

CONSUMER ACTION NEWS

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Specialty Consumer Reports

Dossiers that can determine your future

By Ruth Susswein

A myriad of companies, organizations and government entities are collecting information about us, storing the details in databases and creating dossiers on us. Often, this information is gathered so that companies can learn as much as possible about its customers in order to reduce a company's risk.

Most people know about credit reports, used by lenders to vet loan applicants. It may, however, surprise many people that businesses want to know our medical, tenant, criminal histories—and more. This information is compiled and packaged into “specialty consumer reports” accessed by various segments of industry, from marketers to insurers to wireless service providers.

‘Insider’s Guide’

With this issue, Consumer Action is releasing two new, free consumer resources focusing on

specialty credit reports.

The *Insider’s Guide to Specialty Consumer Reports* (bit.ly/specialty_report_guide) is a guide to obtaining, understanding and managing your information. The 27-page guide, broken down by category of information, provides:

- The name of each specialty bureau
- What kind of information is listed
- Source of the data
- What kind of companies buy the reports
- When to order a free copy of your report
- Options for limiting data collection

Our *Directory of Specialty Consumer Reporting Agencies* (bit.ly/specialty_report_directory) provides an at-a-glance listing of reporting agencies, contact information and report ordering and dispute instructions.

What’s so ‘special’?

As most of us know, credit re-

ports are maintained on millions of individual consumers by the Big Three credit bureaus (Equifax, Experian and TransUnion). Credit reports record your borrowing and payment history on loans, mortgages and credit cards and are used by companies to gauge the likelihood you’ll repay extensions of credit.

In similar fashion, businesses subscribe to specialty consumer report services to assess the risk of doing business with prospec-

tive customers, tenants and employees:

- Before agreeing to write a homeowners policy, property insurers buy claims reports to learn about the claims we’ve filed on our cars or homes.

- Employers buy background reports to screen drivers for motor vehicle insurance claims and driving records, and check applicants’ dependability, criminal background, education and prior salaries.

- Landlords order reports to

See “Dossiers” on page 4

Web Bonus

More stories and resources online! (bit.ly/specialty_reports_issue)

- Major bank limits use of ChexSystems as screening tool
- ‘Blacklisted’ on ChexSystems? You might have some options
- Medical specialty reports: Decoding your data for insurers
- Alternative credit reports: Options for the ‘credit invisible’
- Insider’s Guide to Specialty Consumer Reports
- Directory of Specialty Consumer Reporting Agencies

Our experiences ordering free specialty reports

By Alegra Howard

In order to accurately describe the process of ordering specialty consumer reports, Consumer Action staffers requested their own consumer files from a variety of specialty reporting companies.

Collectively, we found that it was a time-consuming process and resented the requirements to disclose personal information that we normally wouldn’t freely share, especially in light of the very limited details available in the files when received.

We requested our personal consumer files from the following eleven companies: Clarity, CLUE (LexisNexis), CoreLogic SafeRent, Insurance Information Exchange (IIE), LexisNexis, Medi-

cal Information Bureau (MIB), MedPoint, Milliman IntelliScript, TeleCheck, Retail Equation and The Work Number. There are a few ways consumers can request a report: by phone, online or by mailing in a completed request form. Request forms can be found on each company’s website—find contact information in our *Directory of Specialty Consumer Reporting Agencies* (bit.ly/specialty_report_directory).

In order to receive a report, consumers must verify their identity, which involves providing either a Social Security number (or part of the number), past addresses and copies of ID cards, including a driver’s license, passport or Social Security card.

Milliman IntelliScript, a provider of prescription drug his-

tory reports, allows consumers to email their request with past address information and the last four digits of an SSN. Within just a few hours, a password-protected consumer file was emailed back (though only to explain that they did not have a consumer record on file for us).

In the end, eight of the 11 companies did not have files on the staffers who requested them. However, CoreLogic SafeRent, LexisNexis and Retail Equation sent reports that included personal data about individual staff members.

Once a request was submitted to a specialty reporting bureau, either by mail, online or by phone, it usually took 10-12 days to receive a file or a notification explaining that a consumer report does not exist. In most cases, instructions were included to dispute information along with a summary of the Fair Credit Reporting Act (FCRA), the federal law that regulates

consumer reporting agencies.

