

FCRA CREDIT DISPUTES SHOW NOTES

DISPUTE NOTICES TO THREE AND ONE.

What to Send and Why:

Always send certified, return receipt requested. Keep copies of the SIGNED letter and green cards when they come back. Don't email, regular mail, call or anything else. Do it right. **KEEP A PAPER TRAIL, REGISTER BY MAIL.**

LETTER ON SCREEN AND EXPLAIN IT FOR VIEWERS FURNISHER VS BIG THREE: DISTINCTIONS

If a consumer believes that information on his consumer report is inaccurate, he can dispute the inaccuracy with the CRA or directly with the furnisher. The consumer's filing of a dispute with the CRA triggers "reinvestigation" duties for the CRA and investigation duties for the furnisher. Filing a dispute with the furnisher, by contrast, triggers only the furnisher's duties. These duties call for a reasonable examination of the consumer dispute by the CRA and the furnisher (see 15 U.S.C. §§ 1681i(a)(1)(A), 1681s-2(b))

Furnisher, Two Sources:

JUST FURNISHER
Furnisher Liability for Failing to Investigate
If a consumer disputes the accuracy of information in his consumer report directly with a furnisher, the furnisher

must conduct and complete an investigation within 30 days (15 U.S.C. § 1681s-2(a)(8)). If the furnisher determines that the reported information is inaccurate, it must promptly correct the information with all CRAs to which it furnished the information (15 U.S.C. § 1681s-2(a)(2)). As discussed above, a furnisher also must investigate disputed information after receiving notice from a CRA that a consumer filed a dispute with the agency (15 U.S.C. § 1681s-2(b)).

The consumer's filing of a dispute with the CRA triggers "reinvestigation" duties for the CRA and **investigation duties for the furnisher**. Filing a dispute with the furnisher, by contrast, triggers only the furnisher's duties. These duties call for a reasonable examination of the consumer dispute by the CRA and the furnisher (see 15 U.S.C. §§ 1681i(a)(1)(A), 1681s-2(b))

Credit Reports Disputes.

How to Send again.

TWO RESPONSES:

After a consumer dispute is raised, the CRA must give prompt notice to furnishers. Within five business days of receiving notice of a dispute, the CRA must notify the furnisher of the dispute and provide all relevant information regarding the dispute that the agency received (15 U.S.C. § 1681i(a)(2)(A)). However, this does not require the CRA to transmit the consumer's statements on the dispute, if the CRA provides an accurate and reasonable summary of the dispute. The furnisher

must then reasonably investigate the matter and report the results of the investigation to the CRA (15 U.S.C. § 1681s-2(b)).
., Modify or delete inaccurate or unverifiable information. The CRA must promptly modify or delete the disputed information as appropriate and notify the furnisher of any changes, if the agency either: z determines that the disputed information is inaccurate or incomplete; or z cannot verify the information within the timeframe for completing the reinvestigation. (15 U.S.C. § 1681i(a)(5)(A).)

Letters in Podcast+ Attached proof.

Register by Mail, Keep a Paper Trail

ID Theft. Police Report and ID Affidavits.

Validation Request Contacts should say, please do not look at my credit or report anything to my credit reports as **I dispute I owe this debt to you and that “Customer Disputes” should be stated on my credit report if you contact.**

MUST VALIDATE PRIOR TO KEEPING ON CREDIT/FCRA

Please also follow **STATE law** that states "*Verification of the debt or any disputed portion of the debt shall include the number and amount of previously made payments . . .*" **As you know, being that you collecting on a STATE debt,** you can't collect or sue me on these debts until you validate the debt and that includes showing *the number and amount of previously made payments pursuant to Michigan law.*

CRA's must observe reasonable procedures to limit the issuance of consumer reports to permissible purposes.

COMMON CLAIMS UNDER THE FCRA Although the FCRA imposes a variety of requirements, plaintiffs most frequently raise claims alleging that a defendant violated the FCRA by negligently or willfully: ,, Failing to follow reasonable procedures for ensuring the accuracy of consumer information. ,, Failing to properly investigate or reinvestigate a consumer's dispute. ,, Issuing or obtaining a consumer report for an impermissible purpose. Courts have consistently held that to prevail on a reasonable procedures or reinvestigation claim, a consumer must demonstrate that the reported

ISSUING OR OBTAINING A CONSUMER REPORT FOR AN IMPERMISSIBLE PURPOSE

A consumer may sue a CRA or user for negligently or willfully issuing or obtaining a consumer report for an impermissible purpose (15 U.S.C. § 1681b).

DON'T NEED A DISPUTE LETTER.

To establish liability under Section 1681e(b), a plaintiff must show that the consumer report contained inaccurate information. The CRA provided his consumer report to a third party. The inaccuracy was due to the defendant's unreasonable procedures. There were damages and the injury was caused by the inclusion of the inaccurate entry.

SUPREME COURT ARTICLE III STANDING ISSUES.

**PERMISSABLE VS DISPUTE WITH CRA'S EXPLAINED
FICO SCORES EXPLAINED**