

Notification of Rights for New Hampshire Consumers

You have the right to place a "security freeze" on your credit report pursuant to RSA 359-B:24. Under New Hampshire law, what is commonly known as a credit report is referred to as a "consumer report." A security freeze will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization. The security freeze must be requested in writing, by certified mail.

You may obtain a security freeze on your consumer report at no charge if you are a victim of identity theft and you submit a copy of the police report, investigative report, or complaint that you filed with a law enforcement agency about unlawful use of your personal information by another person.

The consumer reporting agency may charge you a fee for the security freeze if you are not a victim of identity theft.

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 gains access to the personal and financial information in your consumer report may delay, interfere with, or prohibit 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 transaction, or other services, including an extension of credit at point of sale.**

When you place a security freeze on your consumer report, within 10 business days you will be provided a personal identification number or password to use if you choose to remove the freeze on your consumer report or authorize the release of your consumer report for a specific party or period of time after the freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

- (1) The unique personal identification number or password provided by the consumer reporting agency.
- (2) Proper identification to verify your identity.
- (3) The proper information regarding the third party who will receive the credit report or the period of time for which the report shall be available to users of the credit report.
- (4) Payment of the applicable fee, if any.

A consumer reporting agency that receives a request from a consumer to lift temporarily a freeze on a consumer report must comply with the request no later than 3 business days after receiving the request.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity with which you have an existing account that requests information in your consumer report for the purposes of reviewing or collecting the accounts, provided the use of your credit report is for a permissible purpose as provided by the federal Fair Credit Reporting Act. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have the right to bring a civil action against anyone who violates your rights under the credit reporting laws.

Additional rights under your state's law, which are also in the federal Fair Credit Reporting Act, are explained in the enclosed Summary of Your Rights under the Fair Credit Reporting Act.

SECURITY FREEZE INFORMATION

Any consumer in New Hampshire may place a security freeze on his or her credit report by requesting one in writing by certified mail to the credit reporting agency. The credit reporting agency is not allowed to charge a fee to victims. To prove you are a victim, you must also send a valid copy of a police report, investigative report, or a complaint to a law enforcement agency concerning identity theft. However, for all others, a charge of \$10 will be applied for each placing, removing or temporary lifting of a security freeze for a specific party or period of time. A security freeze shall prohibit, with certain specific exceptions, the credit 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, you must write to each of the three credit bureaus including a payment of \$10, unless you are a victim of identity theft, in which case the fee is waived. To prove you are a victim, you must send to each credit reporting agency a copy of your police report, investigative report, or a complaint to a law enforcement agency concerning 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 certified mail;
- If you are a victim of identity theft, you must include a copy of either the police report, investigative report, or complaint to 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.)
- If applicable, 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 be in effect? After five (5) business days from receiving your letter, the credit reporting agencies listed above will place a freeze providing credit reports to potential creditors. 10 business days from receiving your letter to place a freeze on your account, the credit reporting agencies 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, either for a temporary period of time, or for a specific creditor. This is done at no charge for victims. For non-victims, however, there is a \$10 charge for either temporarily lifting the security freeze or allowing 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;
- 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? Credit bureaus must lift a freeze no later than three (3) business days from receiving your request.

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 credit bureaus 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 credit bureaus. If you want to stop your credit file from being viewed, you must freeze it with Equifax, Experian, and Trans Union.

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 credit bureaus. It's good for five years or you can make it permanent.

What law requires security freezes? The **New Hampshire** security freeze bill passed and will go into effect on January 1, 2007. It is Senate Bill 334.

THIS FACT SHEET IS FOR INFORMATIONAL PURPOSES AND SHOULD NOT BE CONSTRUED AS LEGAL ADVICE OR AS THE POLICY OF THE STATE OF NEW HAMPSHIRE. IF YOU WANT ADVICE ON A PARTICULAR CASE, YOU SHOULD CONSULT AN ATTORNEY OR OTHER EXPERT. THE FACT SHEET MAY BE COPIED, IF (1) THE MEANING OF THE COPIED TEXT IS NOT CHANGED OR MISREPRESENTED, (2) CREDIT IS GIVEN TO THE OFFICE OF THE NEW HAMPSHIRE ATTORNEY GENERAL, AND (3) ALL COPIES ARE DISTRIBUTED FREE OF CHARGE.