The Retail Equation, a company that provides retail return history reports, took a bit longer than average to send its report. Our staffer requested her Retail Equation file via email, received an email response explaining requests had to be made by phone, and was then told she would receive the report via email within two days. Two weeks and several phone calls later, she finally received a hard copy via snail mail.

The Retail Equation’s report documented one return made to a national sporting goods store several years earlier. However, our staffer acknowledges making numerous returns to a variety of retailers as the majority of her retail purchases are made online. She was surprised that more of her return activity was not documented in her file.

The other reports received by staffers varied in content. CoreLogic SafeRent reports showed

See “Experiences” on page 3

Consumer Action www.consumer-action.org

Consumer Action has been a champion of underrepresented consumers nationwide since 1971. A non-profit 501(c)(3) organization, Consumer Action focuses on financial education that empowers low- and moderate-income and limited-English-speaking consumers to financially prosper.

By providing financial education materials in multiple languages, a free national hotline and ongoing financial services research, Consumer Action helps consumers assert their rights in the marketplace and make financially savvy choices.

Advice and referral hotline

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Chinese, English and Spanish spoken

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Accessing consumer reports is your right

What you don't know may hurt you

By *Alegra Howard*

Ignorance is bliss in many cases in life—but not when it comes to the information companies compile and share about you. Whether it's a traditional credit report or a specialty consumer report, under federal law—the Fair Credit Reporting Act (FCRA)—you have a right to know what information is collected about you and to once a year request a free copy of your consumer report. You also have the right to dispute any inaccurate information you find in these reports.

Adverse action

In addition to a free annual report, the FCRA says if your application for a rental home, insurance policy, loan or job is denied because of information in a consumer report, you can request a free copy of the report used as the basis for the denial, as well as the consumer reporting agency's name and contact information.

By law, a bank or insurance company must provide you with the information you need to request a free report. You must ask for a free copy of the file within 60 days of a denial (adverse action). Consumers are advised to check the report carefully to ensure that the information is accurate. One in five reports contain big and small mistakes, according to a study by the Federal Trade Commission (FTC).

Disputing an error

If you spot an error in your consumer report, you have a right to dispute the inaccurate information. See our directory (bit.ly/specialty_report_directory) for details on where and how to file a dispute with each specialty bureau.

While not required, it's a good practice to contact the specialty reporting agency as well as the company that originally provided the wrong information. (These companies are called “furnishers.”)

For example, if ChexSystems has inaccurate information from Walmart that you bounced three checks in the past five years, you should contact ChexSystems as well as Walmart to correct the mistake. ChexSystems is supposed to forward the dispute to the furnisher, in this case Walmart, but it's a good idea to contact the furnisher yourself. Under FCRA, both companies—the consumer reporting agency and the furnisher—are required to investigate consumer disputes, review any documents the consumer provides and correct mistakes. But persistence by the consumer often is required.

Once you file a dispute, the reporting agency typically has

30 days after they receive it to investigate your claim and correct any mistakes. You may—but are not required to—provide copies of documents that support your side of the dispute. (See the FTC's sample dispute letter: bit.ly/dispute-errors.) It's a good idea to send letters of dispute by certified mail with a return receipt requested so that you'll have proof that your dispute was received.

If the agency does correct your personal file as a result of your dispute, it must provide you with a free copy of your updated consumer report. (This free corrected report is in addition to the free report you are entitled to annually.)

If you ask, the consumer reporting agency must send notices of any corrections to any entity that received your report in the past six months. You can have a corrected copy of your report sent to anyone who received a copy during the past two years for employment purposes.

If your dispute remains unresolved, you can add a 100-word statement to your record that briefly explains the ongoing problem. You also have the right to contact an attorney—the FCRA provides for damages from inaccurate data that can be shown to have affected your life and prospects. Many attorneys who specialize in FCRA violations take cases without upfront fees (contingency) if they believe the case will be successful.

