



Region Legal Service Office, Mid Atlantic Legal Assistance Department

Fair Credit Reporting Act (FCRA)

1. Your credit reputation is protected by the **Fair Credit Reporting Act** (“FCRA”), a federal law that regulates the collection and reporting of consumer credit information by consumer reporting agencies (“CRAs”) and the use of consumer credit reports by lenders, landlords, employers, and others.
2. **Free Credit Report:** Under the FCRA, you are entitled to a free credit report from each of the nationwide CRAs (Experian, Trans Union, and Equifax) once during any twelve month period. You can obtain the form for requesting your free credit reports at www.annualcreditreport.com.
3. **Set an alert to prevent or address identity theft:** You can place a 90-day fraud alert (initial alert) or a 7-year fraud alert (extended alert) on your account (note that state law may also provide for a permanent fraud alert). Additionally, servicemembers can place an active military duty alert. To place a fraud alert, contact one of the three nationwide CRAs, and each CRA is obligated to inform the others about your request. Read more at the following link: <http://www.consumer.ftc.gov/articles/0275-place-fraud-alert>.
4. **Credit reports can only be obtained for permissible purposes:** Permissible purposes include a credit transaction, employment screening, or tenant screening. If your report is pulled for an impermissible purpose, you can sue.
5. **You are entitled to an “adverse action” notice if you are denied credit, insurance, or employment based on a credit report:** The notice must identify the nature of the action taken, the identity of who has taken the adverse action, and the address of the CRA that reported data on which the adverse action was based.
6. **You can dispute inaccurate information on your credit report:** Dispute inaccurate information by sending a letter to the CRAs (certified, return receipt requested) that identifies the nature of your dispute and attaches documentation supporting your dispute. Copy the credit furnisher (the business reporting the inaccurate info) and keep copies of all this for your records.
7. **If you dispute inaccurate information, the CRA must conduct a reasonable investigation of your credit dispute:** The CRA must respond to your letter within 30 days. If your dispute is not resolved, you may have legal recourse and should seek qualified counsel.
8. **A credit furnisher (such as a mortgage lender, credit card company, or other lender) must conduct a reasonable investigation of your credit dispute:** They must review all relevant information in their file, report their results to the CRA, and delete or modify inaccurate information. If your problems persist due to the credit furnisher’s unreasonable investigation, you can sue.
9. **If the FCRA is violated:** You may be entitled to recover your actual damages, statutory damages of up to \$1,000, punitive damages, and your attorney’s fees and costs. Under the FCRA, you can recover for damage to your credit reputation, time spent correcting errors, invasion of privacy, frustration, humiliation, and other emotional-distress type harms.

This handout is for information purposes only and is not intended to be legal advice. If you need legal advice and assistance you may see legal advice from your Legal Assistance Office. Legal Assistance Offices can be located at <http://legalassistance.law.af.mil/content/locator.php>