



If you've ever applied for a credit card, a personal loan, insurance, housing, or a job, some company or person is probably keeping a file on you. This file will likely contain information on where you live and work, how you pay your bills, or whether you've been sued, arrested, or have filed for divorce or bankruptcy.

Companies that gather and sell this information are called "Consumer Reporting Agencies" or "Credit Bureaus." The information sold by Consumer Reporting Agencies to creditors, employers, insurers, and other businesses is called a "consumer report." Consumer reports generally contain information about where you work and live and about your bill-paying habits.

A federal law called the *Fair Credit Reporting Act* gives consumers specific rights in dealing with Consumer Reporting Agencies. The Fair Credit Reporting Act protects you by requiring that Consumer Reporting Agencies furnish correct and complete information to businesses for use in evaluating your application for credit, insurance, or a job. Note that you may have additional rights under state laws. Contact your state Attorney General or local consumer protection agency for more information.

Here are answers to some common questions about consumer reports and Consumer Reporting Agencies.

How do I find the Consumer Credit Reporting Agency that has my file?

There are many types of Consumer Reporting Agencies (or "CRAs"). Some "specialty" CRAs focus on landlord tenant screening or employment screening while others focus on screening for credit worthiness and other types of loans. It is likely that more than one consumer reporting agency has a file containing your information.

The three major national credit bureaus or "Big 3" are:

Equifax
866-349-5191
www.equifax.com

Experian
888-EXPERIAN (888-397-3742)
www.experian.com

Trans Union
800-888-4213
www.transunion.com

If your application for credit, insurance or a job was denied because of information supplied by a Consumer Reporting Agency, the company that denied your application must provide you with the name, address, and telephone numbers of the Consumer Reporting Agency that provided the report.

Do I have the right to know what the report says?

Yes, if you request it. The Consumer Reporting Agency is required to give you all the information in your report, including medical information, and, in most cases, the sources of that information. However, the Consumer Reporting Agency is

not required to reveal any credit score or risk evaluation. You also have the right to be told upon request the name of anyone who received a report on you in the past 12 months, and you may also request the address and phone number of each such person. (If your inquiry concerns a job application, you can get the names of those who received a report during the past two years.) The Consumer Reporting Agency will also provide you with a written summary of your rights under the Fair Credit Reporting Act.

Is this information free?

Yes, in certain circumstances your credit report is free. Consumers are entitled to a free copy of their credit report every 12 months from each of the "nationwide" credit reporting agencies. In addition, if an application was denied because of information furnished by the Consumer Reporting Agency, and if you request a copy of your report within 60 days of receiving the denial notice, you are entitled to the information without charge. Finally, you are also entitled to one free report once in any 12 month period, if you certify in writing that you:

- Are unemployed and intend to apply for a job in the next 60 days;
- Are receiving public welfare assistance; or
- Believe that your report is wrong due to fraud.

If you don't meet one of these requirements, the Consumer Reporting Agency may charge a reasonable fee, up to \$9.00 for a copy of your report. In some states, Consumer Reporting Agencies are required to provide consumers a free report or a report at a reduced fee, in accordance with state law.

How do I get my free report?

You may request this information over the phone, through the mail or online. To access your free annual credit report online you should go to annualcreditreport.com. This is the only official website to access your federally mandated free report. Many other websites promise free reports but they often have hidden charges or services. You can also request your free annual report over the phone by calling 877-322-8228 or by completing the attached Annual Credit Report Request form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348.

Before the Consumer Reporting Agency will provide any information, you may have to establish your identity by completing forms they will send you. If you do wish to visit in person, you'll need to make an appointment.

What can I do if the information is inaccurate or incomplete?

You must make a dispute in writing. To protect all your rights under this law, contact both the Consumer Reporting Agency and the information provider (usually a debt collector). The current addresses to send disputes to the "Big 3" are below. Please verify the address before sending your dispute as they may have changed.

TransUnion Consumer Solutions
P.O. Box 2000
Chester, PA 19016-2000

Experian
P.O. Box 4500
Allen, TX 75013

Equifax Information Services
P.O. Box 740256
Atlanta, GA 30374

First, tell the Consumer Reporting Agency in writing what information you believe is inaccurate. Be as specific as possible and provide any back-up documentation you have. The Consumer Reporting Agency must reinvestigate the items in question—usually within 30 days—unless they consider your dispute frivolous. They also must forward all relevant data you provide about the dispute to the information provider. After the information provider receives notice of a dispute from the

Consumer Reporting Agency, it must investigate, review all relevant information provided by the Consumer Reporting Agency, and report the results to the Consumer Reporting Agency.

