



Identity Theft Victim Checklist

Tips for Consumers

Consumer Information Sheet 3 • September 2013

This checklist can help identity theft victims clear up their records. It lists the actions most identity theft victims should take to limit the damage done by the thief. For more information, see the Web sites of the Federal Trade Commission at www.ftc.gov/idtheft, the Identity Theft Resource Center at www.idtheftcenter.org, and the Privacy Rights Clearinghouse at www.privacyrights.org.

Report the Fraud to the Three Major Credit Bureaus

You can report the identity theft to all three of the major credit bureaus by calling any one of the toll-free fraud numbers below. You will reach an automated telephone system and you will not be able to speak to anyone at this time. The system will ask you to enter your Social Security number and other information to identify yourself. The automated system allows you to flag your file with a fraud alert at all three bureaus. This helps stop a thief from opening new accounts in your name. The alert stays on for 90 days. Each of the credit bureaus will send you a letter confirming your fraud alert and giving instructions on how to get a copy of your credit report. As a victim of identity theft, you will not be charged for these reports. Each report you receive will contain a telephone number you can call to speak to someone in the credit bureau's fraud department.

Experian	1-888-397-3742
Equifax	1-800-525-6285
TransUnion	1-800-680-7289

Report the Crime to the Police

Under California law, you can report identity theft to your local police department.ⁱ Ask the police to issue a police report of identity theft.

Give the police as much information on the theft as possible. One way to do this is to provide copies of your credit reports showing the items related to identity theft. Black out other items not related to identity theft. Give the police any new evidence you collect to add to your report. Be sure to get a copy of your police report. You will need to give copies to creditors and the credit bureaus. For more information, see "Organizing Your Identity Theft Case" by the Identity Theft Resource Center, available at <http://www.idtheftcenter.org/Fact-Sheets/fs106.html>.

Request Information on Fraudulent Accounts

When you file your police report of identity theft, the officer may give you forms to use to request account information from credit grantors, utilities or cell phone service companies. If the officer does not do this, you can use the form in our Consumer Information Sheet 3A: Requesting Information on Fraudulent Accounts. When you write to creditors where the thief opened or applied for accounts, send copies of the forms, along with copies of the police report. Give the information you receive from creditors to the officer investigating your case.

Call Creditors

Call creditors for any accounts that the thief opened or used. When you call, ask for the security or fraud department. Examples of creditors are credit card companies, other lenders, phone companies, other utility companies, and department stores. Tell them you are an identity theft victim. Ask them not to hold you responsible for new accounts opened by the thief.

If your existing credit accounts have been used fraudulently, ask the credit issuers to close those accounts and to report them to credit bureaus as “closed at consumer’s request.” If you open a new account, have it set up to require a password or PIN to approve use. Don’t use your mother’s maiden name or the last four numbers of your Social Security number as your password. Ask the creditors to give you copies of documentation on the fraudulent accounts (see above item). For more information on what to tell creditors, see the Federal Trade Commission’s identity theft Web site at www.consumer.gov/idtheft.

Review Your Credit Reports Carefully

When you receive your credit reports, read them carefully. Look for accounts you don’t recognize. Look in the inquiries section for names of creditors from whom you haven’t requested credit. You may find some inquiries identified as “promotional.” These occur when a company has gotten your name and address from a credit bureau to send you an offer of credit. Promotional inquiries are not signs of fraud. (By calling to report identity theft, your name will be automatically removed from the mailing list to receive unsolicited credit offers of this kind.) Also, as a general precaution, look in the personal information section to verify your Social Security number, address and name.

If you find anything you don’t understand, call the credit bureau at the telephone number listed on the report. Tell them you want to block, or remove, any information on the report that

is the result of identity theft. (You must send a police report of identity theft to support this request.) For more on what to tell the credit bureaus, see the Privacy Rights Clearinghouse’s “Identity Theft: What to Do When It Happens to You” at <https://www.privacyrights.org/content/identity-theft-what-do-if-it-happens-to-you>.

