

- age (as long as you are old enough to sign a binding contract)
- your source of income, whether part-time work, retirement benefits, or public assistance
- your exercise of rights under federal consumer protection laws.
There are also several laws that prohibit discrimination based on disability. In most cases, creditors are not even permitted to ask about this information.

What can I do if I feel that I have been denied credit for discriminatory reasons?

If you are denied credit, you have the right to be told the specific reasons for denial in writing. You should ask for the reasons within 60 days after you are told that your application for credit was denied. The statement of the reasons will also tell you what federal agency to complain to if you still feel there has been discrimination. You may also be able to sue for damages.

What should I do if I feel that my credit rights have been violated?

If a credit reporting agency, creditor, employer, or insurance company violates the laws about credit reports, you can complain to the Federal Trade Commission, Fair Credit Reporting Act Division, Sixth and Pennsylvania Avenues, Washington, D.C. 20580, telephone (202) 326- 2222, extension 6.

To complain about credit discrimination, contact the federal agency that is listed on the statement of the reasons you were denied credit. You can also sue for damages if the laws about credit reports or credit discrimination have been violated.



Credit Reports & Credit Discrimination

Public Information Pamphlet #7

When can report on my credit rating be given?

How far back can a credit report go?

Can I find out what is on my credit report?

What if I disagree with the report?

REMEMBER. The law often changes. Each case is different. This pamphlet is meant to give you general information and not to give you specific legal advice.

Please use the information found in this brochure carefully since the law is constantly changing and the information may not accurately reflect any changes in the law that occurred following the creation and publication of the brochure.

Pennsylvania Legal Aid Network, Inc.
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Informational pamphlets on other legal topics can be found at



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The Pennsylvania Legal Aid Network of civil legal aid programs provides help for people who have no place else to turn



Credit Reports & Credit Discrimination

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■ **ACROSS THE** country, there are credit reporting agencies (often called credit bureaus) which report on people's credit ratings. These businesses are allowed to do so, but federal law (the Fair Credit Reporting Act) controls how far they can go in their investigations and reports.

When can a report on my credit rating be given?

Your credit report is private. It can only be given out:

- in response to a court order;
- at your request;
- if you have asked for credit;
- for employment purposes, if you give written permission; or
- if it is part of a business transaction or a request for insurance or for a governmental license.

If a person or business denies you credit, insurance, or employment, or increases your cost for credit or insurance, because of a credit report, it must tell you that the credit report is the reason. It also must give you the name and address and phone number of the credit reporting agency that gave it the report.

How far back can a credit report go?

With some exceptions, credit reports cannot go back more than seven years. A bankruptcy filing,

however, can stay on your credit report for 10 years.

Can I find out what is on my credit report?

Yes. With some exceptions, you have the right to be told:

- what information (except medical information) is in your files;
- the sources of the information;
- a list of the people who have received or made inquiries about your credit report within the past six months (and of employers who have received it within the last two years.

You can get this information by phone or in person, or (in most cases) by mail. The credit reporting agency must give you this information free if you request it within 60 days after you have been denied credit or some other benefit.

You can get a free annual copy of your credit report from each of the three nationwide consumer reporting companies - Equifax, Experian, and TransUnion. The free reports are provided for in The Fair and Accurate Credit Transactions Act of 2003 (FACTA), which requires the nationwide credit bureaus to provide consumers with a free copy of their credit report, at their request, once every 12 months. Consumers who want to access their credit report online can go to www.annualcreditreport.com.

What if I disagree with the report?

If you think that there is false or inaccurate information in your credit report, you can take the following steps:

1. Tell the credit reporting agency that you disagree with the information, and why. It is best to do this in writing and keep a copy of your letter. The agency must investigate your claim (unless your dispute is frivolous), and, if it agrees with you, correct the report.
2. If, after investigating, the credit reporting agency thinks its report about you is accurate, you have

the right to make a written statement explaining your side of the story. You should be brief and stick to the facts, rather than using the statement as a way to get even with a creditor you have problems with. The credit reporting agency can limit your statement to 100 words. Whenever your credit report is requested by anyone in the future, it must include your statement, unless your statement is frivolous or irrelevant.

If your credit record is accurate but you would like to include information about other debts you have paid, such as rent and utility bills, you should contact your local credit bureau and arrange to give them this information. This could improve your credit record.

What is an investigative credit report?

Occasionally an insurance company or an employer will request an investigative credit report, which covers not only your credit history but also your character and reputation. The insurance company or employer must inform you within three days after it has requested this type of report.

How can I keep my name off direct marketing lists?

Credit card issuers and insurance firms are allowed to use credit report to make up lists of people to send offers to. If you do not want your name on these lists, you can call the credit bureau and ask for a form to fill out. You can also call the credit bureau to remove your name from these lists at:

1 - 888 - 5OPTOUT (1 - 888 - 567 - 8688)

Are there reasons that cannot be used to deny credit?

Yes. You cannot be denied credit because of:

- race
- national origin
- religion
- sex
- marital status