

Federal Trade Commission Announces ID Theft Affidavit (February 5, 2002)

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New Form Simplifies Process for Thousands of ID Theft Victims

The FTC unveiled a new tool today to assist victims of identity theft restore their good names. The **ID Theft Affidavit** provides a model form that can be used to report information to many companies, simplifying the process of alerting companies where a new account was opened in the victim's name. Previously, victims of identity theft often had to fill out a separate reporting form for each fraudulent account opened by the identity thief. Developed by the FTC in conjunction with banks, credit grantors and consumer advocates, the **ID Theft Affidavit** is accepted by participating credit issuers, retailers, banks, and other financial institutions. For a copy of the **ID Theft Affidavit**, log on to www.consumer.gov/idtheft/affidavit.htm, or call **1.877.ID.THEFT**.

"During 2001, ID theft was the number one consumer fraud complaint received by the FTC," stated Timothy J. Muris, the chairman of the Federal Trade Commission. "ID thieves steal personal information, such as a credit card account number or Social Security number. Then they open up accounts in the victim's name and run up charges on the account, or use the personal information to charge goods and services to the victim. The **ID Theft Affidavit** simplifies the process of remedying the injury inflicted by identity theft. "

If you find that you're a victim of ID theft, the FTC urges you to:

1. Contact the fraud departments of each of the three major credit bureaus and report the theft. Ask that a "fraud alert" be placed on your file and that no new credit be granted without your approval.
 - Equifax: 1.800.525.6285
 - Experian: 1.888.397.3742
 - Trans Union: 1.800.680.7289
2. For any accounts that have been fraudulently accessed or opened, contact the security department of the appropriate creditor or financial institution. Close these accounts. Put passwords (not your mother's maiden name or Social Security number) on any new accounts you open.
3. File a report with local police or the police where the identity theft took place. Get the report number or a copy of the report in case the bank, credit card company or others need proof of the crime later.
4. Call the ID Theft Clearinghouse toll-free at **1.877.ID.THEFT (1.877.438.4338)** to report the theft. Counselors will take your complaint and advise you on how to deal with the credit-related problems that could result from ID theft. The Identity Theft Hotline and the ID Theft Website (www.consumer.gov/idtheft) give you one place to report the theft to the federal government and receive helpful information.

By sharing your identity theft complaint with the FTC, you will provide important information that can help law enforcement officials track down identity thieves and stop them.

Additionally, a newly updated identity theft booklet, ID Theft: When Bad Things Happen to Your Good Name is now available in Spanish. Two new consumer assistance publications released by the FTC are Privacy: Tips for Protecting Your Personal Information and Privacy: What You Do Know Can Protect You. All FTC publications are available at www.ftc.gov.

The FTC works for the consumer to prevent fraudulent, deceptive and unfair business practices in the marketplace and to provide information to help consumers spot, stop and avoid them. To file a complaint or to get free information on consumer issues, call toll-free, 1-877-FTC-HELP, or use the complaint form at www.ftc.gov. The FTC enters Internet, telemarketing, identity theft and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

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(<http://www.ftc.gov/opa/2002/01/idtheft.htm>)

Instructions for Completing the ID Theft Affidavit

To make certain that you do not become responsible for the debts incurred by the identity thief, you must provide proof that you didn't create the debt to each of the companies where accounts were opened or used in your name.

A working group composed of credit grantors, consumer advocates and the Federal Trade Commission (FTC) developed this ID Theft Affidavit to help you report information to many companies using just one standard form. Use of this affidavit is optional. While many companies accept this affidavit, others require that you submit more or different forms. Before you send the affidavit, contact each company to find out if they accept it.

You can use this affidavit where a **new account** was opened in your name. The information will enable the companies to investigate the fraud and decide the outcome of your claim. (If someone made unauthorized charges to an **existing account**, call the company to find out what to do.)

This affidavit has two parts:

- **ID Theft Affidavit** is where you report general information about yourself and the theft.
- **Fraudulent Account Statement** is where you describe the fraudulent account(s) opened in your name. Use a separate Fraudulent Account Statement for each company you need to write to.

When you send the affidavit to the companies, attach copies (**NOT** originals) of any supporting documents (e.g., drivers license, police report) you have.

