

**From:** John Hanna  
**To:** [Fairman, Peggy@DFPI](mailto:Fairman.Peggy@DFPI)  
**Cc:** [CIDlawyers@googlegroups.com](mailto:CIDlawyers@googlegroups.com)  
**Subject:** RE: Debt Collection Licensing Act PRO 02/20  
**Date:** Thursday, May 27, 2021 1:25:10 PM  
**Attachments:** [image011.png](#)  
[image012.png](#)

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Dear Ms. Fairman: The proposed Debt Collection Licensing Act has stirred up much controversy among lawyers who represent homeowners associations and their clients. Much of the discussion involves debate about the meaning of terms such as “Consumer credit transaction”, “Consumer debt”, “Debt collection”, “Debt collector” and the like.

The feeling is very strong among common interest development associations, their managers and their attorneys, that associations should not be required to be licensed in order to collect assessments from their members, nor should the association attorneys or managers who in the normal course of representing their clients, be required to have a license in order to send delinquency notices and letters to association members who are delinquent in paying their assessments.

Rather than attempting to word all those statutory or regulatory definitions so that the DCLA does not apply to associations or their managers and counsel, why not simply state that homeowners associations, their managers and association counsel are exempt from the DCLA (not required to be licensed) but that they are subject to the Rosenthal Fair Debt Collection Practices Act?

Respectfully,  
John Hanna

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