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## Fair Credit Reporting

Private companies called “credit reporting agencies” collect information related to your access to and use of credit. They make that information available to others under certain circumstances, in the form of a “credit report.” Your credit report is relied upon by lending institutions, employers, insurance agencies, and future creditors to make decisions about you. For this reason, your credit report is an important document, and the law gives you certain protections against the reporting of incorrect information. Knowing your legal rights and remedies is a first step to resolving any problems associated with your credit report.

There are three major credit reporting agencies in the United States: TransUnion, Experian, and Equifax. These companies collect information and produce reports on individuals’ credit histories, which they may provide to a lender who is considering advancing credit to you.

### Your Credit Report is Free

Under state and federal law, you are entitled to one free copy of your credit report per calendar year from each of the three main credit reporting agencies, which are listed at the end of this brochure. Requesting a copy every year to ensure your report is without errors is worthwhile and recommended.

If you ever apply for and are denied credit, you should immediately obtain a copy of your report to verify that all the information is correct. You have the right to know which credit reporting agency prepared the report that was used in the denial of your credit application. Under state law, you have the right to a free copy of your credit report within 60 days of being denied credit. [M.G.L. c. 93, § 56.](#)

### Correcting Your Credit Report

If there is incorrect information in your credit report, you may ask the credit reporting agency to investigate. You must do so in writing and it is recommended you do so by certified mail to ensure that it is received. The credit reporting agency must investigate your claim within 30 business days by asking the creditor in question to review its records, unless the agency believes that the dispute is “frivolous or irrelevant.” The credit reporting agency is required under state and federal law to correct, complete, or delete any information that is erroneous, incomplete, or unverified. [M.G.L. c. 93, § 58.](#)

Additionally, negative information that is more than seven years old may not be included in your credit report. There are several exceptions to this rule; the primary one is bankruptcy, which may be reported for up to 10 years. [M.G.L. c. 93, § 52.](#)

Credit reporting agencies are generally not permitted to include in a credit report adverse information which is more than seven years old on the date of the report, although bankruptcy information may stay on a report for 10 years. These rules do not apply if the credit transaction at issue is for \$50,000 or more, or if the report is being provided in connection with employment in a job that involves an annual salary of \$20,000 or more.

If you disagree with the results of the credit reporting agency's investigation of the accuracy of an item on your credit report, you have the right to prepare a brief statement that explains your version of the dispute. The credit reporting agency is then required to include this statement with your credit report each time it sends out the report. [M.G.L. c. 93, § 58.](#)

If the consumer disputes the completeness or accuracy of any item of information in his or her credit report file, the general rule is that the credit reporting agency must investigate the dispute within 30 days, beginning on the date it receives the consumer's request for a correction. The credit reporting agency may require that consumers' requests for corrections be in writing. Within five business days of its receipt of a consumer's request, a credit reporting agency must notify the creditor that the consumer is disputing the information.

An agency may refuse to investigate a dispute if it has reasonable grounds to believe that the dispute is frivolous or irrelevant, including failure of the consumer to provide sufficient information, as requested by the agency, to resolve the dispute. An agency must notify the consumer by mail within five business days after it makes its determination that the dispute is frivolous or irrelevant, stating specific reasons for the finding.

If after investigation, a credit reporting agency determines that certain information about a consumer is inaccurate or can no longer be verified, it must delete that information within three business days. If an investigation fails to resolve the dispute, the consumer may submit a statement of no more than 100 words describing the dispute. The credit reporting agency must include a copy of that statement with any credit report it issues on that consumer.

If information is deleted from the consumer's credit report file because it is inaccurate or can not be verified, it may not be reinserted unless the consumer's creditor subsequently verifies that the information is accurate. If deleted information is subsequently reinserted in a credit report, the credit reporting agency must give the consumer a toll-free number to call to request the name, address, and telephone number of the person who directed the agency to reinsert previously deleted information. Within 15 days of receiving such a request, the agency must provide the consumer with that information.

A consumer may elect to have his or her name and address excluded from any list provided by a credit reporting agency to parties who wish to extend a "firm offer of credit" to consumers, such as "pre-screened" credit card offers that are often sent to consumers. The consumer may contact the credit reporting agency by a toll-free number or at the address provided for this purpose.

### For more information...

For more detailed information about fair debt collection, please visit the Attorney General's Office website, [www.mass.gov/ago](http://www.mass.gov/ago), and view the publication, **The Attorney General's Guide to Consumer Credit**. You may also contact the Attorney General's Consumer Complaint and Information hotline at (617) 727-8400.

#### Credit reporting agencies:

##### **Experian**

[www.experian.com](http://www.experian.com)

To report fraud: 1-888-397-3742

##### **TransUnion**

[www.transunion.com](http://www.transunion.com)

To report fraud: 1-800-680-7289

##### **Equifax**

[www.equifax.com](http://www.equifax.com)

To report fraud: 1-800-525-6285

#### General information and complaints:

##### **Office of the Attorney General Consumer Protection Division**

[www.mass.gov/ago](http://www.mass.gov/ago)

(617) 727-8400 Consumer Complaint and Information Hotline

##### **Office of Consumer Affairs and Business Regulation**

[www.mass.gov/ocabr](http://www.mass.gov/ocabr)

(888) 283-3757 Consumer Hotline

#### Questions and complaints about credit and collection agencies:

##### **Massachusetts Division of Banks**

[www.mass.gov/dob](http://www.mass.gov/dob)

(617) 956-1501 Consumer Line