



Superior Court of the District of Columbia
Civil Division
500 Indiana Ave NW, Room 5000, Washington DC 20001
202-879-1010 | www.dccourts.gov

Affidavit of Facts and Sale of Account by Original Creditor

The undersigned, being duly sworn, deposes and says:

1. [Use this paragraph if affiant is Original Creditor]

I, _____, am a/an employee officer
 member of _____ (“Original Creditor”), and I have access to Original Creditor’s books and records (“Business Records”), including electronic records, relating to a defaulted/charged-off consumer debt or a portfolio of accounts sold or assigned by Original Creditor to _____ (“Debt Buyer”), on _____ (the “Sale”), which included the account (“Account”) of the consumer (“Consumer”) identified in the exhibits attached hereto and incorporated herein.

[Use this paragraph if affiant is Original Creditor’s Servicer]

I, _____, am a/an employee officer member of _____ (“Servicer”). Servicer is the servicer for the Original Creditor. Original Creditor has authorized Servicer to service and maintain the Business Records relating to the Account, along with giving testimony and executing affidavits, declarations, and certifications on behalf of Original Creditor regarding the Account.

- 2.** As part of the Sale, Original Creditor assigned all of its interest in the Account, including the right to any proceeds from the Account to Debt Buyer, and it transferred Business Records relating to the Account to Debt Buyer. The amount due on the Account at the time of the Sale is included in the documents attached as an exhibit to this affidavit. A true and correct copy of the bill of sale or other evidence of assignment of the Account is attached as an exhibit to this affidavit.
- 3.** In my position, I also have personal knowledge of Original Creditor’s procedures for creating and maintaining its Business Records, including its procedures relating to the sale and assignment of consumer accounts. Original Creditor’s Business Records were made in the regular course of business, and it was the regular course of such business to make the Business Records. The Business Records were made at or near the time of the events recorded. Based on my knowledge of Original Creditor’s Business Records, I have personal knowledge of the facts set forth in this affidavit.
- 4.** Original Creditor and Consumer were parties to an agreement (“Agreement”). Consumer agreed to pay Original Creditor for all extensions of credit and cash advances or, if applicable, goods and services, provided pursuant to the Agreement. The date and the amount of the last payment, if any, made by Consumer are set forth in an exhibit attached hereto and made a part hereof. Consumer defaulted and a demand for payment was made by Original Creditor.

5. [Check this paragraph if the Account is a revolving consumer debt account]

At the time of Sale, Consumer owed the amount set forth in the exhibits attached hereto and made a part hereof, which also set forth the name of the Consumer; the last four digits of the Account number; the date and amount of the charge-off balance; the date and amount of the last payment, if any; the total amounts, if applicable, of any post-charge-off interest, post-charge-off fees, and post charge-off charges; any post-charge-off credits or payments made by or on behalf of the Consumer to Original Creditor; and the balance due at the time of the Sale.

6. [Check this paragraph if the Account is a non-revolving consumer debt account]

At the time of Sale, Consumer owed the amount set forth in the exhibits attached hereto and made a part hereof, which also set forth the name of the Consumer; the last four digits of the Account number; the amount broken out by (i) principal; (ii) interest; and (iii) fees or charges.

The above statements are true and correct to the best of my personal knowledge.

Date: _____

| | |
|----------------------------|---------------|
| Affiant Name (Print Name): | |
| Address: | |
| Signature: | |
| Email Address: | Phone Number: |

Sworn before me on the ____ day of _____, 20_____.

Printed Name of Notary Public

Commission Expires: _____

Signature of Notary Public

Exhibits to be Attached to Affidavit

1. Bill of Sale or other evidence of assignment from Original Creditor to Debt Buyer
2. Agreement
 - a. Signed contract, signed application, or other document evidencing liability/terms; or
 - b. Most recent statement recording a purchase, transaction, last payment, balance transfer, or extension of credit, if credit card or revolving credit account
3. Charge-off/final billing statement if credit card or revolving credit account
4. Additional Business Records evidencing:
 - a. Consumer's name as reflected on the Account
 - b. The last 4 digits of Consumer's account number with Original Creditor
 - c. Last payment date and amount if any
 - d. Date debt incurred or date of most recent purchase, payment, balance transfer, or extension of credit prior to the sale, if revolving credit account.
 - e. Charge-off/delinquency date and amount (if applicable)
 - f. Post-charge off/delinquency interest (if applicable)
 - g. Post-charge off/delinquency charges, and/or fees (if applicable)
 - h. Total balance at time of Sale