

SUBJECT: CONSUMER PROTECTION – FAIR CREDIT REPORTING  
ATTORNEY GENERAL – PUBLIC PROTECTION UNIT

ADOPTED RULE, PURSUANT TO 9 V.S.A. SECTIONS 2453(c) AND 2480f(c)

RULE CP 112

Effective Date: 4/1/93

CP 112.01 Disclosures to Consumers

CP 112.02 Charges for Certain Disclosures by Credit Reporting Agencies

CP 112.03 Consumer Consent

**CP 112.01 Disclosures to Consumer**

(a) A credit reporting agency, as defined in 9 V.S.A. §2480a, shall cause its name and telephone number to be listed under the heading "Credit Reporting Agency" in each NYNEX White Pages Directory and each NYNEX Yellow Pages Directory serving the following communities: Barre, Bennington, Brattleboro, Burlington/Middlebury, Newport, Rutland, St. Albans, St. Johnsbury and White River Junction.

(b) The telephone number listed pursuant to Section 112.01 (a) of this Rule shall be the telephone number consumers can use to request the information required to be disclosed pursuant to 9 V.S.A. §2480b(a), which is all information available to users at the time of the request pertaining to the consumer, including but not limited to:

(1) any credit score or predictor relating to the consumer prepared during the six months prior to the consumer's request, or prepared after January 1, 1993, whichever period is shorter;

(2) the names of users requesting information pertaining to the consumer during the prior twelve month period and the date of each request; and

(3) a clear and concise explanation of the information contained in the credit report.

(c) The telephone number listed pursuant to Section 112.01 (a) of this Rule also shall be the telephone number consumers can use to request a free copy of their credit report pursuant to 9 V.S.A. §2480c(a).

**CP 112.02 Charges for Certain Disclosures by Credit Reporting Agencies**

The requirement of 9 V.S.A. §2480c(a), that a credit reporting agency shall not impose a charge for providing the information required to be disclosed under 9 V.S.A. § 2480b(a) once every twelve months, is not satisfied by providing a consumer with disclosures and reports pursuant to 15 U.S.C. §1 681j within 30 days after receipt by such consumer of a notification that the consumer's credit rating may be or has been adversely affected.

**CP 112.03 Consumer Consent**

(a) A person required to obtain consumer consent pursuant to 9 V.S.A. §§ 2480e and 2480g shall obtain said consent in writing if the consumer has made a written application or written request for credit, insurance, employment, housing or governmental benefit. If the consumer has applied for or requested credit, insurance, employment, housing or governmental benefit in a manner other than in writing, then the person required to obtain consumer consent pursuant to 9 V.S.A. §§ 2480e and 2480g shall obtain said consent in writing or in the same manner in which the consumer made the application or request. The terms of this rule apply whether the consumer or the person required to obtain consumer consent initiates the transaction.

(b) Consumer consent required pursuant to 9 V.S.A. §§ 2480e and 2480g shall be deemed to have been obtained in writing if, after a clear and adequate written disclosure of the circumstances under which a credit report or credit reports may be obtained and the purposes for which the credit report or credit reports may be obtained, the consumer indicates his or her consent by providing his or her signature.

(c) The fact that a clear and adequate written consent form is signed by the consumer after the consumer's credit report has been obtained pursuant to some other form of consent shall not affect the validity of the earlier consent.