

CHEXSYSTEMS SOLUTIONS



CONSUMERS INFO USA



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Chexsystems Dispute Letters

As with all information distributed via the internet; the very first thing we must do is give the required disclaimers:

What you have received is information. It is for informational purposes only. The intent of information is simply to educate.

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This information is not intended as credit, tax, legal, financial, accounting, real estate, or professional advice. We encourage you to consult with established professionals in your local area if needed.

The opinions and information contained in this guide are based on many years of experience and will apply to many situations. However individual circumstances can be different which may make some of the information contained in this guide inapplicable to your own particular situation.

The information on this subject matter may not fit your own particular individual circumstances.

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The bottom line: These dispute letters have worked for many people. However, everybody's situation is different, which means they may not work for you.

But the most important thing is that you will never know unless you do it! At the very least you will have a documented record that you have disputed the information in Chexsystems.

These letter are designed so that you can easily copy and paste into any word processor. Then you can simply personalize them to fit your own situation and circumstances. Then print, fax, mail, or email to Chexsystems.

We suggest you send it to them in way that gives you a confirmation, record, or proof of your communication to Chexsystems.

These letter can also easily be alter to use to dispute items on you Credit Report, or a dispute with a business, creditor, credit card company, etc.

Your Rights under the Fair Credit Reporting Act



It is important to first have an overall understanding of the objective of these letters and what you are attempting to accomplish with them.

Under penalty of law, the Fair Credit Reporting Act (F.C.R.A.), neither the credit reporting agency, nor the company providing the information to them, can put inaccurate... misleading... or incomplete information on your credit report.

And they must correct it once it is discovered and brought to their attention!

Chexsystems is classified by the federal government as a credit reporting agency which is exactly the same as the credit bureaus, and your credit report, that we are all already familiar with.

If you believe something on your report is incorrect then in order to protect all your rights under this law, you would contact both the credit reporting agency and the individual company providing the information.

So you first contact the bank that reported you, in writing, to put them on notice and have a documented record.

Then, tell Chexsystems in writing what information you believe is inaccurate. Credit reporting agencies must reinvestigate the items in question - usually within 30 days - unless they consider your dispute frivolous. They also must forward all relevant data you provide about the dispute to the information provider.

After the information provider receives notice of a dispute from the credit reporting agency, it must investigate, review all relevant information provided by the credit

reporting agency, and report the results to the credit reporting agency. If the information provider finds the disputed information to be inaccurate, it must notify all nationwide credit reporting agencies so that they can correct this information in your file.

When the reinvestigation is complete, the credit reporting agency must give you the written results and a free copy of your credit report if the dispute results in a change. If an item is changed or removed, the credit reporting agency cannot put the disputed information back in your file unless the information provider verifies its accuracy and completeness, and the credit reporting agency gives you a written notice that includes the name, address, and phone number of the provider.

Second, tell the creditor directly, in writing, that you dispute an item. Many providers specify an address for disputes. If the provider then reports the item to any credit reporting agency, it must include a notice of your dispute. In addition, if you are correct, that is, if the information is inaccurate, the information provider may not use it again.

TWO COMMON LEGAL QUESTIONS REGARDING CREDIT REPORTS:

Can a Credit Report Contain Other, Unrelated Personal Information?

No. Your consumer credit report does not contain information about your race, religious preference, medical history, personal lifestyle, personal background, political preference or criminal record.

How long Does Information Stay on My Credit Report?

Positive credit information remains on your report indefinitely, although information about an account will cycle off your report if no new information is reported about it for seven years. (Thus, a closed account will disappear from your report seven years after it is reported closed by the credit grantor.)

Most negative information remains for up to 7 years. Bankruptcies remain on your credit report up to 10 years. Other public record information can remain for up to 7 years.

All of this applies to your regular credit report. With Chexsystems the time is 5 years.

The first letter is to the bank that reported you. It is good to get someone's name, title, dept, etc. And make sure to have a record, or proof, that the letter was sent. You can send it register mail, or email with date & time stamp, a fax machine that creates an image of what was sent, etc.

The next letters are sent to directly to Chexsystems. Remember, that what you want from them is documented proof that the information is correct. Which would be copies of actual bank records, your final statements before the account was closed, etc.

