



Consumer Financial  
Protection Bureau

(<https://www.consumerfinance.gov/>)

[Start a new complaint](#)

[← All complaints \(.\)](#)

# 230702-11443555

**CLOSED**

## ✓ Submitted

### STATUS

Submitted to the CFPB on 7/2/2023

### PRODUCT

Debt collection

### ISSUE

False statements or representation

**We received your complaint. Thank you.**

We will review your complaint. Depending on what we find, we will typically:

- Send your complaint to the company for a response; or
- Send your complaint to another state or federal agency, or help you get in touch with your state or local consumer protection office; or
- Let you know if we need more information to continue our work.

### YOUR COMPLAINT

Portfolio Recovery Associates, LLC violated most of the options listed while trying to collect an alleged debt of \$2,297.63 from 2010, but my main complaint is not one of the listed options. I know PRA has done the similar things to many people, including Guadalupe Mejia, who was awarded \$82 million in punitive damages by a jury in 2016. This issue should be addressed. My main complaint is that after I filed a lawsuit under the FDCPA, invasion of privacy on seclusion and outrage, on March 10, 2021, PRA used litigation tactics that were unethical, illegal, deceitful and meant to inflict severe emotional distress. PRA was represented by outside counsel, The Rose Law Firm in Arkansas and Troutman Pepper from Virginia (AKA Troutman Sanders). On April 3, 2023, Troutman Pepper issued a blog post that said, in part: "According to the CFPB, entities cannot take unreasonable advantage of

EXHIBIT A

circumstances where people lack sufficient bargaining power to protect their interests. "The policy statement describes such circumstances as when consumers do not elect to enter into a relationship with an entity," and specifies debt collectors. PRA used my lack of legal training, financial distress caused by the COVID related stock market crash, and my ill health, including diagnosed anxiety disorders and Hashimoto's Disease, to bully me in court. PRA also capitalized on the opportunity of a judge who is notoriously anti-consumer and anti-CFPB, Judge Lee P. Rudofsky. PRA threatened me with having to pay its "significant" attorney's fees. A copy of the email is submitted. PRA filed a motion for the Clerk to tax \$8,356.18 in costs to me. I am going to appeal the summary judgment, but thus far, PRA has ignored my request for them to stipulate to a stay of the cost motions until after the appeal. PRA has never produced Old Account Level Documentation that shows what was purchased to incur the debt or the vendor who was paid by Capital One Bank. PRA has never produced a credit card agreement and specified it does not have the credit card agreement. Before I filed suit, PRA sent its identity theft and fraud letter to me, with directions to answer the intrusive questions under penalty of perjury and notarized or witnessed. I refused because PRA did not tell me where the debt was incurred or what it was for. Even if I could deduce who committed the fraud, the statute of limitations to file criminal charges on the person had passed, and it would be extraordinarily difficult to collect evidence. The only purpose I saw in having me fill out the details, including my social security number, all previous addresses, and so on, was for PRA to use against me in trying to collect the debt. The letter was backdated. After I filed suit, PRA sent three more backdated letters that said it "concluded its investigation" and closed my account and set the balance to zero. But the first letter informing me of this was addressed to "Laura Lyman" instead of "Laura Lynn" and had a different account number on it. I was fooled into thinking my account was closed. When I went to document the letter, I noticed the error. When I asked for a correction, PRA changed the wording. After my next request, they gave me another letter with the original wording and with my name and account number. Copies submitted. Eight months after I filed suit, PRA produced a single account statement mailed to an address where I never received mail, that showed a balance of \$1,916.05. They said Capital One gave it to them and got Capital One to submit an affidavit, but Capital One had told me many months earlier that it had no OALD at all. (Recorded) PRA withheld and altered other documents. The company records filed under seal do not have each call made on PRA's self-generated phone log documented on PRA's notes. A representative told me the notes have an entry that I filed for bankruptcy, though I never filed for bankruptcy. That entry is not in the documents filed under seal. PRA admits to calling a landline at my past residence in Arkansas hundreds of times. But, it claims it did not call my California cell phone for a seven year stretch with the first call they admit to being on November 18, 2020. I recorded that call, after setting up my computer. (There is a minute pause on PRA's recording of the call.) The reason I spoke to PRA on a recorded line was because they had called me about a hundred times from August to November. About 85 of those calls I blocked and they went to voice mail. PRA would not produce a third party record of its calls. I got my cell phone record and found fourteen calls that came from PRA, that don't appear on PRA's phone log, and each of the numbers those calls were placed from were disconnected. In fact, all the numbers PRA called me from were disconnected. Judge Rudofsky, in his order granting

summary judgment in PRA's favor, truncated a sentence to distort my testimony, then PRA repeated the falsehood. Eventually the judge admitted the sentence was truncated, and then said the complete sentence had a different meaning than the meaning given by ChatGBT's OpenAI and the opposite of what I meant. PRA requested and Judge Rudofsky approved of making many of the business records under seal, against my heavy protest. It is difficult to write this complaint and complaints to other agencies with the confidentiality restrictions and the public cannot make an informed decision about who is telling the truth. That is why I am using the awkward way of saying what was not in the documents, instead of what was in the documents. After I filed a motion for partial summary judgment on the single issue of misrepresentation of the amount of a debt, PRA lied, saying it "waived" my debt "in light of the litigation", even though it did not issue a 1099-C to me in the two years since. PRA hired an "expert witness" who is a hired gun. He made a diagnosis that contradicted the diagnosis of my medical providers. The Psychiatrist they hired was not licensed in Arkansas, and the Arkansas medical board told me (recorded) that out-of-state doctors can review records, but not diagnose. The report is filed under seal and I am only allowed to share it with law enforcement and the various medical boards and committees on professional conduct. But I am willing to share my version of what happened during the horrific Defense Medical Exam with the CFPB in confidentiality. PRA posted my credit report, marked "CONFIDENTIAL", and another document that had my full unredacted social security number and birthdate on PACER. When I complained, they said it was an accident. There is so much detail that I will give the case number and my blog address, where I write about the case and other instances of corruption in courts. I will then make bullet points of specific misconduct on my request for a fair resolution. Federal District Court Eastern District of Arkansas 4:21-cv-00189-LPR. [www.court-corruption.com](http://www.court-corruption.com)

#### **ATTACHMENTS**

[combined CFPB exhibit.pdf \(414.3 KB\)](#)

[View full complaint](#) 

 **Sent to company**

#### **STATUS**

Sent to company on 7/2/2023

We've sent your complaint to the company, and we will let you know when they respond.

