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Advisory Opinion

Reference to Attorney General's Web Site on Collection Notices

On July 1, 2005, the Colorado Attorney General's Office's web site was redesigned. Although the URL for the main page remains unchanged at [www.ago.state.co.us](http://www.ago.state.co.us), the location of the pages providing information about the Colorado Fair Debt Collection Practices Act changed. This change impacts collection agencies because they are required to print a specific statement, including our web site address, on their initial dunning letters.

The Colorado Fair Debt Collection Practices Act, section 12-14-105(3)(c), C.R.S., states:

In its initial written communication to a consumer, a collection agency shall include the following statement: "FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE WWW.AGO.STATE.CO.US/CAB.HTM." If such notification is placed on the back of the written communication, there shall be a statement on the front notifying the consumer of such fact.

The web site address [WWW.AGO.STATE.CO.US/CAB.HTM](http://WWW.AGO.STATE.CO.US/CAB.HTM) no longer exists. However, anyone entering that address on the Internet is instantaneously and automatically transferred to the new web site address of [www.ago.state.co.us/CADC/CADCmain.cfm](http://www.ago.state.co.us/CADC/CADCmain.cfm).

This creates a potential problem for collection agencies. By law, their initial written communication must include the address of a web site that no longer exists. The Administrator recommends that the language of section 12-14-105(3)(c), C.R.S. be legislatively amended to remove the reference to a specific web site. In the meantime, the Administrator advises collection agencies and debt collectors to print either one of the following statements on their initial written communication to consumers:

Option #1

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE WWW.AGO.STATE.CO.US/CAB.HTM.

Option #2

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE [www.ago.state.co.us/CADC/CADCmain.cfm](http://www.ago.state.co.us/CADC/CADCmain.cfm)

The only difference between the two options is the web site address. As noted above, the web address printed in option #1 (and in the statute) will automatically and immediately redirect the consumer to the current address. The new web address works with either upper or lower case letters.

The purpose of this advisory opinion is to protect collection agencies from any potential liability resulting from a situation beyond their control. This advisory opinion is retroactive to July 1, 2005.

The Administrator's authority to issue advisory opinions derives from sections 12-14-103(1), 12-14-113(5), 12-14-117(1), and 24-1-113(4)(a), C.R.S. This advisory opinion shall remain in effect until such time as section 12-14-105(3)(c), C.R.S. is amended.

*/s/ Laura E. Udis*

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