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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

JAMES H. PAGE, Plaintiff, v. PROPERTY RECEIVABLES, CORP., Defendant.	Case No. **COMPLAINT FOR DAMAGES** **1. VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT ("FDCPA") UNDER 15 U.S.C. § 1692 *ET SEQ.*** **DEMAND FOR JURY TRIAL**

COMPLAINT

NOW comes JAMES H. PAGE ("Plaintiff"), by and through the undersigned attorney, complaining as to the conduct of PROPERTY RECEIVABLES, CORP. ("Defendant") as follows:

NATURE OF THE ACTION

1. Plaintiff brings this action for damages pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 *et seq.* for Defendant's unlawful conduct.

JURISDICTION AND VENUE

2. This action arises under and is brought pursuant to the FDCPA. Subject matter jurisdiction is conferred upon this Court by 15 U.S.C § 1692, as well as 28 U.S.C. §§ 1331 and 1337, as the action arises under the laws of the United States.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 as Defendant conducts business in the District of Arizona and a substantial portion of the events or omissions giving rise to the claims occurred within the District of Arizona.

PARTIES

4. Plaintiff is a consumer over 18 years of age and is a "person" as defined by 47 U.S.C. § 153(39). Plaintiff resides in Mesa, Arizona, which lies within the District of Arizona.

5. Defendant is a third-party debt collector focusing on the collection of apartment-related consumer debts. Defendant is a corporation organized under the laws of the state of Washington with its principal place of business located at 981 Powell Avenue SW, Suite 115, Renton, Washington 98057.

6. Defendant is a professional limited liability company organized under the laws of the state of Arizona with its principal place of business located at 1221 East Osborn Road, Suite 101, Phoenix, Arizona.

7. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers at all times relevant to the instant action.

FACTS SUPPORTING CAUSES OF ACTION

8. The instant action arises out Defendant's attempts to collect on a purportedly defaulted consumer obligation ("subject debt") said to be owed by Plaintiff.

9. The subject debt stems from Plaintiff's purported past due balance with "Lumina on 19th Apartments" ("Lumina").

10. The subject debt was incurred by Plaintiff for his personal and household use.

11. Upon information and belief, following Plaintiff's purported default on the subject debt, the subject debt was charged off by Lumina and placed with Defendant for collection purposes.

12. In or around the fall of 2025, Plaintiff noticed the subject debt was being reported on his credit reports by Defendant.

13. As a result, Plaintiff made payments to Lumina to satisfy the debt in full.

14. Around this same time, Plaintiff was receiving calls from Defendant to his cellular phone, (775) XXX-6556, seeking collection of the subject debt.

15. Defendant has used a variety of phone numbers when calling Plaintiff's phone seeking collection of the subject debt, including but not limited to: (623) 220-4343; (530) 201-3761; (916) 794-2161; (209) 657-2336.

16. Around October of 2025, as Plaintiff was on his way to address the subject debt with Lumina, Plaintiff received a call from Defendant attempting to collect the subject debt.

17. Plaintiff then informed Defendant that he was in the process of paying the debt and they no longer needed to call.

18. Notwithstanding the information provided by Plaintiff, Defendant persisted in calling Plaintiff attempting to collect the subject debt.

19. On multiple occasions, Plaintiff answered Defendant's call to tell them the debt was paid and to cease calling, yet Defendant still continued placing repeated phone calls to Plaintiff.

20. Defendant's calls have further involved multiple instances where, after already communicating with Plaintiff regarding the subject debt, Defendant placed additional collection calls within 7 days of such communications.

21. Defendant's repeated efforts to collect upon a debt which Plaintiff no longer owed after Plaintiff repeatedly demanded such calls stop was harassing and abusive to Plaintiff.

22. Frustrated and distressed over Defendant's conduct, Plaintiff spoke with the undersigned regarding his rights.

23. Plaintiff has suffered concrete harm as a result of Defendant's actions, including but not limited to, aggravation, emotional distress, invasion of privacy, increased blood pressure, denial of the benefit of his bargain, misrepresentations as to Plaintiff's rights and liabilities with regards to the subject debt, and numerous violations of his federally protected interests to be free from harassing and deceptive conduct on the part of debt collectors.

