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Please accept the below commentary regarding the draft second rulemaking.

§1850.1 Scope of Licensing requirement

(c) (1) "other charges". It is unclear whether "other charges" would include accruing interest on the unpaid balance, as according to the underlying contract. It could be argued that a charge and interest are not the same thing, especially where the proposed rule give examples such as late charges and collection charges. Either way, this ought to provide clear direction.

While these rules are meant to be fair for all debt collectors, there is a small segment of debt collection attorneys who represent debt collection companies and first party collectors for litigation purposes only, but otherwise do not perform any traditional debt collection services (other than what is required by law.) These attorneys do not typically receive funds directly from debtors nor do they receive a commission for their services.

§1850(o)(1)

§1850(o)(1) with regards to a collection attorney who only accepts cases for litigation on a hourly or fixed fee basis, but does not otherwise provide debt collection services to the creditor /collection agency and does not receive any collection percentage, it is unclear whether "collection activity" also means litigation. It is also unclear whether "related to the collection..." means fees paid by the creditor for the litigation of the account, especially where all payments are made directly to or remitted to the creditor. Either way, this ought to provide clear direction.

§1850.70 (d) Annual Reports

With regards to a collection attorney who only accepts cases for litigation on a hourly or fixed fee basis, but does not otherwise provide debt collection services to the creditor and does not receive any collection percentage where all payments are made directly to or remitted to the creditor, there would be no easy way to track payments made to the creditor directly. Does this section only require a report of money received by the attorney? Either way, this ought to provide clear direction.