

CALIFORNIA SUMMARY OF CONSUMER RIGHTS
CALIFORNIA CIVIL CODE §1785.15(f)

The following are your rights as a consumer in regard to consumer credit reports in the following form:

“You have a right to obtain a copy of your credit file from a consumer credit reporting agency. You may be charged a reasonable fee not exceeding eight dollars (\$8). There is no fee, however, if you have been turned down for credit, employment, insurance, or a rental dwelling because of information in your credit report within the preceding 60 days. The consumer credit reporting agency must provide someone to help you interpret the information in your credit file.

You have a right to dispute inaccurate information by contacting the consumer credit reporting agency directly. However, neither you nor any credit repair company or credit service organization has the right to have accurate, current, and verifiable information removed from your credit report. Under the Federal Fair Credit Reporting Act, the consumer credit reporting agency must remove accurate, negative information from your report only if it is over seven years old. Bankruptcy information can be reported for 10 years.

If you have notified a consumer credit reporting agency in writing that you dispute the accuracy of information in your file, the consumer credit reporting agency must then, within 30 business days, reinvestigate and modify or remove inaccurate information. The consumer credit reporting agency may not charge a fee for this service. Any pertinent information and copies of all documents you have concerning an error should be given to the consumer credit reporting agency.

If reinvestigation does not resolve the dispute to your satisfaction, you may send a brief statement to the consumer credit reporting agency to keep in your file, explaining why you think the record is inaccurate. The consumer credit reporting agency must include your statement about disputed information in a report it issues about you.

You have a right to receive a record of all inquiries relating to a credit transaction initiated in 12 months preceding your request. This record shall include the recipients of any consumer credit report.

You may request in writing that the information contained in your file not be provided to a third party for marketing purposes.

You have a right to place a “security alert” in your credit report, which will warn anyone who receives information in your credit report that your identity may have been used without your consent. Recipients of your credit report are required to take reasonable steps, including contacting you at the telephone number you many provide with your security alert, to verify your identity prior to lending money, extending credit, or completing the purchase, lease, or rental of goods or services. The security alert may prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that taking advantage of this right may delay or interfere with the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or cellular phone or other new account, including an extension of credit at point of sale. If you place a security alert on your credit report, you have a right to obtain a free copy of your credit report at the time the 90-day security alert period expires. A security alert may be requested by calling the following toll-free telephone numbers: Equifax 1-800-525-6285; Experian 1-800-397-3742; TransUnion 1-800-680-7289. California consumers also have the right to obtain a “security freeze.”

You have a right to place a “security freeze” on your credit report, which will prohibit a consumer credit reporting agency from releasing any information in your credit report without your express authorization. A security freeze must be requested in writing by mail. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or cellular phone or other new account, including an extension of credit at point of sale. When you place a security freeze on your credit report, you will be provided a personal identification number or password to use if you choose to remove the freeze on your credit report or authorize the release of your credit report for a specific party or period of time after the freeze is in place. To

provide that authorization you must contact the consumer credit reporting agency and provide all of the following:

- (1) The personal identification number or password.
- (2) Proper identification to verify your identity.
- (3) The proper information regarding the third party who is to receive the credit report or the period of time for which the report shall be available to users of the credit report.

A consumer credit reporting agency must authorize the release of your credit report no later than three business days after receiving the above information.

A security freeze does not apply when you have an existing account and a copy of your report is requested by your existing creditor or its agents or affiliates for certain types of account review, collections, fraud control, or similar activities.

If you are actively seeking credit, you should understand that the procedures involved in lifting a security freeze may slow your application for credit. You should plan ahead and lift a freeze, either completely if you are shopping around, or specifically for a certain creditor, before applying for new credit.

A consumer credit reporting agency may not charge a fee to a consumer for placing or removing a security freeze if the consumer is a victim of identity theft and submits a copy of a valid police report or valid Department of Motor Vehicles investigative report. A person 65 years of age or older with proper identification may be charged a fee of no more than \$5 for placing, lifting or removing a security freeze. All other consumers may be charged a fee of no more than \$10 for each of these steps.

You have a right to bring civil action against anyone, including a consumer credit reporting agency, who improperly obtains access to a file, knowingly or willfully misuses file data, or fails to correct inaccurate file data.

If you are a victim of identity theft and provide to a consumer credit reporting agency a copy of a valid police report or a valid investigative report made by a Department of Motor Vehicles investigator with peace officer status describing your circumstances, the following shall apply:

(1) You have a right to have any information you list on the report as allegedly fraudulent promptly blocked so that the information cannot be reported. The information will be unblocked only if (A) the information you provide is a material misrepresentation of the facts, (B) you agree that the information is blocked in error, or (C) you knowingly obtained possession of goods, services, or moneys as a result of the blocked transactions. If blocked information is unblocked, you will be promptly notified.

