

Mark Silverthorn spent 12 years representing many of the

largest collection agencies in North America before he decided to change sides. "When my daughter was about seven years old, someone asked her what her daddy does for a living," says Silverthorn. "She said 'Daddy sends out letters to people to pay their bills and if they don't he'll put them in a compost.' I thought, 'Is that going to be the legacy for my life?'"

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Legal ways to deal with collection agencies detailed

► BOOK FROM PAGE A1

Silverthorn decided to use his detailed knowledge of the collections industry to help people in debt and has written a book called *The Wolf at the Door* full of legal ways to deal with collection agencies.

He says many collection agencies count on people not knowing the law and the options they have to significantly reduce or even eliminate outstanding debt.

"Most of the people I've spoken to, don't know there is a two-year statute of limitations in Ontario," says Silverthorn. "If you go and speak to a credit counselling firm or a bankruptcy trustee, chances are they'll never tell you that."

He says the big lenders generally don't pass files to collection agencies if they intend to sue the debtor, especially if the debt is below \$3,000 or \$4,000 dollars.

"If you go and see a bankruptcy trustee, a front-line counsellor or a credit counselling agency, they're probably not going to tell you that," says Silverthorn. "That's what really concerns me. I think people are making some pretty poor decisions because they just don't know the best way to deal with their debts."

He says he was witness to many unethical practices when he was a collections lawyer.

"I was trying to collect debts that were 13 years old," says Silverthorn. "In Ontario once a debt is 7 years old from the date of your last payment, it comes off your credit report. If a debt doesn't show up on your credit report, as far as the world is concerned it doesn't exist. It's not going to affect your credit score and yet people are paying these bills just because they got a letter from a lawyer or a collection

agency and they're intimidated and they just pay it."

He says most collection agencies will settle for less than 100 cents on the dollar if the debtor agrees to pay it off in one lump sum. He says the older the debt the less you will likely end up paying and it is not uncommon to settle for less than half of the original debt.

"I think probably one of the dirtiest tricks collection agencies will do is they'll call up the payroll department at a person's place of work," says Silverthorn. "It's illegal for a collection agency to disclose the existence of a debt to anyone other than a person who is legally responsible for the debt. Another thing some collection agencies do is make repeated phone calls to a person at home or their workplace."

It is illegal under the Ontario Collection Agencies Act for a collector, after he or she has spoken to you directly, to call you more than three times in a seven-day period.

"That particular law gets breached all of the time," says Silverthorn.

He says he has seen a dramatic increase in people coming to him for help with their debt and that is one reason he decided to write the book.

"At the end of the month, people are going to pay the rent or their mortgage, they're going to buy groceries, they're going to put gas in the car, and they are going to repair their car, but the first debt people typically default on is their credit card and that has gone up significantly," says Silverthorn.

Silverthorn has an official book launch scheduled for tonight in the E-Bar at the Bookshelf Café at 7 p.m.