Freeze your file

Under the FCRA, those who want access to your consumer report must have a “permissible purpose.” This would include evaluating you for offers of credit, insurance, employment or housing. In some cases, consumers can prevent their data from being shared with third parties by placing a “security freeze” on their file. A security freeze prevents access to the information in your consumer report without your permission. Placing a security freeze may help prevent fraud and misuse of your personal data by giving you more control over your information.

Depending on your state's law, it may cost you up to \$20 each time you place or remove a security freeze from your file. Usually it's free for victims of identity theft or seniors 65 and older. Placing a security freeze on your report not only limits others' ability to review your record, but it could also limit your ability to quickly apply for instant credit and loans by extending the time needed to approve applications for credit, cell phone service, rental housing, insurance or other loans that rely on consumer reports for approval. However, you can lift the freeze when you want to apply for new credit.

Companies we found that allow consumers to freeze their records include: SageStream, LLC (free), Innovis (fee depends on state—up to \$20), L2C (free), ChexSystems (free), Clarity (free), Teletrack (free), LexisNexis (fee depends on state), CLUE/LexisNexis (fee depends on state), CoreLogic SafeRent (free), NCTUE (fee depends on state—up to \$12) and LeasingDesk/RealPage (fee depends on state). See our guide for details (bit.ly/specialty_report_guide).

Access issues

Usually, anyone who wants to access your credit report must obtain your consent. Lenders and insurance companies typically obtain consent to access your credit and financial history as part of the application process. Under the FCRA, prospective employers, landlords or home leasing agents who want to conduct a background check or check your credit or consumer files must obtain your express consent. Many people consent because, while they value their privacy, they don't wish to lose an opportunity by withholding permission.

The majority of background check companies we reviewed explained that consumers would not be able to access their report before applying for a job or housing. This is because, in most cases, the report doesn't exist until a company is hired to supply one. LexisNexis is an exception because it can pull together all identifiable information about you from its vast databases to create your public record file and two kinds of insurance reports (CLUE auto and property reports).

Medical information

Many of the medical specialty bureaus we reviewed must adhere to another federal law intended to protect consumers' personal information: the Health Insurance Portability and Accountability Act of 1996 (HIPAA). In this era of digital correspondence, HIPAA requires consumers to specifically authorize what type of medical records they want shared, who is allowed to share the records and who is authorized to receive the information. But this doesn't mean you have much control—to see a doctor or to use your health insurance benefits you are pretty much forced to authorize access. See our Web Bonus article “Medical specialty reports: Decoding your data for insurers” (bit.ly/medical-reports).

In data reports, accuracy is crucial, because significant decisions about you—financial and otherwise—often are based on the information in these files. Errors can cost you hundreds of dollars a year in premiums, restrict you from writing checks, block you from having “postpaid” mobile phone service or even prevent you from earning a living. Taking the time to check these reports can help you avoid problems in the future. ■

Your banking history can come back to haunt you

By Monica Steinisch

As much as you might like to leave past banking mistakes in the past, a handful of widely used databases ensure that consumers' every banking misstep continues to dog them for years. Account verification and check verification reports reveal how consumers have managed their checking and savings accounts over the years. Even a single significant transgression can make it difficult or impossible to open a new bank account or pay by check, at least for a while.

Banking reports

Banking reports fall into two categories: account verification reports, used by financial institutions to determine whether to approve an application to open a new checking or savings account, and check verification reports, used by merchants to determine whether it's safe to accept a consumer's check.

Account verification reports. ChexSystems is, by far, the most widely used account verification report—80 percent of U.S. financial institutions consult ChexSystems before opening a new account. Banks and credit unions that subscribe to ChexSystems report account problems to the agency and request reports on consumers who apply for a new account. Banks say they use the reports to avoid financial losses from account fraud, unpaid fees and overdrafts.

Typically, ChexSystems records only negative activity, so simply having a ChexSystems report is a red flag to financial institutions, although victims of identity theft and account error also find themselves tagged with a negative file. A ChexSystems report includes data on bounced checks, ac-

counts closed by the bank due to abuse or fraud, negative account balances and whether those balances have been repaid. (Simply overdrawing your account briefly isn't enough to land you in the ChexSystems database.) The report also contains information on how many accounts you have applied for in the last 90 days, checks you've ordered in the last three years and whether you've reported a debit card lost or stolen.