Before submitting your affidavit, review the disputed account(s) with family members or

friends who may have information about the account(s) or access to them.

Complete this affidavit as soon as possible. Many creditors ask that you send it within two weeks of receiving it. Delaying could slow the investigation.

Be as accurate and complete as possible. You *may* choose not to provide some of the information requested. However, incorrect or incomplete information will slow the process of investigating your claim and absolving the debt. Please print clearly.

When you have finished completing the affidavit, mail a copy to each creditor, bank or company that provided the thief with the unauthorized credit, goods or services you describe. Attach to each affidavit a copy of the Fraudulent Account Statement with information only on accounts opened at the institution receiving the packet, as well as any other supporting documentation you are able to provide.

Send the appropriate documents to each company by certified mail, return receipt requested, so you can prove that it was received. The companies will review your claim and send you a written response telling you the outcome of their investigation. **Keep a copy of everything you submit for your records.**

If you cannot complete the affidavit, a legal guardian or someone with power of attorney may complete it for you. Except as noted, the information you provide will be used only by the company to process your affidavit, investigate the events you report and help stop further fraud. If this affidavit is requested in a lawsuit, the company might have to provide it to the requesting party.

Completing this affidavit does not guarantee that the identity thief will be prosecuted or that the debt will be cleared.

If you haven't already done so, report the fraud to the following organizations:

1. Each of the three **national consumer reporting agencies**. Ask each agency to place a "fraud alert" on your credit report, and send you a copy of your credit file. When you have completed your affidavit packet, you may want to send them a copy to help them investigate the disputed accounts.

■ **Equifax Credit Information Services, Inc.**
(800) 525-6285 (Hearing impaired call 1-800-255-0056 and ask the operator to call the Auto Disclosure Line at 1-800-685-1111 to obtain a copy of your report.)
P.O. Box 740241, Atlanta, GA 30374-0241
www.equifax.com

■ **Experian Information Solutions, Inc.**
(888) 397-3742/ TDD (800) 972-0322
P.O. Box 9530, Allen, TX 75013
www.experian.com

■ **TransUnion**
(800) 680-7289/ TDD (877) 553-7803
Fraud Victim Assistance Division
P.O. Box 6790, Fullerton, CA 92634-6790
www.tuc.com

2. The **fraud department at each creditor, bank, or utility/service** that provided the identity thief with unauthorized credit, goods or services. This would be a good time to find out if the company accepts this affidavit, and

whether they require notarization or a copy of the police report.

3. Your local **police department**. Ask the officer to take a report and give you the report number or a copy of the report. When you have completed the affidavit packet, you may want to give your police department a copy to help them add to their report and verify the crime.

4. The FTC, which maintains the Identity Theft Data Clearinghouse – the federal government's centralized identity theft complaint database – and provides information to identity theft victims. You can call toll-free **1-877-ID-THEFT (1-877-438-4338)**, visit www.consumer.gov/idtheft, or send mail to:

Identity Theft Data Clearinghouse
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

The FTC collects complaints from identity theft victims and shares their information with law enforcement nationwide. This information also may be shared with other government agencies, consumer reporting agencies, and companies where the fraud was perpetrated to help resolve identity theft related problems.

ID Theft Affidavit

Victim Information

- (1) My full legal name is _____
(First) (Middle) (Last) (Jr., Sr., III)
- (2) (If different from above) When the events described in this affidavit took place, I was known as _____
(First) (Middle) (Last) (Jr., Sr., III)
- (3) My date of birth is _____
(day/month/year)
- (4) My social security number is _____
- (5) My driver's license or identification card state and number are _____
- (6) My current address is _____
City _____ State _____ Zip Code _____
- (7) I have lived at this address since _____
(month/year)
- (8) (If different from above) When the events described in this affidavit took place, my address was _____
City _____ State _____ Zip Code _____
- (9) I have lived at the address in #8 from _____ until _____
(month/year) (month/year)
- (10) My daytime telephone number is (_____) _____
My evening telephone number is (_____) _____

How the Fraud Occurred

Check all that apply for items 11 – 17:

(11) I did not authorize anyone to use my name or personal information to seek the money, credit, loans, good or services described in this report.

