



FCRA Compliance

Disclosure Forms

In order to comply with the Fair Credit Reporting Act (FCRA) all applicants must sign a disclosure and release form authorizing the release of information. By the FCRA the applicant has a right to know that the hiring process can include background information such as criminal, MVR, professional license verification, etc. and the applicant has the right to dispute any information reported.

Pre-Adverse Action Letters

Before you take adverse action you must give the individual a pre-adverse action disclosure that includes a copy of the background report and the Summary of Rights Under the Fair Credit Reporting Act. This provides the applicant with notice and provides them the opportunity to dispute any information reported.

Adverse Action Letters

Once you have provided the applicant with Pre-Adverse notification and you have determined that you will be taking adverse action, you must give notice to the applicant that the action has been taken. The notice can be provided electronically, orally or in writing and must include the agency that reported it (American Databank), a statement that American Databank did not make the decision and a notice of the individual's right to dispute the accuracy or completeness of any information furnished by American Databank.



Disclosure and Authorization Form **SBI**

Please fax with request to 1-303-573-1298 (Confidential)

As part of the application process for employment at _____, I understand that American DataBank will seek and obtain consumer reports / investigative reports about me as defined in the Fair Credit Reporting Act (FCRA). These investigative reports may include, but is not limited to names and dates of previous/current employment, work experience, work habits, characters, work performance, general reputation, workers compensation claims, criminal history records (from local, state, federal, international and other law enforcement agencies' records), sexual offender's lists, wants and warrants records, motor vehicle records, military records, educational verification, license verification, credit history, credit worthiness, civil case, OIG/GSA, OFAC/patriots act, any sanction lists, FBI finger printing and drug testing. I understand that these records may be used for the eligibility and qualification of my employment. I hereby authorize, without any reservation, the full release of these records and information for American DataBank and/or its agents to conduct the searches and investigations.

If I am hired, I also authorize the full release of the information described above, without any reservation, throughout any duration of my employment at _____. I also certify that all information provided below and on my resume is correct to the best of my knowledge. Any false statements provided in this form and my resume will be considered just cause for the termination of employment at any time. I agree that a copy or facsimile of this authorization shall be as valid as the original. In addition, I release and discharge American Databank, and all of its agents, any expenses, losses, damages, and liabilities for the investigative process. Upon Request, American DataBank will supply a copy of my reports and my rights under the Fair Credit Reporting Act. Requests may be directed to: American DataBank, 910 16th Street Suite 550, Denver, CO 80202 or by contacting us at 1-800-200-0853.

Applicant's Name: _____
 (Please Print) First M.I. Last

Previous or Maiden Name (If applicable) _____
 (Please Print) First M.I. Last

Signature: _____ **Date:** ____mm/____dd/____yy

Date of Birth: ____mm/____dd/____yy (this is used for criminal and driving records only)

Social Security Number: _____ - _____ - _____ **Female** **Male**

Driver's License Number: _____ **State:** _____

Current Address: _____

Street Address

 City State ZIP

Length of Residency: _____ **Email address:** _____ **Phone:** (____) _____

Notice to California Applicants:

Under section 1786.22 of the California Civil Code. You may obtain a copy of this file, either in person or via mail, by submitting proper identification and paying the costs of duplication services.

California Resident ONLY: By checking this box, I request to receive a free copy of the ordered report.

American DataBank

910 16th Street Suite 550, Denver, CO 80202 Tel: 1-800-200-0853 **Confidential Fax # : 1-303-573-1298**

FCRA Summary

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 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 finding to the CRA. (The source also 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 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, 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, and employers without your permission.

You may choose to exclude your name from CRA lists unsolicited credit insurance offers.

Creditors and insurers may use file information as the basis for sending you unsolicited offers of credit 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.