



LEGAL AID SOCIETY OF HAWAI'I



CREDIT REPORT:

HOW TO CHECK YOUR CREDIT

Getting a copy of your credit report is important because:

- it gives you an idea of what your credit history looks like,
- you can make sure that the information on your credit report is accurate, AND
- you can find out what information credit bureaus have been gathering about you and making available to others.

Adapted from the National Consumer Law Center Inc's. brochure entitled, "The Truth About Credit Reports and Credit Repair Companies."

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What is a Credit Report?

A credit report is a record of what money you have borrowed and repaid. Creditors usually look at your credit report to decide whether or not to grant you credit, such as a credit card or loan. Credit reports are put together by credit bureaus.

What Kind of Information is Included in my Credit Report?

The information found in a credit report usually includes:

1. Identification and employment data;
2. Payment history on your accounts;
3. A listing of all creditors and potential employers who have recently requested copies of your credit report; AND
4. Public record information such as bankruptcies, foreclosures, and court judgments.

Credit reports only include information on your credit history. They do not include personal information such as your income, marital status, salary, checking or savings accounts, medical, history, or criminal record.

Who Can See my Credit Report?

Legally, only certain people are allowed to look at your credit report. They include:

- Creditors, when you apply for credit or for a loan;
- Employers, but only under certain circumstances and only if you give them written authorization (such as on a job application);
- Government agencies, including those trying to collect child support;
- Consumers like you who want to see their own credit report. Other consumers cannot see your credit report.

Anyone asking to look at your credit report must have a valid reason for doing so and must state this reason when requesting your credit report. The name of the person or company requesting your credit report will be recorded on the report requested. If the reason for looking up your report is not valid, they may have violated the Fair Credit Reporting Act and you may have a legal cause of action.

Why Should I Order a Credit Report?

Ordering a copy of your credit report annually is a good idea because it will help you keep track of your credit history. Consumers with any kind of credit history may order a credit report. By ordering a credit report, you can find out what information credit bureaus have been gathering about you and making available to others such as creditors, employers, and government agencies. You can also find out whether “theft of identity” has occurred, where someone uses your personal information as their own for the purpose of getting and using credit under your name. You should be able to get the same files that are made available to others.

Where Does the Information on my Credit Report Come From?

Credit bureaus have two main sources of information: subscribers and public records.

1. Subscribers include banks, credit card companies, retailers, finance companies, credit unions and mortgage lenders.
2. Public records include bankruptcies, tax liens, and court judgments.

How do I Get a Free Copy of my Credit Report?

Everyone is entitled to one free copy of their credit report per year from each of the “Big Three” reporting agencies: Experian, TransUnion, and Equifax. You can request a free copy of your credit report by phone, mail, or online.

AnnualCreditReport.com is an easy-to-use, centralized service that allows people to request their free yearly credit report from all three reporting agencies. To obtain a copy of your credit report from any of the three agencies, you can go to <http://www.annualcreditreport.com> and fill out the online form. Each agency will ask you questions to confirm your identity. If you can answer the questions correctly, you will immediately have access to your credit report.

If you do not know the answers to the identity questions, or if you do not have access to the internet, you can request the report by filling out the request form in this brochure. You can also request a copy of the report via telephone by calling 1-877-322-8228. If you request your report by telephone, you will have to answer some questions to confirm your identity.

AnnualCreditReport.com is the only service authorized by Experian, TransUnion, and Equifax for this purpose. As a security precaution, you should never give out personal information to any other person or organization for the purpose of requesting your free annual credit report.

Annual Credit Report Request Service
P.O. Box 105281
Atlanta, GA 30348-5281
Phone number: 1-877-322-8228
Website: <http://www.annualcreditreport.com>

What Do I Need to Know About Ordering a Credit Report?

