

Sec. 36a-647-4. Communications

(a) **Communication with the consumer debtor or consumer debtor agent generally.** Without the prior consent of the consumer debtor or consumer debtor agent given directly to the creditor or the express permission of a court of competent jurisdiction, a creditor shall not communicate with a consumer debtor or consumer debtor agent in connection with the collection of any debt:

(1) At any unusual time or place or a time or place known or that should be known to be inconvenient or embarrassing to the consumer debtor or consumer debtor agent. In the absence of knowledge of circumstances to the contrary, a creditor shall assume that the convenient time for communicating with a consumer debtor or consumer debtor agent is after 8:00 a.m. and before 9:00 p.m., local time at the consumer debtor's or consumer debtor agent's location;

(2) If the creditor knows the consumer debtor or consumer debtor agent is represented by an attorney with respect to such debt and has knowledge of such attorney's name and address, unless the attorney fails to respond within a reasonable period of time to a communication from the creditor, not to exceed thirty days after such communication, unless the attorney consents to direct communication with the consumer debtor or consumer debtor agent, provided that a creditor may send to a consumer debtor or consumer debtor agent normal periodic billing statements which do not contain any message that violates the provisions of section 36a-647-5 or 36a-647-6 of the Regulations of Connecticut State Agencies; or

(3) At the place of employment of the consumer debtor or consumer debtor agent if the creditor knows or has reason to know that the employer of the consumer debtor or consumer debtor agent prohibits such debtor or agent from receiving such communication.

(b) **Communication with Third Parties.**

(1) Except as provided in section 36a-647-3 of the Regulations of Connecticut State Agencies and subdivision (2) of this subsection, without the prior consent of the consumer debtor or consumer debtor agent given directly to the creditor, the express permission of a court of competent jurisdiction, or as reasonably necessary to effectuate a prejudgment or post-judgment judicial remedy, a creditor shall not communicate in connection with the collection of any debt with any person other than:

- (A) The consumer debtor or consumer debtor agent;
- (B) The consumer debtor's attorney or consumer debtor agent's attorney;
- (C) A consumer reporting agency, if otherwise permitted by law;
- (D) The creditor's attorney;
- (E) The creditor's accountant;
- (F) A consumer collection agency;
- (G) A creditor, past creditor or prospective creditor of the consumer debtor that is not also the employer of such consumer debtor, provided that any such communication is not for the purpose or with the intent of harassing or embarrassing the consumer debtor into paying such debt;
- (H) A corporation that owns more than twenty-five per cent of the stock, if any, of the creditor;
- (I) A person who is consultant to the creditor on matters relating to consumer debts, who

supervises or manages the creditor or who services debts owed to the creditor;

(J) A person who is not the consumer debtor or consumer debtor agent but who has paid or is paying all or part of the consumer debtor's debt; provided that the creditor shall not demand or otherwise attempt to collect the debt from such person who is not the consumer debtor without the consent of such person;

(K) The commissioner and an employee of any federal or state agency which regulates such creditor or which is otherwise legally permitted to obtain information about a consumer debtor; or

(L) A person who is not a natural person and who is obligated to pay a consumer debtor's debt, whether as a guarantor, endorser or otherwise.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a creditor may communicate with any person if such communication is necessary:

(A) For the creditor, consumer debtor or consumer debtor agent to claim or receive benefits under any insurance policy or other insurance coverage, including Medicare and Medicaid; or

(B) For the creditor to effect or negotiate an assignment, sale or purchase of the debt.

(c) **Prior consent of the consumer debtor or consumer debtor agent.** For purposes of this section, "prior consent of the consumer debtor or consumer debtor agent" does not include consent obtained by virtue of any provision in any writing evidencing the debt or executed at the time the debt was incurred.

(Effective July 6, 1979; Transferred April 24, 1995; Amended January 30, 1996; Amended October 2, 2006)