

Corrected Forms from Consumer Financial Protection Bureau

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By [Stephen R. Woods](#)

As discussed in an earlier blog post, the Consumer Financial Protection Bureau (CFPB)—which now has the responsibility of enforcing the federal Fair Credit Reporting Act (FCRA), a role previously held by the Federal Trade Commission (FTC)—required the use of new model forms as part of the background check process beginning.....

As discussed in an earlier [blog post](#), the Consumer Financial Protection Bureau (CFPB)—which now has the responsibility of enforcing the federal Fair Credit Reporting Act (FCRA), a role previously held by the Federal Trade Commission (FTC)—required the use of new model forms as part of the background check process beginning January 1, 2013.

Just before Thanksgiving, the CFPB announced that there were mistakes and typographical errors in the model forms and issued corrected forms. They contained erroneous references to the FTC and its website and needed updated addresses, corrections to the Spanish language translation, and other updates. The corrected forms are available [here](#).

The affected model forms include the following:

- *A Summary of Your Rights* (Appendix K)—the form most used by employers, including in connection with sending pre-adverse action letters
- *Remedying the Effects of Identity Theft* (Appendix I)—sent by consumer reporting agencies to victim of identity theft
- *Notice to Furnishers of Information: Obligations of Furnishers under the FCRA* (Appendix M)—sent to furnishers of information to consumer reporting agencies

- *Notice to Users of Consumer Reports: Obligations of Users under the FCRA* (Appendix N)—sent by consumer reporting agencies to employers, among other end users of background check reports

Employers who have already begun using the model forms (originally published on December 21, 2011), which contained errors, need not panic. The CFPB has indicated that in order to mitigate the impact of these changes, it will regard the use of the 2011 model forms (the ones with the typographical errors) as compliant with FCRA provisions until further notice. However, it would be best to phase in the use of the new forms in the near future.

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