If you have already gotten a free copy of your credit report this year, you can still obtain an updated copy; however, you may be charged for it. Credit bureaus will charge you about \$9.00 for a credit report. You may be able to get the report FREE of charge if you meet one of the following requirements:

1. If you were denied credit, employment, and/or insurance within the last 60 days or if you received a notice of any negative decision based on a credit report, the creditor or company that denied your application must tell you what credit bureau provided the information. That agency must give you a copy of your credit report at no charge, if you request it in writing within 60 days of your denial of credit, employment or insurance. See the sample letter provided in this brochure.
2. Recent changes in the Fair Credit Reporting Act also require that one free credit report per year be provided to:
 - a. unemployed persons intending to apply for a job within 60 days;
 - b. anyone on public welfare assistance;
 - c. anyone with reason to believe that the credit report contains wrong information due to fraud, such as forgery or unauthorized access. Anytime fraud has caused an inaccurate credit report, you should request a free report.

What Should I Look For in my Credit Report?

When you get your credit report, look for:

1. errors,
2. old information.

1. Errors:

If you think there is an error, you should fill out a dispute form or write a letter explaining the problem and asking the credit bureau to investigate. See sample letter provided in this brochure. If you have any evidence of the errors, attach copies (not originals). The credit reporting agency may then investigate your report and get back to you, usually within 30 days. (The credit reporting agency may deny your request if they do not think there is an error. If the credit reporting agency denies your request, they must notify you of this decision). The credit reporting agency must notify you within 5 days of completing the investigation and must include a copy of your credit report if it has been revised.

If the problem is not resolved, you may file a written statement (sometimes limited to 100 words) explaining your side of the story.

2. Old information includes:

- Negative credit information older than 7 years, AND
- Bankruptcy information older than 10 years.

Old information should not be included in your credit report.

How Do I Order a Credit Report?

There are three major credit bureaus (the “Big Three”) and many small ones. You should order your credit report from at least one of the “Big Three.” The “Big Three” companies are:

1. Equifax (Equifax has a branch called the Credit Bureau of the Pacific on Oahu that you may also order a credit report from);
2. Experian (formerly known as TRW Information Services);
3. Trans Union.

To order from the “Big Three” companies, you can either call or write them a letter and they will tell you what to do to get a report or you can order a report through their website. See the sample letter and addresses provided in this brochure

Disputing Your Credit Report

If you find any errors or old information, you should dispute your credit report. All of the “Big Three” Credit Reporting Agencies will send you a dispute form whenever you order a credit report. *See the sample dispute letter and addresses provided in this brochure. You can use this letter or the sample provided by a credit reporting agency, or you can write your own letter to dispute your credit report.*

What Should I Know About Disputing my Credit Report?

1. If you choose to write your own dispute letter, it must be no longer than 100 words.
2. Make sure NOT to use a form provided by a credit repair company because credit bureaus may ignore these forms completely (see box on right for information about credit repair companies).
3. Do not dispute everything in your credit report file, unless you have a valid reason to do so. You must state the exact items you want to dispute and include clear reasons for disputing the items.
4. The agency must reinvestigate if your dispute is serious and relevant.

Credit Repair Companies

Credit repair companies are companies that say they can “fix” or rebuild your credit for a fee. There are many things you can do on your own for free to “fix” or rebuild your credit.

BEWARE OF THESE COMMON CLAIMS MADE BY CREDIT REPAIR COMPANIES

Claim: “We can erase bad credit.”

Truth: No one can erase bad credit information from your report if it is accurate.

Claim: “Only we can remove old or inaccurate information.”

Truth: If there are legitimate errors or old information on your report, you can correct the report yourself for free. “**Legitimate errors**” means that the information is wrong, not just that it is information you don’t like. “**Old information**” means credit information older than 7 years, or bankruptcy information older than 10 years.

Claim: “The bad information on your report is accurate but we’ll erase it anyway.”

Truth: If this means lying to the credit reporting agency, it is illegal.

Will Getting a Credit Report Solve my Credit Problems?

NO. Sometimes people get into trouble with credit. These problems will usually show up on your report. The best thing to do if you have credit problems is to start rebuilding your credit and developing good credit habits. If you apply for new credit, shop around carefully and try to get the best terms possible.

What if I Fix the Errors and/or Problems on my Credit Report and I'm Still Turned Down for Credit?

It is possible that you are being illegally discriminated against. It is against the law for creditors to base decisions to extend or deny credit on sex, age, race, color, religion, national origin, marital status, receipt of public income or assistance or the exercising of your rights under consumer protection laws.