Use the ID Theft Affidavit

Creditors may ask you to fill out fraud affidavits. The Federal Trade Commission’s ID Theft Affidavit is accepted by the credit bureaus and by most major creditors. Send copies of the completed form to creditors where the thief opened accounts in your name. Also send copies to creditors where the thief made charges on your account, to the credit bureaus, and to the police. The form is available on the FTC Web site at <http://www.ftc.gov/bcp/edu/resources/forms/affidavit.pdf>. File a complaint of identity theft with the FTC. See their Web site at www.consumer.gov/idtheft. The FTC keeps a database of identity theft cases that is used by many law enforcement agencies.

Write to the Credit Bureaus

Write a letter to each credit bureau. Repeat what you said in your telephone call (see above). Send copies of your police report and completed ID Theft Affidavit. Remind the credit bureaus that they must block or remove any information that you, as an identity theft victim, say is a result of the theft. Send your letters by certified mail, return receipt requested. Keep a copy of each letter. See the Sample Letter to Credit Bureaus on page 7.

Equifax • P.O.Box 740241 • Atlanta, GA 30374-024
Experian • P.O. Box 9532 • Allen, TX 75013
TransUnion • P.O. Box 6790 • P.O.Box 740241

As an alternative, you may dispute items with the credit bureaus online. Look for “dispute” on their Web sites: www.equifax.com, www.experian.com, and www.transunion.com.

✓ **Request Additional Free Credit Reports**

California identity theft victims with a police report of identity theft are entitled to receive up to 12 free credit reports, one per month for the 12 months following the date of the police report. The procedure for requesting free monthly reports is different for each of the credit bureaus.

Experian: Make a single request to receive all of your free monthly reports. Mail your request for 12 free monthly reports to Experian at P.O. Box 9554, Allen, TX 75013. Enclose a copy of the police report of identity theft, a copy of a government-issued identification card (such as driver's license, state or military ID), and a copy of proof of current mailing address (utility bill, bank or insurance statement showing name, current mailing address, and date of issue). Also provide your full name including middle initial (and generation such as Jr., Sr., II, III), previous addresses for the past two years, Social Security number and date of birth.

TransUnion: Write or call in your request each month. Mail to TransUnion, P. O. Box 6790, Fullerton, CA 92834. Or call the toll-free number printed on your most recent TransUnion credit report. Provide your full name including middle initial (and generation such as Jr., Sr., II, III), Social Security number, date of birth, and proof of residence (such as utility bill or bank statement).

Equifax: Write or call in your request each month. Mail to Equifax Fraud Department, P.O. Box 740250, Atlanta, GA 30374. Or call the toll-free number printed on your most recent Equifax credit report.

✓ **Write to Creditors**

Write a letter to each creditor where an account was opened or used in your name. Repeat what you said in your telephone call. Send a copy of your police report. Black out the account number

of any accounts with other creditors on a copy of your completed ID Theft Affidavit and send it. See the Sample Letter to Creditor on Existing Account on page 8 and Sample Letter to Creditor on New Account on page 9.

✓ **Consider a Credit Freeze**

The strongest protection against new accounts being opened in your name is a credit freeze, also called a security freeze. A freeze means that your file cannot be shared with potential creditors, insurers, employers, or residential landlords without your permission. For more information, see our **CIS 10: How to Freeze Your Credit Files**.

✓ **If Your Debit Card or Number is Stolen...**

A debit card is an ATM card with a credit card logo on it. It accesses money directly from your bank account, and the legal protections are different from those for credit cards. If your debit card is compromised, call your bank right away and cancel the card. The bank will send you a new debit card and your checking account number will not change. The stolen money, however, will be gone while your bank investigates the matter. If you call the bank within two business days of the fraudulent transaction, your liability is limited to only \$50. As time goes by, your liability for fraudulent transactions increases. If you wait more than 60 business days from the date the bank mailed the statement with the fraudulent transaction, you could lose the entire amount of the fraud.