(2) You have a right to receive, free of charge and upon request, one copy of your credit report each month for up to 12 consecutive months.”

If you have questions about your rights, you may contact us at:

Contemporary Information Corp.
42913 Capital Drive, Unit 101
Lancaster, CA 93535
www.cicreports.com
(800)288-4757 Option 5

A Summary of Your Rights Under California Civil Code 1786.22

(a) An investigative consumer reporting agency shall supply files and information required under Section 1786.10 during normal business hours and on reasonable notice.

(b) Files maintained on a consumer shall be made available for the consumer's visual inspection, as follows:

- In person, if he appears in person and furnishes proper identification. A copy of his file shall also be available to the consumer for a fee not to exceed the actual costs of duplication services provided.
- By certified mail, if he makes a written request, with proper identification, for copies to be sent to a specified addressee. Investigative consumer reporting agencies complying with requests for certified mailings under this section shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the investigative consumer reporting agencies.
- A summary of all information contained in files on a consumer and required to be provided by Section 1786.10 shall be provided by telephone, if the consumer has made a written request, with proper identification for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to the consumer.

(c) The term "proper identification" as used in subdivision (b) shall mean that information generally deemed sufficient to identify a person. Such information includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. Only if the consumer is unable to reasonably identify himself with the information described above, may an investigative consumer reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his identity.

(d) The investigative consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished him pursuant to Section 1786.10.

(e) The investigative consumer reporting agency shall provide a written explanation of any coded information contained in files maintained on a consumer. This written explanation shall be distributed whenever a file is provided to a consumer for visual inspection as required under Section 1786.22.

(f) The consumer shall be permitted to be accompanied by one other person of his choosing, who shall furnish reasonable identification. An investigative consumer reporting agency may require the consumer to furnish a written statement granting permission to the consumer reporting agency to discuss the consumer's file in such person's presence.

Resumen de sus Derechos bajo el Código Civil 1786.22 En California

- (A) Una agencia de reporte del consumidor investigativo deberá proporcionar los archivos y la información requerida bajo la Sección 1786.10 durante el horario normal y con un preaviso razonable.
- (B) Archivos mantenidos sobre un consumidor deberá estar disponible para la inspección visual del consumidor, de la siguiente manera:
- Personalmente, si aparece en persona y proporciona una identificación apropiada. Una copia de su expediente estará también a disposición del consumidor por un precio no superior a los costos actuales de servicios proveídos para duplicación.
 - Por correo certificado, si se hace una solicitud por escrito, con identificación propia, para las copias que se enviarán a un destino específico. Las agencias de reporte del consumidor investigativo que cumplan con las solicitudes de envíos certificados bajo esta sección no serán responsables por la divulgación a terceros que resulten por mal manejo de dichos correos después de dejar las agencias de investigación del consumidor.
 - Un resumen de toda la información contenida en los archivos de un consumidor y requiere que se facilite bajo la Sección 1786.10 se facilitará por teléfono, si es que el consumidor hizo una solicitud por escrito con la identificación apropiada para obtener dicha información por medio telefónico, y en caso de que el consumidor llame por teléfono por cobrar a la agencia de informes del consumidor investigativas, los cargos serán transmitidos directamente al consumidor.
- (C) El término "identificación adecuada" tal como se utiliza en la subdivisión (b), se entenderá que la información generalmente se considera suficiente para identificar a una persona. Dicha información incluye documentos tales como licencia de conducir válida, su número de seguro social, tarjeta de identificación militar, y las tarjetas de crédito. Sólo si el consumidor no puede identificarse razonablemente con la información descrita anteriormente, puede una agencia de reporte del consumidor investigativo requerir información adicional sobre el empleo del consumidor y de la historia personal o familiar con el fin de verificar su identidad.
- (D) La agencia de reporte del consumidor investigativo deberá proporcionar personal capacitado para explicar al consumidor toda la información proporcionada al consumidor conforme a la Sección 1786.10.
- (E) La agencia de reporte del consumidor investigativo deberá presentar una explicación por escrito de cualquier información codificada contenida en los archivos mantenidos en un consumidor. Esta explicación escrita se distribuye cada vez que un archivo se proporciona a un consumidor por inspección visual como se requiere bajo la Sección 1786,22.
- (F) El consumidor se le permitirá ir acompañado de otra persona de su elección, que deberá presentar una identificación razonable. Una agencia de informes del consumidor de investigación puede requerir que el consumidor presente una declaración por escrito dando permiso a la agencia de informes del consumidor para discutir el expediente del consumidor en presencia de esa persona.

CALIFORNIA SECURITY FREEZE INFORMATION

Any consumer in California may place a security freeze on his or her credit report by making a request by mail to each consumer reporting agency. If the consumer reporting agency has procedures for accepting the request by phone, Internet, or fax, then the consumer may also use one of these methods to make the request. The consumer reporting agency may not charge a fee to consumers over 65 years of age or victims of identity theft. To avoid paying a fee, victims must send a valid investigative report, an incident report, or a complaint with a law enforcement agency about unlawful use of the victim's identifying information by another person.

