

## Notification of Rights for Virginia Consumers

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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. 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 gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, 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 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 or for a specific party 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 or the specific party for which the report shall be available.

A consumer reporting agency must authorize the release of your credit report no later than three business days after receiving the above information. After September 1, 2008, a consumer credit reporting agency must authorize the release of your credit report no later than 15 minutes 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 credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have a right to bring civil action against anyone, including a consumer reporting agency, who improperly obtains access to a file, knowingly or willfully misuses file data, or fails to correct inaccurate file data. Unless you are a victim of identity theft with a police report to verify the crimes, a consumer reporting agency has the right to charge you up to \$10 to place a freeze on your credit report.

## VIRGINIA SECURITY FREEZE INFORMATION

Effective July 1, 2008, any consumer in Virginia may place a security freeze on his or her credit report by making a request by certified mail to each consumer reporting agency. Another method to make the request, such as phone or Internet, can be used only if the consumer reporting agency has authorized that method. The consumer reporting agency may not charge a fee to identity theft victims for placing or using the security freeze. To avoid paying a fee, victims must send a copy of a police report about the identity theft. Individuals who have not been victims of identity theft pay a fee of \$10 per person, per consumer reporting agency, to place the freeze. The Virginia statute does not mention any other fees.

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. How do I place a security freeze? To place a freeze, you must contact each of the three consumer reporting agencies by mail, or if the consumer reporting agency offers this channel, then you may choose phone, fax, or Internet.. Each consumer reporting agency may charge a \$10 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 report covering 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 or use another method such as phone or Internet if offered by the consumer reporting agency;
- If you are a victim of identity theft, you must include a copy of your police report.
- 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 the security freeze to be placed after I request it?** The consumer reporting agency has one business day to place the freeze after receiving your request. The consumer reporting agency can take up to ten (10) business days to send you a confirmation with your unique PIN (personal identification number) or password to use when you want to temporarily lift the freeze. 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 temporarily. The Virginia statute doesn't say whether you can do this only for a specific period of time or also for a specific creditor. To temporarily lift your security freeze:

- Contact once or more consumer reporting agencies (the creditor may be able to tell you which CRA it uses).
- You may make your request by mail, or if the CRA has procedures for it, by phone, fax, or Internet.
- Provide proper identification.
- Provide your PIN.
- State whether you want the report available to all for a specific period of time and if so give the length of time.
- If you want your credit reporting file to be available only to one specific creditor, also give the name of the creditor.

**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 by mail, and no more than 15 minutes after receiving your request by an electronic contact method chosen by the consumer reporting agency.

**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 new creditor get my credit score if my file is frozen?** No. A potential new creditor who requests your file after it is frozen will only get a message or a code indicating that the file is frozen. Your current creditors will still be able to check your file.

**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. For example, 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. 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 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 you want to freeze your file for more than one person in the same household, each person must make their own request and pay a separate fee.

**Will a freeze lower my credit score?** No.

**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 offers that are made through the use of consumer reporting agencies.

**What law requires security freezes?** The law on security freezes in Virginia went into effect on July 1, 2008. The law authorizing the placement of a security freeze was passed as H 1311.

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