

Notification of Rights for Tennessee Consumers

You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. A security freeze must be requested in writing by certified mail or by electronic means as provided by a consumer reporting agency. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. If you are actively seeking a new credit, loan, utility, or telephone account, you should understand that the procedures involved in lifting a security freeze may slow your applications for credit. You should plan ahead and lift a freeze in advance of actually applying for new credit. 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 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 personal identification number or password;
- (2) Proper identification to verify your identity; and
- (3) The proper information regarding the period of time for which the report shall be available.

A consumer reporting agency must authorize the release of your credit report no later than fifteen (15) minutes after receiving the above information.

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 credit report for the purposes of fraud control, or, reviewing or collecting the account. Reviewing the account includes activities related to account maintenance.

You should consider filing a complaint regarding your identity theft situation with the Federal Trade Commission and the Tennessee department of commerce and insurance, division of consumer affairs, either in writing or via their Web sites.

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

Unless you are a victim of identity theft with a police report, or other official document acceptable to a consumer reporting agency to verify the crimes, a consumer reporting agency has the right to charge you up to seven dollars and fifty cents (\$7.50) to place a freeze on your credit report, but may not charge you to temporarily lift a freeze on your credit report.

A consumer reporting agency may charge a consumer a reasonable fee not to exceed five dollars (\$5.00) to permanently remove a security freeze, or to replace a personal identification number or password. A consumer reporting agency may increase these fees annually based on changes to a common measure of consumer prices. A consumer reporting agency may not charge a Tennessee consumer to place or permanently remove a security freeze if that Tennessee consumer is a victim of identity theft as defined in Tennessee law or federal law regarding identity theft and presents to the consumer reporting agency, at the time the request is made, a police report or other official document acceptable to the consumer reporting agency detailing the theft.

TENNESSEE SECURITY FREEZE INFORMATION

Any consumer in Tennessee may place a security freeze on his or her credit report by requesting it in writing by certified mail to the credit reporting agency. A consumer reporting agency may not charge a fee to identity theft victims for placing, temporarily removing, or removing a security freeze on a credit report. To avoid paying a fee, victims must send a valid copy of a police or other official document showing the identity theft. For all others, a \$7.50 fee will be applied for placement of a security freeze. There is no fee for any consumer for the release of a credit report for a specific period of time and a \$5.00 fee for removal of the security freeze. A security freeze shall prohibit, with certain specific exceptions, the credit reporting agency from releasing the consumer's credit report or score relating to the extension of credit 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 credit 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 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. Each credit bureau charges a \$5 fee, unless the fee is waived because you are an ID theft victim. To prove you are a victim (and to avoid the fees,) you must send a copy of a police or other official document showing 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 certified mail or a secure electronic method as provided by the credit reporting agency;
- If you are a victim of identity theft, you must include a copy of the police report or other official document showing the 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 all 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 not a victim, 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 letter, the credit reporting agencies listed above will place a freeze providing credit reports to potential creditors.

After ten (10) business days from placing 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 for a temporary period of time. There is no fee for temporarily lifting a security freeze for any Tennessee resident. 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.

How long does it take for a security freeze to be lifted? Credit bureaus must lift a freeze no later than 15 minutes after receiving your request by secure electronic method if the request is received between 6:00 am and 9:30 pm, seven days per week, eastern or central standard or daylight time as applicable to the consumer.

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 have access for collecting child support payments or taxes or for investigating Medicaid fraud. 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? Yes. The freeze applies only for the purpose of extending credit.

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 law on security freezes in **Tennessee** goes into effect on January 1, 2008. The legislation authorizing the placement of a security freeze is House Bill 200.

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