Individuals who are not over 65 years of age or who have not been victims of identity theft must pay a fee of \$5 per person, per consumer reporting agency, to place, temporarily lift, or remove a security freeze. A security freeze prohibits, with certain specific exceptions, the consumer reporting agency from releasing the consumer's credit report or any information from it without the express authorization of the consumer.

To obtain more detailed information on how to place a security freeze on your credit reports, see below.

HOW TO "FREEZE" YOUR CREDIT FILES

A security freeze means that your file cannot be shared with potential creditors. A security freeze can help prevent identity theft. Most businesses will not open credit accounts without first checking a consumer's credit history. If your credit files are frozen, even someone who has your name and Social Security number probably would not be able to obtain credit in your name.

How do I place a security freeze? To place a freeze *in California*, you must write to each of the three consumer reporting agencies. There is a \$5 fee to place a security freeze. There will be no fee if you provide proof that you are a victim of identity of theft or are over 65 years of age. Write to all three addresses below and include the information that follows:

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013

TransUnion Security Freeze
P O Box 2000
Chester, PA 19016

For each, you must:

- Send a letter by mail, or by other methods allowed by the consumer reporting agencies;
- If you are a victim of identity theft, you must include valid investigative report, incident report, or complaint with a law enforcement agency concerning identity theft;
- Provide your full name (including middle initial as well as Jr., Sr., II, III, etc.,) address, Social Security number, and date of birth;

- If you have moved in the past 5 years, supply the addresses where you have lived over the prior 5 years;
- Provide proof of current address such as a current utility bill or phone bill;
- Send a photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.);
- Provide payment by check, money order or credit card (Visa, Master Card, American Express, or Discover cards only).

How long does it take for a security freeze to be in effect?

After three (3) business days from receiving your request, the consumer reporting agencies listed above will place a freeze on your account.

After five (5) business days from receiving your request, the consumer reporting agencies listed above will send you a confirmation letter containing a unique PIN (personal identification number) or password. Keep this PIN or password in a safe place.

Can I open new credit accounts if my files are frozen? Yes. You can have a security freeze lifted for a temporary period of time. There is a \$5 to either temporarily lift the security freeze or allow a specific creditor to access your credit report. The steps to do so are as follows:

- Contact the credit reporting agencies above;
- The manner by which you contact them is determined by them, but it may be by way of telephone, fax or over the Internet;
- You must provide proper identification;
- You must provide your unique PIN or password;
- You must provide during what time period your credit report will be accessible (for example, August 1 to August 5), or include the party for which you want the security freeze lifted (for example, Sears).

How long does it take for a security freeze to be lifted? Credit bureaus must temporarily lift a freeze no later than three (3) business days from receiving your request. However, a consumer reporting agency must temporarily lift a security freeze under reasonable circumstances within fifteen (15) minutes if the request is received via telephone or the electronic method selected by the agency within normal business hours.

What will a creditor who requests my file see if it is frozen? A creditor will see a message or a code indicating the file is frozen.

Can a creditor get my credit score if my file is frozen? No. A creditor who requests your file from one of the three consumer reporting agencies will only get a message or a code indicating that the file is frozen.

Can I order my own credit report if my file is frozen? Yes.

Can anyone see my credit file if it is frozen? When you have a security freeze on your credit file, certain entities still have access to it. Your report can still be released to your existing creditors or to collection agencies acting on their own behalf. They can use it to review or collect on your account. Other creditors may also use your information to make offers of credit. Government agencies may also have access in response to a court or administrative order, a subpoena, or a search warrant.

Do I have to freeze my file with all three credit bureaus? Yes. Different credit issuers may use different consumer reporting agencies. If you want to stop your credit file from being viewed, you must freeze it with Equifax, Experian, and TransUnion.

If more than one person in my household wants to request a security freeze, do we each have to request a separate security freeze? Yes. Because each person has an individual credit history and credit reporting file, each person must make a separate request to place, temporarily lift or remove a security freeze. Each person must also pay any applicable fees.

Will a freeze lower my credit score? No.

Can an employer do a background check on my credit file? Yes. There is an exemption for noncredit related use of your credit report.

Does freezing my file mean that I won't receive preapproved credit offers? No. You can stop the pre-approved credit offers by calling 8885OPTOUT (8885678688). You can also do this online at www.optoutprescreen.com. This will stop prescreened offers. It is good for five years or you can make it permanent.

What law requires security freezes? The current law on security freezes *in California* is civil code section 1785.101785.19.5

THIS FACT SHEET IS FOR INFORMATIONAL PURPOSES. IT IS NOT LEGAL ADVICE. FOR LEGAL ADVICE, YOU MUST CONSULT YOUR OWN ATTORNEY