(12) I did not receive any benefit, money, good or services as a result of the events described in this report.

(13) My identification documents (for example, credit cards; birth certificate; driver's license; social security card; etc.) were stolen lost on or about _____ .
(day/month/year)

(14) To the best of my knowledge and belief, the following person(s) used my information (for example, my name, address, date of birth, existing account numbers, social security number, mother's maiden name, etc.) or identification documents to get money, credit, loans, goods or services without my knowledge or authorization:

Name (if known)

Name (if known)

Address (if known)

Address (if known)

Phone number(s) (if known)

Phone number(s) (if known)

additional information (if known)

additional information (if known)

(15) I do NOT know who used my information or identification documents to get money, credit, loans, goods or services without my knowledge or authorization.

(16) Additional comments: (For example, description of the fraud, which documents or information were used or how the identity thief gained access to your information.)

(Attach additional pages as necessary)

Victim's Law Enforcement Actions

(17) (check one) I am am not willing to assist in the prosecution of the person(s) who committed this fraud.

(18) (check one) I am am not authorizing the release of this information to law enforcement, for the purpose of assisting them in the investigation and prosecution of the person(s) who committed this fraud.

(19) (check all that apply) I have have not reported the events described in this affidavit to the police or other law enforcement agency. The police did did not write a report. *In the event you have contacted the police or other law enforcement agency, please complete the following:*

_____	_____
(Agency #1)	(Officer/Agency personnel taking report)
_____	_____
(Date of report)	(Report Number, if any)
_____	_____
(Phone number)	(e-mail address, if any)

_____	_____
(Agency #2)	(Officer/Agency personnel taking report)
_____	_____
(Date of report)	(Report Number, if any)
_____	_____
(Phone number)	(e-mail address, if any)

Documentation Checklist

Please indicate the supporting documentation you are able to provide to the companies you plan to notify. Attach copies (NOT originals) to the affidavit before sending it to the companies.

(20) A copy of a valid government-issued photo-identification card (for example, your driver's license, state-issued ID card or your passport). If you are under 16 and don't have a photo-ID, you may submit a copy of your birth certificate or a copy of your official school records showing your enrollment and place of residence.

(21) Proof of residency during the time the disputed bill occurred, the loan was made or the other event took place (for example, a rental/lease agreement in your name, a copy of the utility bill or a copy of the insurance bill).

Name _____ Phone number _____ Page 4

(22) A copy of the report you filed with the police or sheriff's department. If you are unable to obtain a report or report number from the police, please indicate that in Item 19. Some companies only need the report number, not a copy of the report. You may want to check to check with each company.

Signature

I declare under penalty of perjury that the information I have provided in this affidavit is true and correct to the best of my knowledge.

(signature)

(date signed)

Knowingly submitting false information on this form could subject you to criminal prosecution for perjury.

(Notary)

[Check with each company. Creditors sometimes require notarization. If they do not, please have one witness (non-relative) sign below that you completed and signed this affidavit.]

Witness:

(signature)

(printed name)

(date)

(telephone number)

Fraudulent Account Statement

Completing this Statement

- Make as many copies of this page as you need. **Complete a separate page for each company you're notifying and only send it to that company.** Include a copy of your signed affidavit.
- List only the account(s) you're disputing with the company receiving this form. **See the example below.**
- If a collection agency sent you a statement, letter or notice about the fraudulent account, attach a copy of that document (**NOT** the original).

I declare (check all that apply):

- As a result of the event(s) described in the ID Theft Affidavit, the following account(s) was/were opened at your company in my name without my knowledge, permission or authorization using my personal information or identifying documents:

Creditor Name/Address <i>(the company that opened the account or provided the goods or services)</i>	Account Number	Type of unauthorized credit/goods/services provided by creditor <i>(if known)</i>	Date issued or opened <i>(if known)</i>	Amount/Value provided <i>(the amount charged or the cost of the goods/services)</i>
Example Example National Bank 22 Main Street Columbus, Ohio 22722	01234567-89	auto loan	01/05/2000	\$25,500.00

- During the time of the accounts described above, I had the following account open with your company:

Billing name _____

Billing address _____

Account number _____