✓ **If Your Checks, ATM Card or Bank Account Information Are Lost or Stolen...**

Call the bank and close your bank account. Open a new one with a new account number. Tell the bank you want to use a new password for access to your new account. Do not use your mother's maiden name or the last four digits of your Social Security number. Ask your bank to notify the check verification company

it uses. Report the stolen checks to the check verification companies that retail stores use. You can also contact major check verification companies. Ask them to notify retailers who use their databases not to accept the checks on your closed account. Call TeleCheck at 1-800-710-9898 and Certegy, Inc. at 1-800-437-5120. To find out if the identity thief has passed bad checks in your name, call SCAN at 1-800-262-7771. Follow up by writing to your bank. Send your letter by certified mail, return receipt requested.

✓ If You Are Contacted by a Debt Collector...

Tell the debt collector that you are the victim of identity theft. Say that you dispute the validity of the debt. Say that you did not create the debt and are not responsible for it. Send the collector a follow-up letter saying the same things. Include a copy of your police report and of any documents you've received from the creditor. Write in your letter that you are giving notice to a claimant under California Civil Code section 1798.93, subsection (c)(5) that a situation of identity theft exists. Send the letter by certified mail, return receipt requested. If the debt collector is not the original creditor, be sure to send your letter within 30 days of receiving the collector's first written demand for payment.

✓ If Your Driver's License or DMV-Issued ID Card is Stolen...

Immediately contact your local DMV office to report the theft. Ask them to put a fraud alert on your license. Then call the toll-free DMV Fraud Hotline at 1-866-658-5758. If the thief is using your license as ID, you may want to change your license number. Ask DMV for an appointment. Take a copy of the police report and copies of bills or other items supporting your claim of fraud. You will also need to prove your identity. Take current documents such as a passport, a certification of citizenship

or naturalization, or a U.S. military photo ID. DMV will issue a new license or ID card number when you meet all the requirements.

✓ If Your Mail Was Stolen or Your Address Changed by an Identity Thief...

Notify the Postal Inspector if you think an identity thief has stolen your mail or filed a change of address request in your name. To find the nearest Postal Inspector, look in the white pages of the telephone book for the Post Office listing under United States Government. Or go to the Postal Inspection Service's Web site at www.usps.gov/websites/dep/inspect.

✓ If You Are Wrongly Accused of a Crime Committed by an Identity Thief...

"Criminal identity theft" is a label given to a particular type of identity theft. Criminal identity theft occurs when a suspect in a criminal investigation identifies himself or herself using the identity of another, innocent person. A special database in the California Department of Justice can help victims of this kind of identity theft. See our Consumer Information Sheet 8: How to Use the California Identity Theft Registry - A Guide for Victims of "Criminal" Identity Theft.

✓ If Someone Uses Your Social Security Number to Claim Unemployment Benefits or to Work...

If you suspect that someone else has claimed unemployment benefits using your Social Security number, call the California Employment Development Department's toll-free Fraud Hotline at 1-800-229-6297. For more information, see their Web site at www.edd.ca.gov. Search on the site for "fraud." Sometimes, an identity thief will use someone else's Social Security number to be eligible to work. It's a good idea to check your Social Security earnings record to see if income earned by a thief is being posted to your account. You can get a copy of your

earnings record by calling 1-800-772-1213. Or get a Request for Social Security Statement (Form 7004) at www.ssa.gov/online/ssa-7004.html. If you believe a thief is using your Social Security number to work or claim Social Security benefits, call the Social Security Fraud Hotline at 1-800-269-0271. Or report Social Security benefits fraud online at <http://www.ssa.gov/oig/hotline/index.htm>.

This fact sheet is for informational purposes and should not be construed as legal advice or as policy of the State of California. If you want advice on a particular case, you should consult an attorney or other expert. The fact sheet may be copied, if (1) the meaning of the copied text is not changed or misrepresented, (2) credit is given to the California Department of Justice, and (3) all copies are distributed free of charge.

