

Notification of Rights for Massachusetts Consumers

Under Massachusetts law, at your request, the credit reporting agency will provide you with a copy of your report, at no charge, once per year. We must convey your request for investigation to the source of the information within five business days after receiving your request. The results of our investigation will be sent to you within 10 business days after the investigation is complete. You have a right to receive a record of all requests for your credit history relating to a credit transaction initiated within the past six months, or two years if your credit history is reviewed for employment purposes. If you request, we will provide you with the company name, address and telephone number of any person contacted during the investigation within 15 days of your request. You may be entitled to collect compensation, in certain circumstances, if you are damaged by a person's negligent or intentional failure to comply with the provisions of the credit reporting act.

Massachusetts Consumers Have The Right To Obtain A Security Freeze

You have a right to request a "security freeze" on your consumer report. The security freeze will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization.

A security freeze shall be requested by sending a request either by certified mail, overnight mail or regular stamped mail to a consumer reporting agency, or as authorized by regulation. The security freeze is designed to prevent credit, loans or services from being approved in your name without your consent. You should be aware that using a security freeze may delay, interfere with, or prevent the timely approval of any subsequent request or application you make regarding new loans, credit, mortgage, insurance, government services or payments, rental housing, employment, investment, license, cellular phone, utilities, digital signature, internet credit card transactions, or other services, including an extension of credit at point of sale.

When you place a security freeze on your consumer report, within 5 business days of receiving your request for a security freeze, the consumer reporting agency shall provide you with a personal identification number or password to use if you choose to remove the freeze on your consumer report or to authorize the release of your consumer report to a specific party or for a specified period of time after the freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide the following:

- (1) the personal identification number or password provided by the consumer reporting agency;
- (2) proper identification to verify your identity; and
- (3) the third party or parties who are to receive the consumer report or the specified period of time for which the report shall be available to authorized users of the consumer report

A consumer reporting agency that receives a request from a consumer to lift a freeze on a consumer report shall comply with the request not later than 3 business days after receiving the request.

A security freeze shall not apply to a person or entity, or to its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account, that requests information relative to your consumer report for the purposes of reviewing or collecting the account, if you have previously given consent to the use of your consumer report. "Reviewing the account" includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

MASSACHUSETTS SECURITY FREEZE INFORMATION

Any consumer in Massachusetts may place a security freeze on his or her credit report by sending a request in writing, by mail to all consumer reporting agencies. The consumer reporting agency is not allowed to charge a fee to victims or their spouses for placing, removing for a specific period or party, or removing a security freeze on a credit report. To prove you are a victim, you must also send to the consumer reporting agency a valid copy of a police report. All other consumers must pay a \$5 fee for each placing, temporary lifting or removing of 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. The freeze goes into effect three (3) business days from receipt of the consumer's letter by the consumer reporting agency.

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 new account 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. A security freeze is free to identity theft victims who have a police report, investigative report or a complaint to a law enforcement agency concerning identity theft. How do I place a security freeze? To place a freeze, you must write to each of the three consumer reporting agencies. Each consumer reporting agency may charge a \$5 fee, unless you are an identity theft victim or victim's spouse and you send a copy of your police report concerning the identity theft.

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;
- 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.)
- If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;
- If you are not a victim, include 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 go into effect? Three (3) business days from receiving your letter, the consumer reporting agencies listed above must place a freeze providing credit reports to potential creditors.

Five (5) business days from receiving your letter to place a freeze on your account, the consumer reporting agencies must 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 specific temporary period of time. This is done at no charge for identity theft victims. For non-victims, however, there is a \$5 charge for either temporarily lifting the security freeze for a specific period of time or allowing a specific creditor to access your credit report. The steps to do so are as follows:

- Contact the consumer reporting agencies above.
- You must provide proper identification;
- You must provide your unique PIN or password;
- And, if you are requesting to open your credit to a third party or for a specific period of time, you must provide to whom or during what time period your credit report will be accessible.

How long does it take for a security freeze to be lifted? Consumer reporting agencies must lift a freeze no later than three (3) business days from receiving your request.

What will a new 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 new 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 consumer reporting agencies? 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 Trans Union.

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, lift or remove a security freeze. Each person also must pay any applicable fees.

Will a freeze lower my credit score? No.

Can an employer do a background check on my credit file? No. You would have to lift the freeze to allow a background check, just as you would to apply for credit. The process for lifting the freeze is described above.

Does freezing my file mean that I won't receive pre-approved credit offers? No. You can stop the pre-approved credit offers by calling 888-5OPTOUT (888-567-8688). Or you can do this online at www.optoutprescreen.com. This will stop most of the offers, the ones that go through the consumer reporting agencies. It's good for five years or you can make it permanent.

What law requires security freezes? The law on security freezes in **Massachusetts** is HB 4144, passed in 2007.

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