Bank Letter

Name and Address of original bank

RE: Acct # [account number]

TO: Whom It May Concern:

I am writing regarding the unpaid debt on account # **[account number]**, which I dispute.

According to the Fair Debt Collection Practices Act, I am requesting "validation," or competent evidence that bears my signature and shows I have some contractual obligation to pay you.

Please be aware that any negative mark on my ChexSystems report for a debt I don't owe is in violation of the Fair Credit Reporting Act (FCRA). Therefore, if you cannot validate the debt, you must request that all credit reporting agencies that you have reported to delete the entry. In addition, until I have received and reviewed any evidence you provide me, I ask that you take no action that might damage my credit reports.

If the debt described above has been resolved, I ask that you remove, or have removed any derogatory marks from my ChexSystems, and Credit reports per the FCRA and send me confirmation that you have done so.

Please note that if you fail to respond within 30 days of receipt of this certified letter, I am prepared to take legal action against your company for causes of action including, but not limited to, defamation, fraud and violations under the Fair Credit Reporting Act.

By sending this letter, I am disputing both the validity of the alleged debt and the validity of your claims. This is my attempt to correct your records. Please be aware that any information I receive from you will be collected as evidence should any further action be necessary.

Your printed full name here

Your full name signed here

ChexSystems - First Letter

Date:

FROM: **Your Name**
Your Address
City, State Zip Code
Social Security Number

TO: ChexSystems
Customer Relations

SUBJECT: Dispute of Report

I have obtained a copy of my ChexSystems report. This letter is to serve as notification to you of a formal complaint that the following information is incorrect:

Bank Name
Date

[List the disputed information here: example - amount is incorrect, wrong date, this is not your credit line, you've never had an account with this bank, the amount was paid and not updated on report, the dates are wrong, or any other reasons you are disputing the record]

The above listed items are inaccurate and/or incomplete. This is a very serious error in ChexSystems reporting.

I am aware that Credit reporting laws ensure credit-reporting agencies only report 100% accurate credit information. Every step must be taken to assure the information reported is completely accurate and correct.

This is a violation of the FCRA, and therefore needs to be investigated. I respectfully request that, within 30 days of the receipt date of this letter, I be provided proof of

these alleged items, specifically the contract, note or other instrument bearing my signature.

If this is not provided to me with in this period I am formally requesting that these item must be deleted and removed from my report.

Thank you for your assistance in this matter.

Your Printed Name

Signature

ChexSystems - Second Letter

Date

FROM: **Your Name**
Your Address
City, State Zip Code
Social Security Number

TO: ChexSystems
Customer Relations

SUBJECT: Dispute of Report
2nd Request

In a letter dated **[List date of first letter]**, sent certified mail and signed by **[Name of ChexSystems employee that signed for the letter]**, I formally disputed information on my report and requested that you investigate correct, or remove the following information in my ChexSystems report:

[Re-List the disputed information here, exactly as on the first letter: example - amount is incorrect, wrong date, this is not your credit line, you've never had an account with this bank, the amount was paid and not updated on report, the dates are wrong, or any other reasons you are disputing the record]

To date, I have not received confirmation that you have done so. I have not received any communication from ChexSystems at all regarding this matter.

I am maintaining a careful record of my communications with you on this matter, including the name and date received of my certified letters, for the purpose of filing a complaint with the FTC should you continue in your non-compliance.

As 30 days have now passed, this letter is my formal demand to be removed from the ChexSystems database. Please note violations of the Fair Credit Reporting Act have already occurred by the inaccuracy of my report, and your failure to respond to my formal dispute.

I have already obtained consultation regarding this matter, including information on precedence set by the court ruling in Wenger v. Trans Union Corp., No. 95-6445 (C.D.Cal. Nov. 14, 1995); it is with their assistance that this letter prepared to you.

Willful non-compliance is a very serious matter. Please immediately send confirmation of the deletion of my record to the address above.

If I do not hear from you within ten business days, I am prepared to take legal action to remedy the situation.

Your Printed Name
Signature

ChexSystems - Third Letter

Date

FROM: **Your Name**
Your Address
City, State Zip Code
Social Security Number

TO: ChexSystems
Customer Relations

**RE: [Enter the case ID number
on the ChexSystems letter
you received]**

I am writing in response to your claim that **[Name of Bank]** has confirmed my unpaid debt. Please note that you have failed to provide me a copy of the evidence submitted to you by this bank.

