



FEDERAL TRADE COMMISSION

Consumer Information

consumer.ftc.gov

Dealing with a deceased relative's debt

June 10, 2020

by Ari Lazarus

Consumer Education Specialist, FTC

Especially during this time of crisis, dealing with the death of a loved one is hard. Dealing with a debt collector calling about their debts can make it even harder. If you're in this situation and a debt collector calls, it's important to know who is responsible for those debts, and what a debt collector can — and cannot — do to collect payment.

Here are some things to know:

- **A debt doesn't go away when a person dies.** But that doesn't (usually) mean you owe it, either. The deceased person's estate owes the debt. If there isn't enough money in the estate to cover the debt, it typically goes unpaid. There are some exceptions, though. For example, you could be responsible if you were a co-signer, or in some cases if you're the person's spouse. Learn about other [possible exceptions to the rule here \(https://www.consumer.ftc.gov/articles/0081-debts-and-deceased-relatives/\)](https://www.consumer.ftc.gov/articles/0081-debts-and-deceased-relatives/).
- **Debt collectors may only talk with certain people about a deceased person's debt.** Collectors can discuss the debt with the deceased person's spouse, parent (if the deceased was a minor child), guardian, executor or administrator, or any other person authorized to pay debts with assets from the estate. The debt collector may not talk to anyone else about these debts. If they don't know how to reach the right person, they can contact other relatives to ask for the correct contact information. But they can call each person only once, and they can't get into the details of the debt or ask the relative for payment on these calls to gather contact info.
- **Debt collectors may not bend the truth to make you pay.** Debt collectors cannot lie or imply that you or any other family member legally has to pay the estate's debts out of your own pocket. It's illegal for them to harass you to pay the debt yourself. If the deceased left debts and no assets, it's usually not your responsibility to pay.
- **You have rights.** If you think you don't owe some (or all) of the debt, or you just don't recognize it, send the collector a letter disputing it. Be as specific as possible about why you think the debt is wrong – but give as little personal information as possible. Once you get the validation notice (which says how much you owe, to whom, and what to do if you don't think you owe the debt), you have 30 days to send the dispute letter. By law, the collector then must stop contacting you –

though the debt doesn't go away. But, if the collector sends you written verification of the debt, they can start contacting you again. If the collection calls get to be too much, you can stop them (<https://www.consumer.ftc.gov/articles/debt-collection-faqs>). Just send the collector a letter telling them to stop contacting you and the estate. Keep a copy for your records. Stopping the calls won't cancel the debt. You still might be sued or have debt reported to a credit bureau.

For more information, read [Debts and Deceased Relatives](https://www.consumer.ftc.gov/articles/0081-debts-and-deceased-relatives) (<https://www.consumer.ftc.gov/articles/0081-debts-and-deceased-relatives>).

Blog Topics: [Money & Credit](https://www.consumer.ftc.gov/blog/money-%26-credit) (<https://www.consumer.ftc.gov/blog/money-%26-credit>)