Early Warning is the other account verification report. It bills itself as a fraud prevention service, and also provides check verification services. Many banks and credit unions subscribe to both ChexSystems and Early Warning.

Check verification reports. Certegy Check Services and TeleCheck are the two main check verification reporting agencies. They both tell subscribing merchants if a check presented for payment is likely to bounce or be fraudulent. Results are based on a consumer's check writing history and patterns compared to other consumers. The merchant decides whether to accept or reject a check. Merchants have varying degrees of risk tolerance, so your check could be accepted by one merchant and rejected by the one next door.

Rightly or wrongly, reporting agencies make their predictions about the likelihood of check fraud by correlating transaction data about you, such as where you shop and what you buy, with

“red flags” for fraud. These red flags include where fraudsters tend to shop, what they usually buy and how much they typically “spend.” These predictions do not take into account your credit history. Account and check verification reports have no effect on your credit scores.

Checking your reports

Under the Fair Credit Reporting Act (FCRA), you are entitled to one free report per year from

Free brochure

In addition to our new *Insider's Guide to Specialty Consumer Reports* and companion directory, Consumer Action offers other materials that explain the types of specialty reports available, what rights and protections consumers have and how to make the most of these specialized files.

See our “Consumer Reports and Specialty Reports” brochure (bit.ly/specialty-brochure). The brochure is part of Consumer Action's free Credit Reports, Credit Scores and Specialty Reports training module.

The brochure is available in Spanish, Chinese, Korean, Vietnamese and English.

any credit or specialty reporting agency (plus another free report if there's been an adverse, or negative, action against you or you dispute an item in the report and a correction is made). However, ChexSystems told us that the company does not limit consumers to one free report per year.

Reasons to request a report include being denied a checking or savings account, having your check refused by a merchant, and knowing or suspecting that you're a victim of identity theft. To learn how to request these free reports, see our directory (bit.ly/specialty_report_directory).

Tip: Avoid revealing any more information than is required to identify yourself for each request.

Many agencies ask for additional, nonessential details just to collect more information about you for their databases. For example, the agency doesn't need to know where you work, so avoid revealing your employer.

You may be able to avoid the whole report ordering process if you simply want to know why a particular check was declined. Both Certegy (866-543-6315) and TeleCheck (800-366-2425) will answer that question by phone. Certegy also allows you to do a “Declined check lookup” online (bit.ly/10wDdA4). Certegy provides a reason code ranging from 1 to 5. Each number reveals the general reason for a rejection. For example, a “1” indicates there is negative information in your file, while a “2” means there is no negative data but there might be insufficient information or your check amount exceeded a predetermined limit. A “3” means your ID or check information did not meet guidelines. TeleCheck assigns its own set of codes.

Like the major credit bureaus, ChexSystems converts the information it has about you into a score and offers it for sale.

The ChexSystems QualiFile score combines the data in your ChexSystems report with data from traditional credit reports and other sources (LexisNexis Personal Reports, for example) and boils it all down to a number between 100 and 899 that reflects your level of risk to a bank. The higher your score, presumably the more likely you are to be a responsible bank customer in the future.

Having a lower score doesn't mean you won't be able to open a bank account, but it could mean higher fees or more restrictions, like limited check-writing privileges or no debit card. Each bank decides its risk level qualifications.

Consumers can purchase a ChexSystems QualiFile score for \$10.50 (bit.ly/1u1qscu). ■

Experiences

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inquiries from a rental leasing agency and a preschool where the family had applied for enrollment.

LexisNexis provided the most comprehensive reports to two staffers. The LexisNexis Accurint background report included an impressive list of past mailing and email addresses, a marriage license, purchase activity (which did not seem accurate), real estate transactions (including one that was inaccurate) and a record of one staffer's commonly used pseudonym.