Consult an attorney immediately if you think this has happened to you.

Where Can I Go for Help?

Contact the Legal Aid Society of Hawaii or the Office of Consumer Protection, or a private attorney. Useful names and numbers are included at the back of this brochure.

Legal Terms

1. Debt: any money that you have to pay to a creditor or a collection agency (such as dishonored checks, rent, medical bills, utility bills, insurance bills and claims, student loans, and credit cards).
2. Debtor/Consumer: any person who has to pay any debt.
3. Creditor: any person who offers or gives credit, the original party that you have to pay money to.
4. Collector/Collection Agency: a third party employed by an original creditor to collect any money you owe to the original creditor.
5. Credit/Consumer Report: information from a consumer's file that is communicated by a consumer reporting agency to a third party (such as a collection agency).
6. Credit Bureau/Credit Reporting Agency/Consumer Reporting Agency: a person or business who collects certain information for the purpose of furnishing individual consumer reports.
7. Credit Repair Organization: any person who performs or offers to perform (usually for a fee):
 - improving a consumer's credit record, credit history, or credit rating; or
 - providing advice and assistance to a consumer with regard to a consumer's credit record, credit history, or credit rating.

Useful Names and Numbers

Credit Report Agencies

Equifax Credit

Information Services

P.O. Box 105851 Atlanta, GA 3034

1-800-685-1111 www.equifax.com

Experian

Consumer Assistance Center

P.O. Box 2104

Allen, TX 75013

1-888-397-3742 www.experian.com

Trans Union, LLC

P.O. Box 1000

Chester, PA 19022

1-800-888-4213 www.transunion.com

Annual Credit Report – Free (One per year)

www.annualcreditreport.com

Other Agencies

Consumer Credit Counseling Service of Hawaii

841 Bishop Street #1080

Honolulu, HI 96813

532-3225

1-800-801-5999

Department of Commerce & Consumer Affairs

Office of Consumer Protection

235 S. Beretania St. 8th Floor

Honolulu, HI 96813

587-3222

Family Financial Counseling Program, University of Hawaii

Department of Human Resources

Krauss Annex 7

Honolulu, HI 96822

956-6519

REMEMBER: This pamphlet is meant to give you general information and not to give you specific legal advice about your case. The law often changes. Each case is different. For more information or assistance call Legal Aid at 808-536-4302 or 1-800-449-4302 or access additional information at <http://www.legalaidthawaii.org>.

_____ Your Address

_____ Date

_____ Address of credit reporting agency

Dear: _____ Credit reporting agency

Insert your identification information here:

Full Legal Name:

Address:

Social Security Number:

Date of Birth:

Prior address(es) within last 6 years:

I am writing to request a copy of my credit report. Check the box(es) that apply to you

- ☐ I am entitled to a free report because:
- ☐ I was denied credit/ employment (circle one) based on a credit report provided by your agency.
 - ☐ I received a notice of an unfavorable decision based on a credit report provided by your agency within in the last 60 days.
 - ☐ I am currently unemployed but I intend to apply for a job within 60 days.
 - ☐ I am currently receiving public assistance.
 - ☐ I have reason to believe that my credit report contains inaccurate information due to fraud.
- ☐ I am not entitled to a free report so I am enclosing the required fee.

Please send the credit report to me at the above address. If you have any questions, I can be reached at _____.

Include your phone number and best times to get a hold of you.

[ATTACH A COPY OF YOUR PHOTO IDENTIFICATION].

Thank you for your assistance.

Sincerely,

_____ your signature

_____ Your Address

_____ Date

_____ Address of agency

Dear: _____ Agency

Insert your identification information here:

Name:

Address:

Social Security Number:

I am writing to dispute the following item in my credit report: clearly describe the item(s) you are disputing

I dispute this information because: explain clearly why you are disputing the information and attach information (if any) to support your claim.

I request that you delete/correct (circle one) this inaccurate information. Please send a copy of the corrected credit report.

Sincerely,

[ATTACH COPIES (NOT ORIGINALS) OF SUPPORTING DOCUMENTS, IF ANY.]