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Kersten Holzhueter Provides Insight on 9th Circuit Ruling in ACA International

Spencer Fane attorney [Kersten Holzhueter](#) wrote an article featured in *ACA International* covering the bona fide error defense for certain violations of the Fair Debt Collection Practices Act (FDCPA) and an analysis of *Kaiser v. Cascade Capital, LLC*.

Titled “After CFPB Refuses to Change FDCPA’s Strict Liability, 9th Circuit Permits Bona Fide Error Defense for Statute of Limitations Mistake,” the article discusses the Consumer Financial Protection Bureau (CFPB)’s proposed revision to Regulation F of the FDCPA.

This revision would have required FDCPA plaintiffs to show “that a debt collector knew or should have known the debt was outside the statute of limitations,” Kersten explains in the article. Even though the CFPB refused to adopt the knows-or-should-know standard, “the Ninth Circuit approved of the bona fide error defense for time-barred debt claims in *Kaiser v. Cascade Capital, LLC*.”

To read the full article, please click [here](#).