Their response should include the steps they took, or will take, to address your complaint.

Companies generally respond in 15 days. In some cases, the company will let you know their response is in progress and provide a final response in 60 days.

✓ Company responded

**STATUS**

Company responded on 7/17/2023

**RESPONSE TYPE**

Closed with non-monetary relief

**Company's Response**

Portfolio Recovery Associates, LLC ("PRA") investigated your complaint. We take compliance with all applicable state and federal laws very seriously. The investigation found no records supporting the allegations of misconduct or harassment, including, without limitation, that PRA or its representatives acted improperly regarding the relevant account. We closed the PRA account ending in 6049 and ceased all communications regarding collection of the PRA account unless otherwise permitted or required by applicable law. We believe that no further steps in response to your complaint or follow-up actions are required at this time.

**DESCRIPTION OF NON-MONETARY RELIEF**

In response to your dispute, we closed the PRA account ending in 6049 and ceased all communications regarding collection of the PRA account unless otherwise permitted or required by applicable law.

✓ Feedback provided

**STATUS**

Feedback provided on 7/18/2023

**Your feedback**

**THE COMPANY'S RESPONSE ADDRESSED ALL OF MY ISSUES**

No

**ADDITIONAL COMMENTS**

Portfolio Recovery Associates, LLC gave a conclusionary response with no details. They failed to address my main concern, their litigation misconduct in the FD CPA case I filed against PRA. They were also able to make the account notes and documentation "under

seal" so they can avoid detection of law enforcement. PRA closed my account in response to my lawsuit and set the balance to zero, but in court said I owed the money when they were collecting. The account closure letters did not say "cancelled" nor "waived" and PRA did not issue a 1099-C to me. Consumers like me should not have to file a lawsuit to make PRA stop calling. PRA should not demand consumers like me to fill out an intrusive identity theft / fraud letter on an alleged debt that is past the statute of limitations for legal collection and past the statute of limitations for fraud. The only purpose of the inquisition is to collect information to use to try to collect on the debt. PRA should not be able to use a refusal to fill out the fraud letter as evidence that the debt was not fraudulent, as they did in my case. PRA should not use its superior bargaining power to strong arm a settlement offer of \$5,000 from each victim and then continue to violate the FDCPA and the consent agreements with the CFPB.

**I UNDERSTAND THE COMPANY'S RESPONSE TO MY COMPLAINT**

Yes

**ADDITIONAL COMMENTS**

I understand PRA's response and disagree with it.

**THE COMPANY DID WHAT THEY SAID THEY WOULD DO WITH MY COMPLAINT**

No

**ADDITIONAL COMMENTS**

Portfolio Recovery Associates said they would do nothing further with my complaint. PRA lied when it said it closed my account "in response to [my] dispute." They said in court that they closed my account "in light of the litigation". In response to my dispute PRA sent the fraud / identity theft affidavit for me to fill out, even though I did not claim there was fraud. I had no idea what happened with the account because it was 10 years since the alleged charges were made and there was no documentation showing on what or where those charges were made. PRA asked the court to make me pay their costs in my FDCPA case, in violation of 15 U.S.C. 1692(k) which only allows for costs and attorney fees where the plaintiff filed the complaint in bad faith. Obviously, my complaint was not in bad faith, as PRA set my balance to zero and closed the account in direct response to the litigation. They also said specifically that they did not file the 1099-C because my claim of fraud was made in good faith. I have had to spend another two weeks opposing PRA's motion and am nervous that Judge Lee P. Rudofsky, who wrote that the CFPB is on an unconstitutional power grab, will rule in PRA's favor erroneously.

---

**What happens now?**

The complaint process is complete and your complaint is now closed.

We have taken the following additional actions on your complaint:

- We added your complaint to the CFPB's Consumer Complaint Database (<http://www.consumerfinance.gov/data-research/consumer-complaints>).
- Your feedback, and feedback from others, helps us understand how companies are addressing concerns raised by consumers in their complaints. We will also share your feedback with the company.
- We have also shared your complaint with the Federal Trade Commission, which will add your complaint to its database for state and federal law enforcement agencies.

We appreciate your participation in the complaint process and your feedback on the company's response. Both are important to us and consumers who may have similar issues and concerns.

 Closed

The CFPB has closed your complaint.



**ADDITIONAL TOOLS AND RESOURCES**

Debt Collection (<https://www.consumerfinance.gov/consumer-tools/debt-collection/>)

---

**Privacy Act Statement**

---

**OMB #3170-0011**

---

---

## Note on user experience

---

Have a question? ¿Preguntas?

(855) 411-2372

TTY/TTD: (855) 729-2372

8 a.m. to 8 p.m. ET, Monday through Friday

(except federal holidays). (<https://www.opm.gov/policy-data-oversight/pay-leave/federal-holidays/#url=Overview>)

More than 180 languages available.

---



An official website of the United States Government