NOTES

- ⁱ California Penal Code § 530.6 (a): A person who has learned or reasonably suspects that his or her personal identifying information has been unlawfully used by another, as described in subdivision (a) of Section 530.5, may initiate a law enforcement investigation by contacting the local law enforcement agency that has jurisdiction over his or her actual residence or place of business, which shall take a police report of the matter, provide the complainant with a copy of that report, and begin an investigation of the facts. If the suspected crime was committed in a different jurisdiction, the local law enforcement agency may refer the matter to the law enforcement agency where the suspected crime was committed for further investigation of the facts.
- ⁱⁱ California Civil Code § 1785.15.3(b): Every consumer credit reporting agency shall, upon the receipt from a victim of identity theft of a police report prepared pursuant to Section 530.6 of the Penal Code, or a valid investigative report made by a Department of Motor Vehicles investigator with peace officer status regarding the public offenses described in Section 530.5 of the Penal Code, provide the victim, free of charge and upon request, with up to 12 copies of his or her file during a consecutive 12-month period, not to exceed one copy per month, following the date of the police report. Notwithstanding any other provision of this title, the maximum number of free reports a victim of identity theft is entitled to obtain under this title is 12 per year, as provided by this subdivision.

Sample Letter to Credit Bureau

Date: _____

Your Name: _____

Your Address: _____

Your City, State Zip Code: _____

Complaint Department
Equifax
P.O. Box 740241
Atlanta, GA 30374-0241

OR

National Consumer Assistance Center
Experian
P.O. Box 9532
Allen, TX 75013

OR

Fraud Victim Assistance Department
TransUnion
P.O. Box 6790
Fullerton, CA 92634-6790

Dear Sir or Madam:

I am writing to dispute the following information in my file. The items I dispute also are circled on the attached copy of the report I received. (Identify item(s) disputed by name of source, such as creditors or tax court, and identify type of item, such as credit account, judgment, etc.)

I am a victim of identity theft, and did not make the charge(s). I am requesting that the item(s) be blocked to correct my credit report.

Enclosed are copies of (describe any enclosed documents) supporting my position. Please investigate this (these) matter(s) and block the disputed item(s) as soon as possible.

Yours truly,

Your name: _____

Enclosures: (List what you are enclosing.)

Sample Letter to Creditor on Existing Account

Date: _____

Your Name: _____

Your Address: _____

Your City, State Zip Code: _____

Your Account Number: _____

Name of Creditor: _____

Billing Inquiries _____

Address: _____

City, State, Zip Code: _____

Dear Sir or Madam:

I am writing to dispute a fraudulent (charge or debit) attributed to my account in the amount of \$_____. I am a victim of identity theft, and I did not make this (charge or debit). I am requesting that the (charge be removed or the debit reinstated), that any finance and other charges related to the fraudulent amount be credited as well, and that I receive an accurate statement. Enclosed are copies of (use this sentence to describe any enclosed information, such as police report) supporting my position. Please investigate this matter and correct the fraudulent (charge or debit) as soon as possible.

Yours truly,

Your name: _____

Enclosures: (List what you are enclosing.)

Sample Letter to Creditor on New Account

Date: _____

Your Name: _____

Your Address: _____

Your City, State Zip Code: _____

Name of Creditor: _____

Fraud Department

Address: _____

City, State, Zip Code: _____

Dear Sir or Madam:

I am writing to dispute an account opened fraudulently in my name. I am a victim of identity theft, and I did not open account number (give number of fraudulent account). I am not responsible for any charges made to this account.

Enclosed are copies of (use this sentence to describe any enclosed information, such as police report, ID Theft Affidavit, Request for Fraudulent Account Information forms) supporting my position. I am also requesting copies of any documentation, such as applications and transaction records, showing the transactions on this (these) fraudulent account(s).

Yours truly,

Your name: _____

Enclosures: (List what you are enclosing.)