

State of New Jersey Summary of Consumer Rights

The following is a summary of consumer rights provided by the State of New Jersey. New Jersey's version of the FCRA is found at NJAS §56-11-30 et. seq. New Jersey law does not negate any rights you may have under the federal Fair Credit Reporting Act.

Access to your information is limited. Only those with an authorized reason by law may request information on you. Generally, these reasons fall within the following areas. Credit, insurance, renting of property and employment.

Requests for employment purposes. You must provide your written consent to allow a report for employment purposes. However, the refusal to provide such consent may result in the denial of employment, promotion or other employment action. Further, medical information may only be provided with your consent.

Investigative consumer reports. Reports obtained through personal interviews are investigative consumer reports. You are to be notified that such a report will be obtained and you must provide your written permission. Further, you can request a free copy of the report.

Right to see your information. Companies that provide reports are called consumer reporting agencies ("Agency"). You have the right to contact the agencies to request the following information:

- 1) All information in your file regarding you;
- 2) Sources of all information except some information used for investigative consumer reports may be withheld.
- 3) Identity of each person who received a report in the past year or the last two years for employment purposes;
- 4) Any inquiries in the last year for unsolicited credit or insurance offers.

You must provide proper identification to the consumer reporting agency to obtain information. You can write to the agency for a disclosure or meet in person at the agency's office if arrangements have been made. You can be accompanied by one person of your choice who must also provide proper identification.

Free copies of reports. You may receive free copies of your report of file if you have received an adverse action notice in the last 60 days; you will be seeking employment within the next 60 days; you receive assistance under the Work First New Jersey Programs, or you believe that the consumer reporting agency has inaccurate information regarding you.

You have a right to dispute information. You may contact the agency to dispute any information in your file or on any report. The agency has 30 days to conduct an investigation which can be increased to 45 days if additional information is provided by you to the agency during the investigation. If the investigation results in a change or the deletion of information, you can request that prior recipients of the information be provided corrected reports. If disputed information remains in the report or file, you can provide a statement of dispute which will be placed in your file and will accompany the disputed information any time it is reported in the future. The agency may limit your dispute statement to 100 words if assistance is provided.

You can seek legal relief. As a consumer, you can sue the agency for providing inaccurate information if it has failed to use reasonable procedures. You can recover your actual damages, attorney's fees, and

costs. If there is a willful violation, you may also be entitled to punitive damages and statutory damages in lieu of actual damages in the amount of \$100 to \$1,000.

False representations. Those who request reports for false reasons are subject to punishment as a crime in the 4th Degree and can be assessed damages to the agency.

You may contact the Division of Consumer Affairs and the Department of Law and Public Safety, 124 Halsey Street, Newark, NJ 07101 (973) 504-6200, askconsumeraffairs@dca.lps.state.nj.us to learn more about your rights under New Jersey law.