

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

LONATO HENDERSON	)	JURY TRIAL DEMANDED
Plaintiff,	)	
	)	
v.	)	Case No. CIV-23-1043-JD
	)	
CREDIT WORLD SERVICES, INC.,	)	
Defendant.	)	
	)	
	)	

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COMPLAINT AND DEMAND FOR JURY TRIAL

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I. INTRODUCTION

1. This is an action for actual and statutory brought by Plaintiff Lonato Henderson an individual consumer, against Defendant, Credit World Services, Inc., (“Credit World”) 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, privacy, 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 Oklahoma City, Oklahoma County, Oklahoma, and the conduct complained of occurred in Oklahoma City, Oklahoma County, Oklahoma.

### III. PARTIES

3. Plaintiff Lonato Henderson (hereinafter “Mr. Henderson”) is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma. Mr. Henderson is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant Credit World Services, Inc., is a Kansas corporation with its principal place of business located at 6000 Martway St. Mission, KS 66202.
5. Defendant Credit World Services, Inc., 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.

### PRELIMINARY STATEMENT

The Fair Debt Collection Practices Act (FDCPA) has been in existence since 1977 to prevent abusive practices in the collection of consumer debts. Regulation F was introduced much later to further refine and enforce these practices.

While the FDCPA provides the foundation for consumer protections related to debt collection, it has some limitations. For instance, it doesn't

include extensive provisions for new modes of communication, like email or social media.

Regulation F was introduced by the Consumer Financial Protection Bureau (CFPB) as an updated set of rules that supplement and detail requirements under the FDCPA. It aims to adapt to changes in the way debtors and collectors communicate brought by technological advances, and to provide clear rules that would prevent legal ambiguity.

The purpose of Regulation F is not to replace the FDCPA but to fortify and modernize it. It provides consumers with more clarity and agency in the interaction with debt collectors, yet still allowing the collection industry to carry out their operations effectively.

**Regulation F § 1006.14 Harassing, Oppressive, or abusive conduct.**

**(h) Prohibited communication media— (1) In general.** In connection with the collection of any debt, a debt collector must not communicate or attempt to communicate with a person through a medium of communication if the person has requested that the debt collector not use that medium to communicate with the person.

**15 U.S.C § 1692c Communication in connection with debt collection**

**(a) Communication with the consumer generally**

Without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction, a debt collector may not communicate with a consumer in connection with the collection of any debt—

1. (1) at any unusual time or place or a time or place known or which should be known to be inconvenient to the consumer. In the absence of knowledge of circumstances to the contrary, a debt collector shall assume that the convenient time for communicating with a consumer is after 8 o'clock antemeridian and before 9 o'clock postmeridian, local time at the consumer's location;

#### IV. FACTS OF THE COMPLAINT

6. Defendant Credit World Services, Inc., (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 June 29, 2023, Mr. Henderson reviewed a dunning letter.
8. Debt Collector is attempting to collect \$4,195.31, allegedly owned to NE Oklahoma A&M College.
9. Also on June 29, 2023, Plaintiff mail in a dispute letter requesting validation of the debt via certified mail (7021 2720 0001 7299 2915).
10. Within the dispute letter Plaintiff informed the Defendant that the only convenient way to contact her was via email and provided her email in the letter.
11. Defendant received Plaintiff letter on July 6, 2023.
12. On or about July 28, 2023, Plaintiff received letter via mail and Defendant attempted to collect the alleged debt.
13. Defendant violated 15 U.S.C § 1692c(a)(1) for communicating with the Plaintiff at a place Defendant knew or should have known was no longer convenient.

14. Plaintiff rights under the FDCPA and Regulation F, the letter stated that only communication by email was convenient, and all other forms of communication were not convenient and gave Plaintiff email address. Despite this clear written instruction, and in an attempt to intimidate, harass, and oppress Plaintiff, the Defendant sent Plaintiff a letter which is a communication about the debt and was an attempt to collect the debt, dated July 28, 2023.
15. Plaintiff has suffered actual damages as a result of these illegal collection tactics by this Defendant in the form of invasion of privacy, seclusion upon intrusion, personal embarrassment, loss of productive time, emotional distress, frustration, anger, humiliation and amongst other negative emotions.

**V. FIRST CLAIM FOR RELIEF**  
**(Defendant Credit World Services, Inc.)**  
**15 U.S.C. §1692c(a)(1) and Regulation F § 1006.14(h)(1)**

16. Mr. Henderson re-alleges and reincorporates all previous paragraphs as if fully set out herein.
17. The Debt Collector violated the FDCPA.
18. The Debt Collector's violations include, but are not limited to, the following:

The Debt Collector violated 15 U.S.C § 1692c(a)(1) and Regulation F § 1006.14(h)(1) by communicating with the Plaintiff at a place Defendant knew or should have known was no longer convenient.

19. As a result of the above violations of the FDCPA, the Defendants are liable to the Mr. Henderson actual damages, statutory damages and cost.

**VI. JURY DEMAND AND PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Mr. Henderson 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 and reasonable attorney's fees 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:

s/ Nkem A. House

Nkem A. House, OBA #21219

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ATTORNEY FOR PLAINTIFF

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

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ENTRY OF APPEARANCE

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To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for:

Plaintiff, Lonato Henderson

I certify that I am admitted to practice in this court and am registered to file documents electronically with this court.



November 15, 2023

s/ Nkem A. House

Nkem A. House, OBA #21219

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Certificate of Service

I hereby certify that on November 15, 2023, I electronically transmitted the attached document to the Clerk of Court using the Electronic Case Filing System for filing. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the ECF System.

s/ Nkem A. House