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Bankruptcy Attorney Chad Van Horn Turns Up Heat in Amended Lawsuit Against Student Loan Servicer - Alleges Abusive, Illegal Phone Tactics Following Debt Discharged in Bankruptcy

FORT LAUDERDALE, Fla., June 21, 2016 - Bankruptcy Attorney [Chad Van Horn](#) has amended a recent lawsuit against Navient Solutions Inc., a student loan servicer, alleging violations of the Florida Consumer Collection Practices Act and two federal statutes, the Fair Debt Collection Practices Act and the Telephone Consumer Protection Act.

Navient Solutions is accused of engaging in “illegal practices” by calling the plaintiff’s cellphone “at least 75 times during a 17-day period to collect a debt that was discharged in bankruptcy.”

“This is highly improper, and a common tactic that Navient uses,” said Van Horn, managing partner of Fort Lauderdale-based Van Horn Law Group.

Van Horn represents Verhonda Williams of Boca Raton. Williams received two study loans from Sallie Mae, one for \$8,000 and the other for \$7,000, to cover living expenses and course materials while preparing to take the Florida Bar exam.

The study loans are not student loans or qualified education loans “as defined in the Higher Education Act, the Internal Revenue Code, or the Bankruptcy Code,” the suit says. They are private consumer loans, and therefore dischargeable in bankruptcy proceedings.

Williams passed the bar exam, then struggled to find work and was later laid off from a foreclosure defense firm. At the time, she owed more than \$194,000 in student loans. She filed for Chapter 7 protection, claiming she had less than \$16,500 in assets and approximately \$239,000 in liabilities. The bankruptcy was discharged in October 2015.

According to the lawsuit, Navient Solutions was aware “that the debt was discharged in bankruptcy, the bar study loans were dischargeable private consumer loans and that the debt was nonexistent, inaccurate or invalid, yet it nonetheless attempted to collect the debt from (Williams).”

Van Horn is representing Williams on a contingency basis.

“I’m right in this situation, and I’m going to pursue what I think is right,” Williams said. “A lot of people I graduated with are working temporary jobs. They have a law degree and they can’t find work. This (suit) could be beneficial for a lot of people in the same boat.”

Navient Solutions is a private student loan servicer that acquired its servicing rights from Sallie Mae.

The company services private student loans in Florida and is one of the largest private student loan servicers in the country. Navient violated the law “when it sent the debt collection letters to (Williams) advising her that the bar study loans were not discharged in bankruptcy,” and failed to give Williams a “fresh start,” the suit says.

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"This is a classic David vs. Goliath as Navient is the nation's largest student loan company and my client is struggling to get her debt in order," Van Horn said. "I am happy that I have the opportunity to be able to fight for the little guy and we look forward to our day in court."

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About Van Horn Law Group

Van Horn Law Group P.A. is a Fort Lauderdale-based law firm with practice areas in personal bankruptcy, corporate bankruptcy, student loan consolidation and litigation, estate planning/asset protection, LGBT estate planning/asset protection, foreclosure defense, corporate representation, debt consolidation, civil litigation, debt relief, and consumer law. Managing Partner Chad T. Van Horn is the founding partner of the firm and a South Florida business leader. Through a combination of dedicated philanthropy, spirited entrepreneurship and legal expertise, he applies his resources and networking to helping people. A Florida State Bar-certified attorney, Van Horn's many honors include the prestigious AV Preeminent ranking, the highest rating awarded to attorneys by Martindale-Hubbell. For additional information, Van Horn Law Group can be reached at (954) 765-3166, and the firm is located on the internet at www.vanhornlawgroup.com.