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Capital One to Pay \$2 Million to Settle Suit for Unlawful Debt Collection Practices

San Diego County District Attorney Summer Stephan announced today that Capital One will pay \$2 million to settle a civil lawsuit brought by a statewide team of district attorneys alleging the bank made unreasonably frequent or harassing phone calls to debtors in California.

The civil consumer protection complaint alleges that Capital One and its agents engaged in unlawful debt collection activities throughout the United States. The complaint alleges that the collection calls were often made in an excessive and unreasonable volume, and sometimes continued after the consumers indicated they no longer wished to receive the calls or when the calls were made to wrong numbers.

“The District Attorney’s Consumer Protection Unit investigated complaints that Capitol One made repetitive, harassing debt collection calls and often to the wrong number,” DA Stephan said. “The settlement in this case underscores the importance of companies abiding by the state and federal debt collection laws that protect California consumers.”

The investigation and prosecution of the case was handled by the California Debt Collection Task Force, a statewide law enforcement team composed of the District Attorneys of San Diego, Los Angeles, Riverside and Santa Clara counties.

The judgment negotiated with the Virginia-based company, entered December 14 in Los Angeles Superior Court and signed by Judge Gregory Keosian, requires that Capital One implement and maintain policies and procedures to prevent unreasonable and harassing debt collection calls to California consumers, including limiting the total number of calls to each debtor and honoring consumer requests for calls to stop.

Under the judgment, which was entered without admission of wrongdoing, Capital One was ordered to pay \$2 million, including \$1.45 million in civil penalties and \$300,000 in investigative costs. Because individualized restitution is not feasible under these circumstances, the judgment also requires Capital One to pay \$250,000 in alternative restitution to a charitable trust fund to support additional consumer protection efforts. The district attorneys indicated that Capital One worked cooperatively with the prosecutors to resolve the matter.

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Deputy District Attorneys Tom Papageorge and Colleen Huschke of the DA's Consumer Protection Unit handled this case.

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About the San Diego County District Attorney's Office

The San Diego County DA's Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.

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