



Department of
Consumer Affairs

40 years

of ensuring a fair and
vibrant marketplace

Jonathan Mintz
Commissioner

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February 2, 2010

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Re: Debt collection question

Dear ██████████

The New York City Department of Consumer Affairs (the "Department") issues this letter in response to an inquiry you submitted via e-mail. You asked if, as an attorney, you are automatically exempt from New York City's laws regulating debt collection agencies.

The Department enforces New York City laws regulating debt collection agencies, including New York City Administrative Code (the "Code") Sections 20-101 *et seq.* (the "Licensing Law"), 20-488 *et seq.* (the "Debt Collection Agencies Law"), 20-700 *et seq.* (the "Consumer Protection Law"), and the Rules of the City of New York Title 6, Section 5-76 *et seq.* (the "Debt Collection Rules").

Attorneys are not automatically exempt from the Licensing Law. Section 20-489(a)(5) of the Code requires attorneys to obtain debt collection agency licenses if they "...regularly engage[e] in activities traditionally performed by debt collectors, including, but not limited to, contacting a debtor through the mail or via telephone with the purpose of collecting a debt or other activities as determined by rule of the commissioner."

For more information about the above laws and rules and/or to apply for a license to operate as a debt collection agency, please visit the Department's web site at www.nyc.gov/consumers.

Thank you very much.

Sincerely,

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