



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 Purchase of Account by Debt Buyer Plaintiff

The undersigned, being duly sworn, deposes and says:

1. [Use this paragraph if affiant is Debt Buyer Plaintiff]

I, _____, am a/an employee officer
 member of _____ ("Plaintiff"), and I have access to Plaintiff's books and records ("Business Records"), including electronic records, relating to the account ("Account") of _____ [Defendant name] ("Defendant"). The Original Creditor on the Account was _____ ("Original Creditor"). The last four digits of the Account number are _____. In my position, I also have personal knowledge of the procedures for creating and maintaining Plaintiff's Business Records, including its procedures relating to the purchase and assignment of consumer debt accounts. Plaintiff'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 Plaintiff's Business Records, I have personal knowledge of the facts set forth in this affidavit.

[Use this paragraph if affiant is Servicer for Debt Buyer Plaintiff]

I, _____, am a/an employee officer
 member of _____ ("Servicer"), servicer for _____ ("Plaintiff"), and I have access to Plaintiff's books and records ("Business Records"), including electronic records, relating to the account ("Account") of _____ ("Defendant"). The Original Creditor on the Account was _____ ("Original Creditor"). The last four digits of the Account number are _____. In my position, I have personal knowledge of the procedures for creating and maintaining Plaintiff's Business Records, including its procedures relating to the purchase and assignment of consumer debt accounts. Plaintiff'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 records were made at or near the time of the events recorded. Based on my review of Plaintiff's Business Records, I have personal knowledge of the facts set forth in this affidavit. Servicer is the servicer for the Plaintiff in the underlying action. Plaintiff 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 Plaintiff regarding the Account.

2. Original Creditor and Defendant were parties to an agreement ("Agreement"). Defendant 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 Defendant are set forth in an exhibit attached hereto and made a part hereof. Defendant defaulted on the Account and failed to pay the outstanding balance pursuant to the Agreement. A demand for payment was made, and a balance remained due and owing at the time of the sale.

3. On _____, Plaintiff purchased or was assigned the Account from _____ (“Debt Seller or Assignor”), and at that time, Debt Seller or Assignor assigned all of its interest in the Account, including the right to any proceeds from the Account, to Plaintiff (the “Purchase”). As part of the Purchase, the Business Records relating to the Account were transferred to Plaintiff and incorporated into Plaintiff’s Business Records. To the extent Business Records included records prepared by a third party, including but not limited to the Original Creditor, such records were incorporated into Plaintiff’s Business Records. Following the Purchase, those Business Records were maintained in the ordinary course of Plaintiff’s business.

4. As set forth in the attached affidavits, Bill(s) of Sale, or other evidence of assignment submitted herewith, the complete chain of title, with the date of each sale or assignment of the Account, is as follows:

<u>Assignor</u>	<u>Date of Transfer</u>
_____	_____
_____	_____
_____	_____
_____	_____

5. **[Check this paragraph if seeking judgment on a revolving consumer debt account]**

At this time, Defendant owes \$ _____ on the Account. This amount includes a charge-off balance of \$ _____, post-charge-off interest of \$ _____, and post-charge-off fees and charges of \$ _____. The Plaintiff’s records indicate there are post-charge-off credits or payments by the Defendant in the sum of \$ _____. This accounting and the extent, if any, to which the post-charge-off charges were imposed by Original Creditor, debt collector, or subsequent owner of the Account are evidenced in the exhibits attached hereto.

6. **[Check this paragraph if seeking judgment on a non-revolving consumer debt account]**

At this time, Defendant owes \$ _____ on the Account. As set forth in the exhibits attached hereto and made a part hereof, this amount is broken out by (i) principal; (ii) interest; (iii) fees or charges; and (iv) whether the charges were imposed by Original Creditor, debt collector, or subsequent owner of the Account. The Plaintiff’s records indicate there are post-charge-off credits or payments by the Defendant in the sum of \$ _____.

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 Debt Seller or Assignor to Debt Buyer and documentation necessary to provide account-specific proof that the Account was included within the Pool.
2. Additional Business Records evidencing:
 - a. Consumer's name as reflected on the Account
 - b. Last 4 digits of account number with Original Creditor
 - c. Consumer's account number (last 4 digits only), and/or file number, and/or reference number with Debt Seller or Assignor, if different from Original Creditor
 - d. Consumer's account number (last 4 digits only), and/or file number, and/or reference number with Plaintiff, if different from Original Creditor and Debt Seller or Assignor
 - e. Total balance at time of Purchase
 - f. Post-purchase payments and/or credits, if any
 - g. Post-purchase interest, if applicable.
 - h. Post-purchase charges and/or fees, if applicable.