

# Automatic Stay Violations – How to Deal with Creditors after a Bankruptcy, when they keep calling.

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An automatic stay is an injunction that automatically stops all lawsuits, garnishments, foreclosures, repossessions, and collection activity the moment a bankruptcy petition is filed. A chapter 13 bankruptcy even protects co-debtors. The automatic stay remains in effect until, a judge grants relief from the stay which may be requested by the creditor, the debtor receives a discharge, or the property to be repossessed or foreclosed upon is no longer property of the bankruptcy estate (this only applies to tangible property). The automatic stay does not stop any criminal action against the debtor, IRS or State Tax collection agencies. The automatic stay also does not stop actions for a domestic support.

A creditor who knowingly violates the automatic stay may be held liable for actual damages caused by the violation, attorney's fees, court costs and for punitive damages. Creditor actions taken after the stay is in place are generally void or voidable.

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