

## Notification of Rights for Texas Consumers

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The Texas Business and Commerce Code requires that Texas consumers be given notice of their rights with written disclosure. You have the right to obtain a copy of your personal credit report. You have the right to dispute information in your credit report that you believe is inaccurate. You may dispute online, or by calling the toll-free number or writing to the address on your credit report. The account name and number and a specific reason why you believe the information is inaccurate should be included.

You have a right to place a fraud security alert statement on your credit report that alerts anyone who reviews your credit information that your identity may have been used without your consent and requests that the reviewer verifies your identity before issuing credit. If an alert is added, approvals of credit, rental housing, insurance, employment, etc. requested by you may be delayed or rejected. Consumers who add a 90-day security alert may request a complimentary copy of their report. To remove a security alert, the consumer must submit the request in writing.

You also have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing any information in your credit report without your express authorization, except to those with whom you have an existing account or a collection agency acting on behalf of the existing account, for purposes of reviewing (account maintenance, monitoring, credit line increases and account upgrades and enhancements) or collecting the account. Your information may be used for the purposes of prescreening as provided for by the federal Fair Credit Reporting Act, even if a security freeze is on the report. A security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent; however, using a security freeze may delay, interfere with, or prohibit the timely approval of any subsequent requests or applications regarding a new loan, 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.

Requests for a security freeze should be submitted via certified mail, and must include all of the following: a copy of a valid police or investigative report or complaint made under Section 32.51, Penal Code; your full name including middle initial (and generation such as JR, SR, II, III); current mailing address; date of birth (month/date/year); and previous addresses for the past two years. Include one copy of a government issued identification card, such as a driver's license, state ID card, military ID card, etc.; **and** one copy of a utility bill, bank or insurance statement, etc. Make sure that each copy is legible, displays your name and current mailing address, and the date of issue (statement dates must be recent. Send **copies** of any documents you wish to provide to us and always retain your original documents.

Within five business days of receiving the request, Experian, Equifax and TransUnion will add the security freeze, and within ten business days, will mail you a confirmation letter with a personal identification number (PIN) that will be required to temporarily lift or to remove the freeze. You may request in writing a replacement PIN by submitting via certified mail all of the information required for the initial security freeze.

To temporarily remove a security freeze to apply for credit or for any transaction that requires that another party access the consumer's credit report, log on or call then enter your identification information and PIN. To temporarily remove a security freeze for a specific party, provide your PIN to the party you wish to grant access to your report.

To permanently remove a security freeze, go online or call Experian, Equifax and TransUnion. You also may write to and provide all your identification information and PIN. If you write, always include a copy of your personal identification information and proof of your address as specified in this letter. The fee for permanently removing a security freeze is \$10.83, including tax. There is no fee for victims of identity theft who provide a valid copy of an identity theft report filed with a law enforcement agency. Mail the requested information and payment to the address above.

Texas consumers have a right to file action in court to enforce an obligation of a consumer reporting agency. Or, if agreed to by both parties, after the consumer has followed the normal dispute procedures and received their notice of the results of the investigation, the matter may be submitted to binding arbitration in the manner provided by the rules of the American Arbitration Association.

#### **TEXAS SECURITY FREEZE INFORMATION**

Any consumer in Texas may request a security freeze in writing by certified mail to the consumer reporting agencies. The consumer reporting agencies shall not charge a fee to victims of identity theft for placing, temporarily lifting, or removing a security freeze on their credit report. For all other consumers, a \$10 fee will be applied to place, temporarily lift or remove a security freeze on their credit report. A \$12 fee may be charged for the release of a credit report to a specific person. A security freeze prohibits, with certain specific exceptions, the consumer reporting agencies 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 agencies.

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 credit file cannot be shared with potential creditors or potential identity thieves. A security freeze can 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.

**How do I place a security freeze?** To place a freeze, you must write to one of the three consumer reporting agencies listed below. Each consumer reporting agency charges a \$10 fee, unless the fee is waived because you are an identity theft victim. To prove you are a victim (and to avoid the fees,) you must send a copy of a report of alleged identity fraud or an identity theft passport to each of the consumer reporting agencies.

Write to one of the 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

You must:

- Send a letter by certified 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, to avoid the fee you must include a copy of report of alleged identity fraud or an identity theft passport;
- Pay the fee 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?** 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 temporary period of time or a specific party. 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.
- 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 to a specific party, you must specify 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 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 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](http://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 Texas** is Senate Bill 222, passed in 2007.

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