In my dispute I requested a complete investigation to include copies of any documents by **[Name of Bank]** which contains my signature to validate their clam.

Be aware that this is my final goodwill attempt to have this matter resolved. As it now stands, the information you have presented to me continues to be inaccurate and incomplete. It continues to represents a serious error in your reporting, and a violation of the FCRA.

In addition I am requesting that you provide me a description of the procedure you used to determine the accuracy and completeness of the bank's information. Please send this information to me within fifteen (15) days of the completion of your re-investigation. In addition, please

provide the name, address, and telephone number of each person you contacted at **[Name of Bank]** regarding my alleged account.

It is my understanding that your continued failure to comply with federal regulations can be investigated by the Federal Trade Commission. For this reason, I am maintaining a careful record of all of communications with you by certified mail, should I need to file a complaint with the FTC and my state of **[enter your state]** Attorney General's office.

This is my **[second/third]** letter to you regarding this matter! If you do not respond within 15 business days, I am prepared to take legal action against your company for causes of action including, but not limited to, initiated a case at my local small claims court for violations under the Fair Credit Reporting Act.

Your Printed Name
Signature

Using These Letters for Credit Report Disputes

As stated earlier these letters can also be used to dispute items on you credit report.

The statistics are significantly clear that people in Chexsystems also may have incorrect or misleading information on their credit reports.

There are only 3 major credit bureaus in the U.S. Experian, Equifax, and Trans Union. Any other bureau that may be in your local area is in some way affiliated with one of these three bureaus. Any person, or company, that pulls your credit is getting it either directly or indirectly from one of these three bureaus.

If you plan on applying for a loan, financing a car, even applying for renting an apartment the very first thing everyone will do is pull your credit. Also... more and more employers are checking credit reports before making the decision whether, or not, to hire an individual.

Experian, Trans Union, and Equifax are classified by the government as a credit reporting agency. There are federal laws that they must comply with when it comes to how things are reported on your credit report. This called the Fair Credit Reporting Act. (FCRA)

Chexsystems is also considered a credit reporting agency. The exact same federal law applies to them. This is why these letters can be altered and then used for both Chexsystems and your credit report in general.

You can also alter these letters and use them to dispute a business saying you owe them money, or bill collectors.

Just keep in mind that it is a completely different law for bill collectors, and collection agencies. It is called the Fair Debt Collections Procedures Act.

So when you are altering the letters for a bill collector you want to cite the FDCPA and not the FCRA!

The following information is about the FDCPA and how you can order your credit report.

Fair Debt Collection Practices Act



The FDCPA is a collection of laws enacted by the Federal Trade Commission to govern the actions of Collection Agencies

It is the purpose of this act to eliminate abusive practices by debt collectors. Like the Fair Credit Reporting Act (*FCRA which was discussed earlier*) governs credit bureaus and the companies that report to it... this act is specifically for the bill collectors. You can obtain a full copy of both by contacting the [Federal Trade Commission \(FTC\)](#)

These laws cover third party debt collectors and not the original creditors. For Example: *You defaulted on a \$500 Sears card and Sears has sent it to ABC Collection Agency who is now calling you everyday.* ABC is considered a third party and the FDCPA directly covers their actions. The penalties for violations can be severe and can be imposed for each individual occurrence of a violation. So if ABC violated the same thing 5 times in one day then that is potentially 5 separate charges. Sears is the original creditor and not coverage by the FDCPA... however many creditors do not know this which could be used to your advantage.

One thing that is for certain collection agencies definitely know about the FDCPA and it is a constant concern in everything they do. When you let them know that you have some knowledge of the FDCPA you will definitely get their attention!

A debt collector, collection agency can not add additional collection fees to your debt. The only amounts they can add is interest, and that is only according to the terms of the original contract agreement

The following are excerpts of the main provisions of these laws that will be of special interest to you if you are currently getting calls from bill collectors.

A debt collector CAN NOT communicate with another person about your debt. They cannot tell your employer that you owe a debt, they cannot tell your parent's that you owe a debt. They cannot divulge that type of information to ANYONE other than YOU! However they can contact your employer, friends or family ONLY to try and obtain current contact information for you and that is IT! They can say they're trying to locate you "regarding a business matter" which nowadays most people knows what that means. But that is all they can say.