In the letter that accompanied the LexisNexis Accurint report, the company states it does not verify its data, nor is it possible for them to correct inaccurate information. The Consumer Action staffer called to ask a cus-

tommer service rep “Why would you want to collect and compile inaccurate information?” The LexisNexis representative did not have an answer other than “That's what we get from the sources.” The company allows consumers to add information to their Accurint file but not change the data collected.

By law, a consumer reporting agency must verify disputed information and correct errors, but as a data broker, LexisNexis does not believe that all of its reports are subject to the Fair Credit Reporting Act consumer protection law. (LexisNexis sells dozens of different specialty reports.) While LexisNexis supplies consumers with a free Accurint background report, it maintains that some of its reports do not technically fall under FCRA rules, meaning the company believes it does not have to supply free reports nor correct errors. (LexisNexis CLUE

insurance reports do follow FCRA rules.)

Nevertheless, LexisNexis finalized a class action lawsuit in September that said it had violated FCRA requirements in its handling of Accurint report requests and consumer disputes.

The 31,000 consumers who sued the company for providing reports to debt collectors without following FCRA rules will share in a \$13.5M settlement. LexisNexis will also provide free access to Accurint Collection reports and observe dispute rights under FCRA. For more details on the case, visit bit.ly/1vUBk Wu.

When seeking information from LexisNexis, we recommend requesting a free “full file disclosure” report, which should contain all information the company collects about you.

LexisNexis offers a helpful Frequently Asked Questions sheet

with answers to questions like “Who has access to information about me?,” “What information is provided to the company?,” etc. It also included a helpful resource sheet that identified which government agencies (with contact information) oversee various types of businesses (banks, airline carriers, investment brokers, etc.).

Clarity, a payday/subprime lending report provider, also included useful language in its “How to Read Your File Disclosure” pamphlet. The pamphlet explained commonly used codes and acronyms. Though no information was available on our staffer, the headers in the report clearly showed the kind of information collected: outstanding loans (auto, credit card, payday, etc.), loan balances, summary of charge-offs (bad debts) and

“Experiences” continues on page 4

Do you have a CLUE?

By Monica Steinisch

One of the least known specialty reports included in Consumer Action's new directory is the CLUE (Comprehensive Loss Underwriting Exchange) report. CLUE is a personal property claims database that generates reports for insurance companies to allow them to evaluate and price (underwrite) insurance policies. Information in the report includes your previous homeowners or auto insurance claims (date, type and cost of the loss).

What you might not expect to find in the report is information about losses that you did not make a claim on. The reality is, if you contact your insurance company or agent to discuss coverage on a specific loss—even if you decide not to file a claim—the incident could be included in a CLUE report. Inquiries are generally not included in the report, but can end up there if the inquiry is about an actual loss that could, potentially, become a claim. Claims that are filed but denied payment will also be in the database.

Information stays in your CLUE report for seven years (others' requests for your report remain for two years), which could make it difficult for you to get insurance or renew your policy, or cause you to pay more for coverage.

Note: To avoid the "ding" of an inquiry on your CLUE report, it's important to speak to your insurer only in general terms unless you plan on filing a claim. You might even tell the agent or representative directly that you are only making an inquiry, or otherwise make clear that the loss you are asking about is purely hypothetical. Once you disclose that a loss has occurred, it could end up included in your report. Some states, like California, prohibit insurance companies from using your coverage inquiries as the basis for negative, or adverse, action for homeowners insurance.

Under the federal Fair Credit Reporting Act, you're entitled to a free copy of your CLUE report. Call 866-312-8076 to use an automated ordering system, or visit <https://personalreports.lexisnexis.com> to order online. Required information includes your Social Security number and date of birth, along with your current and former addresses (if you have lived in your current home for less than five years) and your driver's license information. ■

Dossiers

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check for evictions, criminal records, credit history and bounced checks.

- Niche providers serve specific industries. Retail Equation alerts large retailers to consumers' product return patterns in order to help stores prevent fraud. Payday lenders order Clarity reports for bank account history and loan balances, and order FactorTrust reports to verify employment and income.

Some of the most common types of specialty consumer reports include: medical and prescription history, insurance claims, tenant history, bounced check history, utilities payments and employment/background screening.

