



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL



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ATTORNEY GENERAL

April 28, 2020

Craig Boundy  
Chief Executive Officer  
Experian  
475 Anton Blvd.  
Costa Mesa, CA 92626

Christopher A. Cartwright  
President and Chief Executive Officer  
TransUnion LLC  
555 West Adams Street  
Chicago, IL 60661

Mark W. Begor  
Chief Executive Officer  
Equifax Information Services, LLC  
1550 Peachtree Street, N.W.  
Atlanta, GA 30309

Dear Mr. Boundy, Mr. Cartwright, and Mr. Begor:

We, the undersigned Attorneys General of New York, Pennsylvania, California, Colorado, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, North Carolina, Rhode Island, Virginia, Washington, Wisconsin and the District of Columbia, write to remind the consumer reporting agencies (“CRAs”) of their continuing obligation during the COVID-19 crisis to comply with the protections contained in the Fair Credit Reporting Act (“FCRA”); state laws governing credit-reporting; and our offices’ agreements with the CRAs. In this period of economic turmoil, these consumer protections are more important than ever. While the Consumer Financial Protection Bureau’s recent announcement suggests that it will not enforce the FCRA’s 30- or 45-day

deadline to investigate consumer disputes requirements during the COVID-19 crisis,<sup>1</sup> the undersigned state Attorneys General are committed to protecting consumers in our states and will continue to enforce all federal and state requirements during this crisis.

The COVID-19 pandemic has resulted in significant economic disruption. Across the nation, businesses are closing, and millions of workers face lost wages or unemployment. In March 2020, Congress enacted the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”), which extends relief to struggling consumers and amends the FCRA to enable consumers to obtain CARES Act relief without incurring lasting harm to their credit scores. To prevent such harm, the CARES Act requires furnishers to report a credit obligation as “current” if the obligation was current prior to the grant of a CARES Act accommodation.<sup>2</sup> This CARES Act provision is critically important both to individual consumers and to the overall recovery of the economy because it ensures that consumers obtain essential relief without jeopardizing their future ability to secure employment, rent or buy a home, obtain a credit card, or purchase a car.

The state Attorneys General expect compliance with this vital provision of the CARES Act, and we will actively monitor for and enforce such compliance. We will monitor furnishers to ensure that they do not improperly report negative credit information, and we will monitor the CRAs to ensure that the CRAs timely and meaningfully investigate disputes arising from improper reporting by furnishers.

In addition, we expect the CRAs to comply with all provisions of the FCRA, state law, and the requirements of agreements that the CRAs entered into with our offices,<sup>3</sup> including the CRAs’ obligations to conduct meaningful and timely investigations of consumer disputes of credit information. We will continue to actively monitor for and enforce CRAs’ compliance with these requirements, and we will not hesitate to hold CRAs accountable if they fail to meet these obligations.

The state Attorneys General will continue our work to protect consumers throughout this crisis. We appreciate the CRAs’ cooperation with the state Attorneys General in the past. We remain committed to maintaining open lines of communication with the CRAs, and we look forward to working with the CRAs to ensure continued compliance with federal and state requirements.

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<sup>1</sup> CFPB, *Statement on Supervisory and Enforcement Practices Regarding the Fair Credit Reporting Act and Regulation V in Light of the CARES Act* (Apr. 1, 2020), [https://files.consumerfinance.gov/f/documents/cfpb\\_credit-reporting-policy-statement\\_cares-act\\_2020-04.pdf](https://files.consumerfinance.gov/f/documents/cfpb_credit-reporting-policy-statement_cares-act_2020-04.pdf). The CFPB clarified this guidance in a letter to state Attorneys General. While the CFPB’s letter to the state Attorneys General provides assurances that the CFPB *will* enforce the CARES Act amendment to the FCRA which requires furnishers to report a credit obligation as “current” if the obligation was current prior to the grant of an accommodation during the COVID-19 crisis, the CFPB provided no such assurances regarding its intent to enforce the FCRA’s 30- or 45-day deadline to investigate consumer disputes. See [CFPB letter dated April 21, 2020](#).

<sup>2</sup> See Section 4021 of the CARES Act.

<sup>3</sup> As you are aware, the three national CRAs entered into agreements with [the New York Attorney General’s Office](#) and with a [group of 31 state Attorneys General](#) in 2015.

Sincerely,



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New York Attorney General



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Pennsylvania Attorney General



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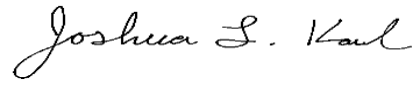
PETER F. NERONHA  
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Handwritten signature of Bob Ferguson in blue ink.

BOB FERGUSON  
Washington Attorney General

Handwritten signature of Joshua L. Kaul in blue ink.

JOSHUA L. KAUL  
Wisconsin Attorney General