

## Template letter ECC: unjustified payment transaction

This is a template letter of the European Consumer Centre. This letter serves as a guideline and can be edited to reflect your personal situation. This is your own responsibility.

Send the letter by email and if necessary by post. Keep a copy for your records.

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<your name>  
<address>  
<postcode and place>  
<email>

### To

<name>  
<address>  
<postcode and place>

<place, date>

Reference: <customer number>  
Re: unjustified payment transaction

On <date>, I received a debt collection letter from <name debt collection firm> which indicates that <name of company that instructed the debt collection firm> is entitled to a payment amounting to € <enter the amount> from me. You aim to collect this amount representing <name of company>. This <letter/email> serves to state my objection to this debt collection procedure.

<Select one of the options below (1 to 6)>

### Option 1:

This debt collection procedure is unjustified, as no purchase contract was ever concluded with <name of company>. <Provide an explanation of the situation, such as unsolicited shipment>

#### **Burden of proof regarding the conclusion of a sales contract**

If you are of the opinion that a sales contract between me and <name of company> was agreed, then <name of company> has the burden of proof. The company must provide evidence of how the agreement was concluded. If the company is unable to, I request you to void this debt collection letter and send me a confirmation in writing accordingly within 7 days of the date in this <letter/email>. I assume that you will suspend any further collection measures until this issue is cleared up.

### Option 2:

This debt collection procedure is unjustified as I have already paid the amount stated in the letter of € <enter amount> on <enter the date>. Please find attached proof of payment.

I request you to void this debt collection letter and send me a confirmation in writing accordingly within 7 days of the date in this <letter/email>.

### Option 3:

The amount stated in the debt collection letter is not correct. The amount of € <enter the amount stated in the debt collection letter> does not match the amount stated in the purchase contract, i.e. € <enter the amount stated in the purchase contract>.

I herewith request you to correct or void this debt collection letter, and send me a confirmation in writing accordingly within 7 days of the date in this <letter/email>.

### Option 4:

The debt collection fees of € <enter the amount> exceed the statutory limit.

I herewith request you to correct or void this debt collection letter, and send me a confirmation in writing accordingly within 7 days of the date in this <letter/email>. I assume that you will suspend any further collection measures until this issue is cleared up.

### Option 5:

I have a dispute with <name of company> about <describe the issue, such as non-delivery of the product and steps you took to resolve the issue>. <Name of company> will first need to offer a solution for this issue before payment can be considered.

I assume that you will suspend any further collection measures until this issue is cleared up. I request you to send me a confirmation in writing accordingly within 7 days of the date in this <letter / email>.

### Option 6:

It is unclear how the principal amount invoiced has been determined. I herewith request you to specify how the amount charged was determined and send me a confirmation in writing accordingly within 7 days of the date in this <letter/email>. I assume that you will suspend any further collection measures until this issue is cleared up.

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### **Legal steps**

If I do not receive a reaction from you within the above period of 7 days, I will submit a complaint to the European Consumer Centre. I will also forward the complaint to the Supervisory Body, the Netherlands Consumer and Market Authority (ACM).

I await your response.

With kind regards,

<Name and signature>

### Attachment/Attachments

- Copy of payment transaction, if any
- Copy of purchase contract, if any
- Copy of general terms and conditions, if any
- Copy of previous correspondence, if any