

SOUTH DAKOTA SECURITY FREEZE INFORMATION

An identity theft victim in South Dakota may request a security freeze on his or her credit reporting by sending a letter by certified mail to the consumer reporting agency with a valid copy of a police report. The consumer reporting agency is not allowed to charge a fee for placing, removing for a specific period of time or specific party, or removing a security freeze on a credit report. 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 five (5) business days from receipt of the consumer's letter by the consumer reporting agency.

A consumer who is not an identity theft victim may place a security freeze using the voluntary programs of the three major consumer reporting agencies, Equifax, Experian, and Trans Union.

To obtain more detailed information on how to place a security freeze on your credit reports under South Dakota's law for identity theft victims, see below.

HOW TO "FREEZE" YOUR CREDIT FILES

A security freeze means that your file cannot be shared with potential creditors, and will help prevent new account identity theft. Most businesses will not open credit accounts without checking a consumer's credit history first. 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. A freeze on your account is good for 7 years in South Dakota.

How do I place a security freeze? To place a freeze, you must write to each of the three consumer reporting agencies. You must provide identifying information, and proof that you are a victim of identity theft. A copy of your police report is required to show that you are a victim of 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;
- Include a copy of the police report 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.).

How long does it take for a security freeze to go into effect? After five (5) business days from receiving your letter, the consumer reporting agencies listed above will place a freeze providing credit reports to potential creditors.

After ten (10) business days from receiving your letter to place a freeze on your account, the consumer 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 specific party or for a temporary period of time. This is done at no charge for identity theft victims under South Dakota law. The steps to do so are as follows:

- Contact the consumer 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;
- If you are requesting to open your credit for a specific period of time, you must provide during what time period your credit report will be accessible.
- If you are requesting to open your credit for a specific party, you must indicate who that party is.

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 my security freeze expire? Under the South Dakota security freeze law, your security freeze expires in seven years. You have to request it again if you want to continue it.

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 security freeze law in **South Dakota** is Senate Bill 180, passed in 2006.

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