When the reinvestigation is complete, the Consumer Reporting Agency must give you the written results and a free copy of your report if the dispute results in a change. If an item is changed or removed, the Consumer Reporting Agency cannot put the disputed information back in your file unless the information provider verifies its accuracy and completeness, and the Consumer Reporting Agency gives you a written notice that includes the name, address, and phone number of the provider.

Second, tell the creditor or other information provider in writing that you dispute an item. Many providers specify an address for disputes. If the provider then reports the item to any Consumer Reporting Agency, it must include a notice of your dispute. In addition, if you are correct—that is, if the information is inaccurate—the information provider may not use it again.

What can I do if the Consumer Reporting Agency won't correct my report?

The investigation may not resolve your dispute with the Consumer Reporting Agency. If this happens, have the Consumer Reporting Agency include your version of the disputed information in your file and in future reports. You may submit a written statement of any length to be included in your file, although if the Consumer Reporting Agency helps consumers write a clear summary of the dispute, the statement may be limited to 100 words. At your request, the Consumer Reporting Agency will also show your version or a summary of your version to anyone who recently received a copy of the old report. There is no charge for this service if it's requested within 30 days after you receive notice of your application denial. After that, there may be a reasonable charge.

Can my employer get my report?

Only if you say it's okay. A Consumer Reporting Agency may not supply information about you to your employer, or to a prospective employer, without your consent.

How long can a Consumer Reporting Agency report negative information?

Generally seven years. Adverse information can't be reported after that, with certain exceptions:

- Information about criminal convictions may be reported without any time limitation.
- Bankruptcy information may be reported for 10 years.
- Information reported in response to an application for a job with a salary of more than \$75,000 has no time limit.
- Information reported because of an application for more than \$150,000 worth of credit or life insurance has no time limit.
- Information about a lawsuit or an unpaid judgment against you can be reported for seven years or until the statute of limitations runs out, whichever is longer.

Are reports prepared on insurance and job applicants different?

If a report is prepared on you in response to an insurance or job application, it may be an Investigative Consumer Report. These are much more detailed than regular consumer reports. They often involve interviews with acquaintances about your lifestyle, character, and reputation. Unlike regular consumer reports, you'll be notified in writing when a company orders an investigative report about you. This notice will also explain your right to ask for additional information about the report from the company you applied to, or you may prefer to obtain a complete disclosure by contacting the Consumer Reporting Agency. Note that the Consumer Reporting Agency does not have to reveal the sources of the investigative information.

If an employer intends to take any adverse action against you based on a consumer report, whether or not it is an investigative consumer report, the employer must first give you a copy of your report and a summary of your rights under the Federal Fair Credit Reporting Act.

Do I have to be told before someone asks for a report about me?

No, a person may request a consumer report without telling you. However, a Consumer Reporting Agency may not provide a consumer report to an employer unless the employer has your written permission. Also, your written permission is needed before medical information may be reported by a Consumer Reporting Agency for credit, insurance, or employment purposes.

Can anyone get a copy of my report?

No. Only people with a legitimate business need, as recognized by the Fair Credit Reporting Act. For example, a company is allowed to get your report if you apply for credit, insurance, employment, or to rent an apartment.

Do I have the right to sue for damages?

You may sue a Consumer Reporting Agency, a user or—in some cases—a provider of Consumer Reporting Agency data, in state or federal court for most violations of the Fair Credit Reporting Act. If you win, the defendant will have to pay damages and reimburse you for attorney fees to the extent ordered by the court.

What if I think a Consumer Reporting Agency has violated my rights under the law?

You may wish to seek the advice of an attorney or talk to your local legal aid organization. In some cases, but not always, a Consumer Reporting Agency or other person who has violated the Fair Credit Reporting Act must pay damages and your attorney's fee.

Although the Federal Trade Commission can't act as your lawyer in private disputes, information about your experiences and concerns is vital to the enforcement of the Fair Credit Reporting Act. Please send questions or complaints to the Consumer Response Center—FCRA, FTC, Washington, DC 20580.

If you need an appointment with Jacksonville Area Legal Aid to speak to a lawyer about a credit reporting issues please call 904-356-8371 or visit our website at www.jaxlegalaid.org



www.jaxlegalaid.org



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