A debt collector cannot call you before 8 am or after 9 pm... your time.

If you have told a debt collector on the phone that they cannot call you at work any more, THEY HAVE TO STOP! If they continue to call you at work after you have requested they stop, it is illegal and a violation of the FDCPA and the debt collector can be sued in court.

Again, the debt collector cannot talk to anyone other than you regarding your debt. The exception is the credit bureau, your attorney, or anyone you designate as your representative in the matter, or their attorney.

You can request a Cease & Desist of all communication from a debt collector if that request is made IN WRITING! If you do this, they can not even call you at home any more. They can only contact you one time after the Cease & Desist and that is to inform you of what they intend to do regarding the matter.

A debt collector may not engage in any conduct where the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt? Without limiting the general application of the foregoing, the following conduct is a violation of this section:

- 1) The use or threat of use of violence or other criminal means to harm the physical person, reputation, or property of any person.

- (2) The use of obscene or profane language or language the natural consequence of which is to abuse the hearer or reader.

(3) The publication of a list of consumers who allegedly refuse to pay debts, except to a consumer reporting agency or to persons meeting the requirements of section 603(f) or 604(3)¹ of this Act.

(4) The advertisement for sale of any debt to coerce payment of the debt.

(5) Causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number.

(6) Except as provided in section 804, the placement of telephone calls without meaningful disclosure of the caller's identity.

A debt collector cannot tell you that they have received a judgment against you UNLESS they actually have. They cannot tell you that you owe more than you actually do and they cannot charge you fees for collecting the debt!

The debt collector cannot threaten you by saying that they are going to take over and sell your home or furnishings unless they legally can.

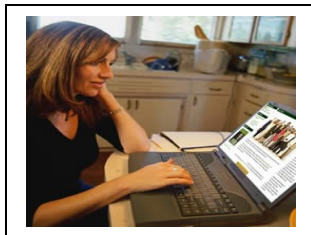
A Collection Agency or debt collector CANNOT send you collection notices by postcard and they cannot send you notices in envelopes which contain the words COLLECTION or DEBT on them. This is a violation of privacy.

When you receive initial phone call from a debt collector, they MUST send you a notice in writing within 5 days of that phone call. They must also include the amount of the debt, the name of the creditor to whom the debt is owed and a statement that states you have 30 days to dispute the validity of the debt.

Once you request validation of a debt the debt collector must CEASE and DESIST all collection efforts until they can provide complete validation of the account. They cannot call you, write you or report the account to the credit bureau until they provide validation. If they do, you can take them to court for violations of the FCDPA. If the debt collector does not ever provide validation, they cannot EVER collect on the debt legally again. Just because you do not request validation or dispute the validity of the debt within the 30 days outlined by the debt collector or CA in their letters, it does NOT mean that you are admitting you owe the debt!

These laws are intended to stop the over-the-top and outrageous actions by some collection agencies. Most collection agencies do not engage in such practices. Knowledge of these laws will allow you to stop the calls and contacts from a collection agency.

CREDIT RESOURCES



Chex Systems, Inc.

Attn: Consumer Relations
7805 Hudson Road, Suite 100
Woodbury, MN 55125
Fax: 602.659.2197
Telephone: 800.428.9623

Federal Trade Commission

600 Pennsylvania Avenue, N.W., Washington, D.C. 20580

(This is the government agency responsible for policing the credit practices.

*If you have a dispute with one of the credit bureaus, collection agency,
collection lawyer, or a creditor, this is where you would file a complaint)*

1-202-326-2222

www.ftc.gov

Contact Information for the Credit Bureaus

Equifax
P.O. Box 105873
Atlanta, Georgia 30348
1-800-997-2493
www.equifax.com

Experian
P.O. Box 2106
Allen, Texas 75013
1-888-397-3742
www.experian.com

Trans Union
P.O. Box 390
Springfield, PA 19064
1-800-888-4213
www.transunion.com

Equifax provides a service that gives you all 3 Credit Bureaus on one easy to read credit report including your score. It is an instant download which means you can see your credit report immediately

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