

APR 14 2023

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

KEVIN P. WEIMER, Clerk
By: *Kimberly P. [Signature]* Clerk

SANTANNA BENFORD
Plaintiff,

) **JURY TRIAL DEMANDED**

)

)

v.

) **Case No.**

)

AARGON COLLECTION AGENCY
Defendant.

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1:23-CV-1640

COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual and statutory brought by Plaintiff Santanna Benford an individual consumer, against Defendant, Aargon Collection Agency, for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendants transact

business in Acworth, Georgia and the conduct complained of occurred in Acworth, Georgia.

III. PARTIES

3. Plaintiff Santanna Benford (hereinafter “Ms. Benford”) is a natural person residing in Acworth, Georgia. Ms. Benford is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant Aargon Collection Agency., is a Nevada corporation with its principal place of business located at 8668 Spring Mountain Rd Las Vegas, Nevada 89117.
5. Defendant Aargon Collection Agency, is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempt to collect consumers’ debts alleged to be due to another’s. The alleged debt arose from a financial obligation that was primarily for personal, family or household purposes and is therefore a “debt as that term is defined by 15 U.S.C. §1692a(5).

IV. FACTS OF THE COMPLAINT

6. Defendant Aargon Collection Agency, (hereinafter referred to as “Debt Collector”) is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6).

7. On or about March 23, 2023 Ms. Benford check her credit profile and notice a collection from Aargon Collection Agency. On the same day Ms. Benford sent a letter to Aargon Collection Agency saying “I refuse to pay the debt”. Pursuing to 15 U.S.C 1692c(c) (7021 1970 0000 6354 5110).
8. On or about April 3, 2023 Ms. Benford received a letter from Aargon Collection Agency with a copy of documents she never requested to “validate” an outstanding balance that was placed with their company along with “attempting to collect a debt” in the amount of \$221.21 which was in violation of 15 U.S.C 1692c(c).
9. Plaintiff has suffered actual damages as a result of these illegal collection communications by these Defendant in the form of anger, anxiety, decreased ability to focus on task while at work, frustration, amongst other negative emotions, as well as damages to FICO scores.

V. FIRST CLAIM FOR RELIEF
(Defendant Aargon Collection Agency,)
15 U.S.C. §1692c(c)

10. Ms. Benford re-alleges and reincorporates all previous paragraphs as if fully set out herein.
11. The Debt Collector violated the FDCPA.
12. The Debt Collector’s violations include, but are not limited to, the following:

The Debt Collector violated 15 U.S.C § 1692c(c) of the FDCPA by failing to cease collection after receiving written notice.

13. As a result of the above violations of the FDCPA, Defendant are liable to the Ms. Phillips actual damages, statutory damages and cost.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff Ms. Benford respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collector for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Cost pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted: