

FAIR CREDIT REPORTING ACT (FCRA)

Congress enacted the **Fair Credit Reporting Act (FCRA)** in order to try to insure and guarantee accuracy, fairness and a degree of privacy in the information located in the files of consumer reporting agencies. The definition of consumer reporting agencies includes credit bureaus, and specialty agencies such as agencies that sell consumer information such as check writing histories, rental history records, medical records, etc.

The Act provides:

1. That you must be told if information in your file has been used against you. Anyone who uses a credit report or another kind of consumer report to deny your application for credit, insurance, or employment, or to take another adverse action against you, must tell you and provide you with the name, address, and the phone number of the agency that provided the information.
2. That you have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency. In order to get this file disclosure you will be required to provide proper identification. This information may include your social security number. Usually this disclosure will be free.
3. That you are entitled to a free file disclosure if:
 - * A person has taken adverse action against you because of information in your credit report
 - * Your report contains inaccurate information as a result of fraud
 - * You are a victim of identity theft and place a fraud alert in your file
 - * You are receiving public assistance
 - * You are unemployed but expect to apply for employment within 60 days
4. That you are entitled to one free disclosure every 12 months from each nationwide consumer reporting agency.
5. That you may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transaction, you will receive credit score information free of charge from the mortgage lender.
6. That you have the right to dispute incomplete or inaccurate information. If you find in your file information that is incomplete or inaccurate and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous.

7. That consumer reporting agencies must correct or delete inaccurate, incomplete or unverifiable information. This kind of information must be deleted or corrected within 30 days. The credit reporting agency may, however, continue reporting information until it has verified it as accurate.
8. That consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than 7 years old or bankruptcies that are more than 10 years old.
9. That access to your file is limited. The agencies can provide information about you only to people who need.
10. That you must give your consent for reports to be provided to employers. Consumer reporting agencies may not give out information about you to your employer, or a potential employer, without your prior written consent.
11. That you may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
12. That you may seek damages from violators.