COUNT I – VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

24. Plaintiff repeats and alleges paragraphs 1 through 23 as though fully set forth herein.

25. Plaintiff is a "consumer" as defined by 15 U.S.C. § 1692a(3) of the FDCPA.

26. Defendant is a "debt collector" as defined by § 1692a(6) of the FDCPA, because it regularly uses the mail and/or the telephone to collect, or attempt to collect, delinquent consumer accounts originally owed to others.

27. Defendant is similarly a business the principal purpose of which is the collection of debts.

a. Violations of the FDCPA §1692d

28. The FDCPA, pursuant to 15 U.S.C. §1692d, prohibits a debt collector from engaging "in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt." §1692d(5) further prohibits, "causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number."

29. Regulation F provides further guidance on what circumstances constitute harassing and oppressive debt collection conduct. 12 C.F.R. § 1006.14(b)(2) provides guidance on when calls are made repeatedly and continuously, and debt collectors are presumed to comply with these provisions if they do not call a consumer more than 7 times over 7 consecutive days, or if they wait 7 days after communicating with a consumer before attempting another communication. However, the commentary thereto confirms that this presumptive compliance can be rebutted by several

factors, including “[t]he content of a person’s prior communications with the debt collector.” An example of facts rebutting the presumptive compliance would be a prior indication that a consumer is refusing to pay a debt or no longer wishes to receive phone calls about a particular debt. Additionally, pursuant to 12 C.F.R. § 1006.14(h), a debt collector cannot “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.”

30. Defendant violated §1692d and d(5) when it repeatedly called Plaintiff after being notified to stop and in connection with a debt Defendant knew Plaintiff had paid. Repeated efforts to collect upon a debt one knows to be paid is inherently conduct with the foreseeable consequence of harassing the innocent consumer. Defendant further violated the call-frequency limitations imposed by Regulation F through its continued phone calls and collection efforts within 7 days of speaking with Plaintiff regarding the subject debt. Regardless of whether Defendant is presumed to have violated the FDCPA’s call frequency limitations, that Defendant persisted in calling Plaintiff after he told Defendant to stop and that he would not be paying Defendant because he already paid the debt would go about rebutting such presumptive compliance and further demonstrates the harassing nature of Defendant’s conduct.

b. Violations of FDCPA § 1692e

31. The FDCPA, pursuant to 15 U.S.C. § 1692e, prohibits a debt collector from using “any false, deceptive, or misleading representation or means in connection with the collection of any debt.”

32. In addition, this section enumerates specific violations, such as:

> “The false representation of .. . the character, amount, or legal status of any debt.” 15 U.S.C. § 1692e(2)(A); and,

> "The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer." 15 U.S.C. § 1692e(10).

33. Defendant also violated §§ 1692e, e(2)(A), and e(10) through its efforts to collect the subject debt despite it having already been paid. Defendant's repeated demands for payments, made after Plaintiff had addressed the subject debt in full, falsely, deceptively, and misleadingly represented the legal and collectible status of the subject debt.

WHEREFORE, Plaintiff, JAMES H. PAGE respectfully requests that this Honorable Court enter judgment in his favor as follows:

a. Declaring that the practices complained of herein are unlawful and violate the aforementioned bodies of law;

b. Awarding Plaintiff statutory damages of $1,000.00 as provided under 15 U.S.C. § 1692k(a)(2)(A);

c. Awarding Plaintiff actual damages, in an amount to be determined at trial, as provided under 15 U.S.C. § 1692k(a)(1);

d. Awarding Plaintiff costs and reasonable attorney fees as provided under 15 U.S.C. § 1692k(a)(3);

e. Enjoining Defendant from further contacting Plaintiff seeking payment of the subject debt; and

f. Awarding any other relief as this Honorable Court deems just and appropriate.

Dated: February 27, 2026

Respectfully submitted,

By: /s/ Eric D. Coleman

Pro Hac Vice Application Pending
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