

## **COLLECTING FUNDS OWED TO THE IDAHO REAL ESTATE COMMISSION**

It is the policy of the Idaho Real Estate Commission (IREC) that a collection agency will be used to collect past due debts pursuant to [Idaho Code 67-2358](#). After a reasonable attempt at collection has been made by IREC, the debt will be assigned for collection to a collection agency in accordance with Idaho law.

Assignable debts include, but are not limited to civil fines, costs and attorney fees, nonsufficient funds checks, library fines, and other such debts as may occur.

It is the policy of IREC to apply monies received by IREC first to any costs and attorney fees owed by the debtor, and then to any civil fines or other unpaid items.

No debt may be assigned to a collection agency unless there has been a reasonable attempt to advise the debtor of the debt and at least thirty (30) days have elapsed from the time such notice was attempted. IREC shall maintain a record of all attempts to notify the debtor of the existence of the debt.

As used in this policy, "reasonable attempt" means that IREC has notified the debtor, either by mail, electronic transaction, telephone or in person, of the existence of the debt and that IREC is attempting to collect the debt and any information obtained will be used for that purpose. At least one (1) notice sent pursuant to this policy shall be in writing and shall state:

- (i) The amount of the debt;
- (ii) That unless the debtor, within thirty (30) days after receipt of notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by IREC;
- (iii) That if the debtor notifies IREC in writing within the thirty (30) day period that the debt, or any portion thereof, is disputed, IREC will obtain verification of the debt and a copy of such verification will be mailed to the debtor by IREC; and
- (iv) That IREC may employ a debt collection agency to collect a debt, which may result in additional costs to the debtor if the debtor fails to pay the debt.

Date

---

---

---

---

Reference: NOTICE OF DISHONOR OF CHECK

Dear (Name of Debtor):

A check drawn by you and made payable by you to Idaho Real Estate Commission in the amount of \$\_\_\_\_\_ has not been accepted for payment by (Name of Bank), which is the drawee bank designated on your check. This check is dated \_\_\_\_\_, and it is numbered, No \_\_\_\_\_.

You are CAUTIONED that unless you pay the amount of this check within fifteen (15) days after the date this letter is postmarked, you may very well have to pay the following additional amounts:

1. Costs of collecting the amount of the check, including an attorney fee which will be set by the court; and
2. Interest on the amount of the check which shall accrue at the rate of twelve percent (12%) per annum from the date of dishonor.

You are advised to make your payment to Idaho Real Estate Commission at the following address:

Mail: PO Box 83720  
Boise ID 83720-0077

Office location: 633 N 4<sup>th</sup> St  
Boise ID 83702

Checks made payable to the Idaho Real Estate Commission and returned as unpayable result in an additional \$20.00 penalty. **Personal checks will not be accepted.**

If we have not received your payment in the amount of \$\_\_\_\_\_ by (**Date**), the dishonored check and \$20 fee will be assigned for collection proceedings in accordance with Idaho [Code § 67-2358](#) and the Commission's Collections Policy.

Questions regarding this notice, please contact me immediately at (208) \_\_\_\_\_.

Sincerely,

STATE OF IDAHO )  
 )  
COUNTY OF ADA )

AFFIDAVIT OF SERVICE  
BY MAIL

\_\_\_\_\_, being first duly sworn on oath, deposes and states that he/she is of legal age and that on \_\_\_\_\_ (Date) \_\_\_\_\_, he/she served the attached Notice of Dishonor, by placing a true and correct copy thereof securely enclosed in an envelope addressed as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and deposited the same, with postage prepaid, in the United States mail at Boise, Idaho.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Notary Public

(SEAL)

Residing

at: \_\_\_\_\_

My

Commission

Expires: \_\_\_\_\_

Date

Attachment A

*Certified Mail and Regular First Class Mail*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: Idaho Real Estate Commission / (Name of Debtor)

Dear \_\_\_\_\_:

Our records show that as of today, you owe the Idaho Real Estate Commission the sum of \$\_\_\_\_\_ for (NSF check, library fine, civil penalty fine, costs & attorney fees, as ordered by the Final Order of the Idaho Real Estate Commission, dated \_\_\_\_\_). The Commission hereby demands that you pay this amount in full within thirty (30) days after receipt of this notice.

Pursuant to Idaho [Code 67-2358](#), the Commission is attempting to collect this debt and any information obtained will be used for that purpose.

This debt will be assumed to be valid by the Commission unless you dispute the validity of the debt, or any portion thereof, within thirty (30) days after receipt of this notice. If you notify the Commission in writing within this thirty (30) day period that the debt or portion thereof is disputed, the Commission will obtain verification of the debt and mail you a copy.

If you fail to pay this debt, IREC may employ a debt collection agency to collect this debt. In that case, collection fees of up to 33% of the amount of the debt will be added to the debt you owe ([Idaho Code 67-2358](#)).

Thank you for your immediate attention to this matter.

Sincerely,

Date

Attachment B

JAMIE REASONER  
ACTION COLLECTION SERVICE INC  
1325 VISTA AVE  
BOISE ID 83705

RE: Idaho Real Estate Commission Collections

Dear Jamie:

Enclosed please find a copy of the file for (Name of Debtor), which we are submitting to Action Collection on behalf of the Idaho Real Estate Commission.

Amount owed to the Commission as of <u>(Date)</u>	\$ _____
Collection Fee (33%)	_____
Total to Collect	\$ _____

If you have any questions or need further information on this file, please contact Craig Boyack, Idaho Real Estate Commission, 334-3285, ext. 114. Thank you for your assistance.

Sincerely,

Stephanie McLarin  
Admin. Assistant, Enforcement  
SM:ts

Enc: Collection file for (Name of Debtor)

Attachment C