



Pre-Adverse Action Notification

Date

Applicant Name
Applicant Address
Applicant City, State Zip

Dear Applicant:

A decision is currently pending regarding your application for employment with (Name of Company). We are providing you with a copy of the *Consumer Report* (Background Check) and the document “*Summary of Rights Under the Fair Credit Reporting Act.*” The Consumer Report was authorized by your signature on the Disclosure Notification / Release of Information Form signed during the application for employment process on _____(date). The contents of the enclosed Report are currently under review in consideration of your possible employment with our organization.

You must contact our office within 10 calendar days from the date of this letter¹ if the Consumer Report contains information that is inaccurate or incomplete. If you wish to dispute the accuracy of the information in the report directly with the consumer reporting agency (the provider of the consumer report) you may contact them at:

Background Information Services, Inc.
1800 30th Street, #204
Boulder, CO 80301

Toll Free (800) 433-6010

We will investigate the discrepancy and review the corrected information prior to a final decision regarding your employment.

Sincerely,

Name of Authorized Company Representative
Title of Representative

Enclosure

¹ Employer will afford New York applicants and employees up to 5 business days after receipt of this letter or up to 10 calendar days after the date of this letter, whichever period is longer.

Your Logo Here

Adverse Action Notification

Date
Applicants name
Address
Address

Dear Applicant,

You are hereby notified that [Name of Company] is unable to offer you employment/will terminate your employment effective _____ (date)/has decided not to offer you a promotion, based in whole or in part on information contained in a consumer report, a copy of which was previously given to you.

This action was influenced by information provided by:

Background Information Services, Inc · 1800 30th Street #213 · Boulder, CO 80301 · (800) 433-6010

A credit report or other credit bureau search contributed to our adverse action/decision:

Trans Union Corporation · P.O. Box 1000 · Chester, PA 19022 · (800) 888-4213

Equifax · P.O. Box 740241 · Atlanta, GA 30374 · (800) 685-1111

Experian · 475 Anton Blvd · Costa Mesa ,CA 92626 · (888) 397-3742

The above listed companies did not make the adverse decision and cannot provide specific reasons for our decision.

Under Section 612 of the Fair Credit Reporting Act, you may obtain a free copy of the report within 60 days. Per Section 611 of that Act, you have the right to dispute the accuracy or completeness of the information with the above listed companies. You may be required to submit a written request to obtain this information along with appropriate identification.

As mandated by the Fair Credit Reporting Act, enclosed is a copy of copy of the Summary of Consumer Rights issued by the Federal Trade Commission.

Sincerely,

Decision maker's name

Massachusetts Applicants or Employees Only (this section applies only if the report referenced above is a credit report)

You have the right to obtain a free copy of your credit report within sixty days from the consumer credit reporting agency which has been identified on this notice. The consumer credit reporting agency must provide someone to help you interpret the information on your credit report. You have the right to dispute inaccurate information by contacting the consumer credit reporting agency directly. If you have notified a consumer credit reporting agency in writing that you dispute the accuracy of information in your file, the agency must then, within 30 business days, reinvestigate and modify or remove inaccurate information. The consumer credit reporting agency may not charge a fee for this service. If reinvestigation does not resolve the dispute to our satisfaction, you may send a letter to the consumer credit reporting agency, to be kept in your file, explaining why you think the record is inaccurate. The consumer credit reporting agency must include your statement about the disputed information in a report it issues about you.

California Applicants or Employees Only (this section applies only if the report referenced above is a credit report)

You have the right to obtain a free copy of your credit report within 60days from the consumer credit reporting agency which has been identified on this notice and from any other consumer credit reporting agency which compiles and maintains files on consumers on a nationwide basis. Under California law, you also have the right to dispute with the consumer reporting agency the accuracy or completeness of any information in the report.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) is designed to promote accuracy, fairness, and privacy of information in the files of every "consumer reporting agency" (CRA). Most CRAs are credit bureaus that gather and sell information about you -- such as if you pay your bills on time or have filed bankruptcy -- to creditors, employers, landlords, and other businesses. You can find the complete text of the FCRA, 15 U.S.C. 1681-1681u, at the Federal Trade Commission's web site (<http://www.ftc.gov>). The FCRA gives you specific rights, as outlined below. You may have additional rights under state law. You may contact a state or local consumer protection agency or a state attorney general to learn those rights.

- **You must be told if information in your file has been used against you.** Anyone who uses information from a CRA to take action against you -- such as denying an application for credit, insurance, or employment -- must tell you, and give you the name, address, and phone number of the CRA that provided the consumer report.
- **You can find out what is in your file.** At your request, a CRA must give you the information in your file, and a list of everyone who has requested it recently. There is no charge for the report if a person has taken action against you because of information supplied by the CRA, if you request the report within 60 days of receiving notice of the action. You also are entitled to one free report every twelve months upon request if you certify that (1) you are unemployed and plan to seek employment within 60 days, (2) you are on welfare, or (3) your report is inaccurate due to fraud. Otherwise, a CRA may charge you up to eight dollars.
- **You can dispute inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must investigate the items (usually within 30 days) by presenting to its information source all relevant evidence you submit, unless your dispute is frivolous. The source must review your evidence and report its findings to the CRA. (The source also must advise national CRAs -- to which it has provided the data -- of any error.) The CRA must give you a written report of the investigation, and a copy of your report if the investigation results in any change. If the CRA's investigation does not resolve the dispute, you may add a brief statement to your file. The CRA must normally include a summary of your statement in future reports. If an item is deleted or a dispute statement is filed, you may ask that anyone who has recently received your report be notified of the change.
- **Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files, usually within 30 days after you dispute it. **However, the CRA is not required to remove accurate data from your file unless it is outdated (as described below) or cannot be verified.** If your dispute results in any change to your report, the CRA cannot reinsert into your file a disputed item unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you it has reinserted the item. The notice must include the name, address and phone number of the information source.
- **You can dispute inaccurate items with the source of the information.** If you tell anyone -- such as a creditor who reports to a CRA -- that you dispute an item, they may not then report the information to a CRA without including a notice of your dispute. In addition, once you've notified the source of the error in writing, it may not continue to report the information if it is, in fact, an error.
- **Outdated information may not be reported.** In most cases, a CRA may not report negative information that is more than seven years old; ten years for bankruptcies.
- **Access to your file is limited.** A CRA may provide information about you only to people with a need recognized by the FCRA -- usually to consider an application with a creditor, insurer, employer, landlord, or other business.
- **Your consent is required for reports that are provided to employers, or reports that contain medical information.** A CRA may not give out information about you to your employer, or prospective employer, without your written consent. A CRA may not report medical information about you to creditors, insurers, or employers without your permission.
- **You may choose to exclude your name from CRA lists for unsolicited credit and insurance offers.** Creditors and insurers may use file information as the basis for sending you unsolicited offers of credit or insurance. Such offers must include a toll-free phone number for you to call if you want your name and address removed from future lists. If

you call, you must be kept off the lists for two years. If you request, complete, and return the CRA form provided for this purpose, you must be taken off the lists indefinitely.

- **You may seek damages from violators.** If a CRA, a user or (in some cases) a provider of CRA data, violates the FCRA, you may sue them in state or federal court.

The FCRA gives several different federal agencies authority to enforce the FCRA:

For Questions or Concerns Regarding:	Please Contact:
CRAs, creditors and others not listed below	Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4367 (Toll-Free)
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Board Division of Consumer & Community Affairs Washington, DC 20551 202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Programs Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-518-6360
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Division of Compliance & Consumer Affairs Washington, DC 20429 800-934-FDIC
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 202-720-7051