There also are alternative credit history reports that allow consumers with no—or limited—credit histories to record bill payments and build a "nontraditional" payment history to help

them qualify for credit. (See our Web Bonus article, "Alternative credit reports: Options for the 'credit invisible'" (bit.ly/alternative_credit).

Information in specialty reports may be used to decide whether you will get certain jobs, the price you pay for insurance (life, disability, homeowners and auto), your eligibility for a checking account and your ability to rent a place to live.

The data in specialty consumer reports is drawn from a myriad of sources—from public agencies (courts, motor vehicles departments, taxing authorities) to details you provide to financial services companies, lenders, employers, landlords, wireless phone companies and insurers.

Unfortunately, the reports often contain errors. You have a right to view and correct errors in many of these reports. In most cases, you have a right to be notified when information in one of these reports is relied upon to make an adverse decision about

you. (This, however, is not true for some companies that collect and share data because they don't technically fall under Fair Credit Reporting Act (FCRA) rules.)

When to order a report

Before applying for an individual insurance policy, job or rental you might want to look at what's being reported about you.

As the Consumer Action team that worked on our report found, ordering a copy of your specialty reports isn't always easy.

Sometimes you have to provide an uncomfortable amount of personal information before you receive a report. And sometimes you go through the motions just to find out there isn't anything about you on file. This could be because you haven't applied for individual life or health insurance in the last seven years, no public records about you exist or the companies you've done business with don't report to any specialty bureaus.

Ordering specialty reports can be a worthwhile but time-consuming process. Allow enough time for ordering and error correction.

There are certain situations when ordering one or more of these reports makes sense.

Before applying for an individual life, long-term care or disability insurance policy, you may want to see if you have a report at the Medical Information Bureau (MIB) because your insurance eligibility and rates could be affected. MIB collects information on serious medical conditions for insurers. (Obama-care—the Affordable Care Act—prohibits discrimination on the basis of pre-existing conditions for *medical* insurance.)

If you have plans to rent an apartment (particularly if you have a history of not paying your rent), order a tenant history report before applying for a new place.

If you've been a victim of identity theft, review credit reports from each of the Big Three credit bureaus and the most widely used specialty reports. Reviewing these reports might help you spot any incidence of fraud and enable you to correct inaccuracies that could negatively impact you.

Under the Fair Credit Reporting Act, you are entitled to a free report from each bureau once a year for informational purposes, and another free report if you

were charged a higher rate or denied credit, insurance, a bank account, an apartment or a job.

You are also entitled to review an updated report (for free) after you have disputed inaccurate information and it has been corrected.

In some cases, you will have the right to limit others' access to these specialty reports by placing a "security freeze" on your file.

See "Accessing your report is your right" on page 2 for more information about ordering free reports and freezing your file. ■

Experiences

Continued from page 3

collection accounts, application denials, and codes that track past-due accounts by the number of days a payment is late.

On the other hand, CoreLogic's SafeRent consumer report was repetitive and confusing. Consumers would benefit from a supplemental key to help explain the file. The same page headers were repeated on several otherwise blank pages, which we took to mean no records were found. Identifying information, including names and multiple previous addresses, were included. CoreLogic ran a staffer's name through several court and sex offender databases through a service called Crimcheck America, and unsurprisingly returned nothing.

Consensus from staff members who ordered their own reports was that the disclosures did not justify the amount of effort it took to request the files. They anticipated much more content would be included in their personal records. Ironically, all were concerned that they provided far more private, identifying information to companies in order to get a free report than they would have typically shared with unfamiliar entities. If anything, the specialty reporting company gained information from these consumer requests that allowed them to add and/or verify personal information.

While there are instances that warrant requesting a specialty report, we caution against requesting reports simply out of curiosity because you have to give a lot to get a little. In the request process, staff confirmed current and previous addresses, Social Security numbers and other personal information the agencies may not previously have had on record but will certainly keep on file.

Order specific specialty reports when there is a suspicion or knowledge of identity theft, prior to applying for individual life, long-term care or disability insurance policies, when a specialty report has been the source of inaccurate or outdated information, or when you receive an adverse action notice after being denied credit, insurance, a loan, a rental home or employment. ■



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