

Creditor, Objection to Debtor Offset

Date:

Name of Debtor (Person Owning Debt)

Address:

Dear Sir or Madam:

We acknowledge receipt of your check tendered in the amount of \$_____, which we accept as payment against your overdue balance of \$_____, without acknowledging any of the conditions attached to your payment.

Please remit the balance of \$ _____ prior to _____ (Date) to avoid further charges.

Yours very truly,

Authorized Employee or Individual

Creditor, Objection to Debtor Offset Review List

This review list is provided to inform you about this document in question and assist you in its preparation. This letter is intended to object firmly to a notation, comment, or other written item on the face of a check objecting to the charges and stating unilaterally that this is in final settlement of the charges due.

To be effective, this kind of letter must be sent promptly and followed up clearly. If this is a unilateral offset by creditor, debtor should be able to collect as long as the debtor is solvent. If, however, the creditor discussed a payment with debtor, but did not in the end agree to one, the debtor has the potential to cloud the matter in court. If the creditor in fact made an offer as suggested by debtor, then the offer should be accepted and this letter not sent—though some creditors might be tempted to try to “get away” with it.

All of this is one reason why written correspondence of all kinds is better for both parties if they intend to meet their obligations. Oral conversations are best for defendants seeking wiggle room (e.g., “but he said....” and so on and so on). Be so advised about the business practicalities when engaging in this kind of transaction.

Having said this, a personal signature at the bottom of the letter is advised. You should also start a file on the debtor to anticipate further problems and have your records in order. This letter clearly puts the balance back into the “due” column and therefore should be attended to as if it were never objected to by debtor. Proceed accordingly.